

HOUSE BILL No. 1051

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-41-7-1.

Synopsis: Hepatitis C testing and study of needle exchanges. Requires a carrier of Hepatitis C to warn a person at risk of the carrier's disease status and need to seek health care counseling and testing. Requires the health finance commission to study during the 2014 legislative interim the feasibility of establishing a needle exchange program and how to address criminal law statutes that could affect the effective operation of a needle exchange program.

Effective: July 1, 2014.

Errington

January 7, 2014, read first time and referred to Committee on Public Health.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1051

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-41-7-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) This section
3 applies to the following dangerous communicable diseases:
4 (1) Acquired immune deficiency syndrome (AIDS).
5 (2) Human immunodeficiency virus (HIV).
6 (3) Hepatitis B.
7 **(4) Hepatitis C.**
8 (b) As used in this section, "high risk activity" means sexual or
9 needle sharing contact that has been demonstrated epidemiologically
10 to transmit a dangerous communicable disease described in subsection
11 (a).
12 (c) As used in this section, "person at risk" means:
13 (1) past and present sexual or needle sharing partners who may
14 have engaged in high risk activity; or
15 (2) sexual or needle sharing partners before engaging in high risk
16 activity;



1 with the carrier of a dangerous communicable disease described in
2 subsection (a).

3 (d) Carriers who know of their status as a carrier of a dangerous
4 communicable disease described in subsection (a) have a duty to warn
5 or cause to be warned by a third party a person at risk of the following:

6 (1) The carrier's disease status.

7 (2) The need to seek health care such as counseling and testing.

8 SECTION 2. [EFFECTIVE JULY 1, 2014] (a) **As used in this**
9 **SECTION, "commission" refers to the health finance commission**
10 **established by IC 2-5-23-3.**

11 (b) **As used in this SECTION, "needle exchange program"**
12 **refers to an evidenced based intervention program that provides**
13 **clean needles to injection drug users in return for used syringes**
14 **that are then destroyed. Such a program's purpose is to reduce the**
15 **frequency of infections, including HIV and Hepatitis C, passed**
16 **through the use of unclean needles.**

17 (c) **During the 2014 legislative interim, the health finance**
18 **commission shall study the feasibility of establishing a needle**
19 **exchange program for the state and how to address criminal law**
20 **statutes that could affect the effective operation of a needle**
21 **exchange program.**

22 (d) **This SECTION expires December 31, 2014.**

