



1997 SENATE BILL 159

April 9, 1997 - Introduced by Senators ROSENZWEIG, RUDE, PANZER, HUELSMAN, WEEDEN, FARROW, WELCH, SCHULTZ and FITZGERALD, cosponsored by Representatives WASSERMAN, WALKER, FREESE, HANDRICK, KRUG, LA FAVE, BRANDEMUEHL, DUFF, GOETSCH, GUNDERSON, HAHN, HASENOHRL, KEDZIE, F. LASEE, MEYER, MUSSER, RYBA, SKINDRUD, SPRINGER, VRAKAS, ALBERS, SERATTI, LADWIG and LAZICH. Referred to Committee on Health, Human Services, Aging, Corrections, Veterans and Military Affairs.

- 1 **AN ACT to amend** 252.15 (5) (a) 14. of the statutes; **relating to:** disclosure of
2 human immunodeficiency virus test results by attending physicians.

Analysis by the Legislative Reference Bureau

Under current law, if a person is tested for HIV (the virus that causes acquired immunodeficiency syndrome, which is otherwise known as AIDS), the results of that test are confidential. The subject of the test may disclose the results to anyone, but unless the subject or his or her health care agent has authorized further disclosure, it may not be made except by certain persons or in certain circumstances. One of these exceptions applies if the test subject is deceased and his or her test results were positive; in that instance, the subject's attending physician may notify persons, if they are known to the physician, with whom the test subject has had sexual contact or has shared intravenous paraphernalia.

This bill changes current law to permit the attending physician of a person who has tested positive for the presence of HIV to disclose the test results to the person's spouse, if any, and, if the physician knows of them, to other persons with whom the person has had sexual contact or has shared intravenous paraphernalia. The bill eliminates the requirement that the test subject be deceased before the attending physician may make these disclosures.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

