

1 **State of Arkansas**

2 **79th General Assembly**

3 **Regular Session, 1993**

**H.C.R.**

4 **By: Representatives Landers, Townsend, Dawson, Wingfield, Thicksten, Mitchell, Fairchild,**

5 **Bisbee, Wallis, McGee, Newman**

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## **HOUSE CONCURRENT RESOLUTION**

9 EXPRESSING OPPOSITION TO THE PROPOSAL OF THE  
10 ADMINISTRATION TO REMOVE HIV INFECTION FROM THE LIST OF  
11 COMMUNICABLE DISEASES OF "PUBLIC HEALTH SIGNIFICANCE" FOR  
12 PURPOSES OF THE IMMIGRATION LAW AND URGING THE U.S.  
13 DEPARTMENT OF HEALTH AND HUMAN SERVICES TO MAINTAIN THE  
14 CURRENT POLICY OF TESTING ALL IMMIGRANTS FOR HIV INFECTION  
15 AND EXCLUDING THOSE WHO ARE INFECTED FROM SETTLING  
16 PERMANENTLY IN THE UNITED STATES.

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### **Subtitle**

19 EXPRESSING OPPOSITION TO THE PROPOSAL TO REMOVE HIV  
20 INFECTION FROM THE LIST OF COMMUNICABLE DISEASES.

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22 WHEREAS, the epidemic of HIV infection in America has claimed over  
23 155,000 lives and continues to spread, especially in our largest cities; and

24 WHEREAS, in 1990, the U. S. Congress, in response to this public health  
25 crisis, took the extraordinary step of enacting a program to provide state and  
26 local governments with emergency federal assistance to educate, counsel, and  
27 treat those who are infected with, or at risk for, HIV; and

28 WHEREAS, studies indicate the HIV-infected individuals require, on the  
29 average, up to \$200,000 in health care resources to treat the complications  
30 associated with the Acquired Immune Deficiency Syndrome; and

31 WHEREAS, there is currently a resurgence of tuberculosis in our major  
32 cities directly related to HIV disease with one third of the cases resistant  
33 to currently available drugs; and

34 WHEREAS, Medicaid in most states has serious budgeting problems and  
35 forty percent of persons with AIDS depend on Medicaid for care; and

1           WHEREAS, studies further indicate that as many as ninety percent of HIV-  
2 infected persons do not know that they are infected with the potentially fatal  
3 virus, and therefore have no reason to modify their behavior to prevent its  
4 transmission to others; and

5           WHEREAS, immigrants have historically undergone a health assessment  
6 before admission into the United States and since 1987 that assessment has  
7 included mandatory screening for the Human Immunodeficiency Virus; and

8           WHEREAS, current law requires that all prospective immigrants who are  
9 infected with the Human Immunodeficiency Virus be excluded from settling  
10 permanently in the United States; and

11           WHEREAS, medical organizations, such as the American Medical  
12 Association, agree that all prospective immigrants should be tested for HIV  
13 infection and those who are HIV-seropositive should be prohibited from  
14 immigrating to the United States; and

15           WHEREAS, the Administration has proposed removing HIV infection from the  
16 list of excludable diseases for the purpose of immigration to the United  
17 States; and

18           WHEREAS, in light of the aforementioned crisis in our nation\_s public  
19 health care system, the certainty that HIV-infected individuals will consume  
20 significant health care resources, the likelihood that the vast majority of  
21 HIV-infected immigrants do not know their HIV-serostatus, and the historical  
22 function of immigration officials in screening prospective immigrants for  
23 communicable diseases of public health significance,

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25 NOW THEREFORE,

26 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-NINTH GENERAL  
27 ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

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29           THAT the General Assembly of the State of Arkansas hereby expresses  
30 opposition to the proposal by the Administration to remove HIV infection from  
31 the list of communicable diseases of "Public Health Significance" for purposes  
32 of immigration law and urges the U.S. Department of Health and Human Services  
33 to maintain the current policy of testing all immigrants for HIV infection and  
34 excluding those who are infected from settling permanently in the United  
35 States.

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BE IT FURTHER RESOLVED that upon adoption of this resolution, a copy hereof shall be transmitted to the appropriate officials of the U.S. Department of Health and Human Services.

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