

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

HOUSE BILL 2116

4 **By: Representatives Gilbert and McCoy**

5

6

7

For An Act To Be Entitled

8 "AN ACT TO REQUIRE REPORTING OF HIV INFECTION AND AIDS TO
9 THE ARKANSAS DEPARTMENT OF HEALTH; TO PREVENT REPEAL OF
10 PATIENT CONFIDENTIALITY AND DENIAL OF BENEFITS; AND FOR
11 OTHER PURPOSES."

12

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

14

15 SECTION 1. Reports shall be made to the Arkansas Department of Health
16 in such form and manner as may be required by the Department for all persons
17 who have been determined to have Acquired Immunodeficiency Syndrome (AIDS) or
18 who have tested positive for the presence of Human Immunodeficiency Virus
19 (HIV) antigen or antibodies. Reporting is required by the following persons:

20

Physicians;

21

Hospital Infection Control Practitioners and/or the Chairpersons of

22

Hospital Infection Control Committees;

23

Directors of laboratories doing business in the State of Arkansas;

24

Medical Directors of In-Home Health agencies;

25

Program Directors of State agencies to whom an HIV/AIDS diagnosis has

26

been disclosed;

27

Nursing Home Medical Directors; and

28

those other persons as are required by the rules and regulations of the

29

Arkansas Department of Health.

30

31

SECTION 2. Privileged Communications.

32

Notwithstanding the provisions of this act or any other law, the

33

privileged communications provisions codified as A.C.A. §§17-39-107 et seq.

34

are not repealed and no insurer or hospital and medical service corporation

35

may deny payment of benefits for services rendered by those licensed pursuant

1 to A.C.A. §§17-39-301 et seq. for covered services.

2

3

4 SECTION 3. All provisions of this act of a general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

7

8 SECTION 4. If any provision of this act or the application thereof to
9 any person or circumstance is held invalid, such invalidity shall not affect
10 other provisions or applications of the act which can be given effect without
11 the invalid provision or application, and to this end the provisions of this
12 act are declared to be severable.

13

14 SECTION 5. All laws and parts of laws in conflict with this act are
15 hereby repealed.

16

17 */s/Gilbert and McCoy*

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

