

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5615

To prohibit the use of Federal funds for the conduct or support of programs of HIV testing that fail to make every reasonable effort to inform the individuals of the results of the testing.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2000

Mr. COBURN (for himself, and Mr. NORWOOD) introduced the following bill;  
which was referred to the Committee on Commerce

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## A BILL

To prohibit the use of Federal funds for the conduct or support of programs of HIV testing that fail to make every reasonable effort to inform the individuals of the results of the testing.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Right to Know Act  
5 of 2000”.

6       **SEC. FINDINGS.**

7       The Congress finds as follows:

1           (1) The Centers for Disease Control and Pre-  
2           vention is currently funding HIV serosurveillance  
3           studies at various locations throughout the United  
4           States.

5           (2) These studies are designed to determine the  
6           prevalence of a disease within particular populations  
7           using “blind” tests in which blood specimens are  
8           taken from individuals and tested for HIV without  
9           their knowledge, identifying elements are removed,  
10          and test results are withheld from the source pa-  
11          tient.

12          (3) Blind HIV tests threaten the health and life  
13          of an infected individual by withholding from that  
14          individual the knowledge that could protect and en-  
15          hance his or her health through appropriate treat-  
16          ment.

17          (4) Blind HIV tests threaten the public health  
18          and allow others to become needlessly infected with  
19          HIV by denying an infected individual the knowledge  
20          of their infection thereby allowing them to unknow-  
21          ingly place others at risk of infection.

22          (5) For the reasons stated in paragraphs (3)  
23          and (4):

24                  (A) Studies that test individuals for HIV  
25                  without their knowledge and that do not dis-

1 close positive test results to source patients are  
2 unethical.

3 (B) Anyone who is diagnosed with HIV  
4 should be told the results of such test and pro-  
5 vided with appropriate counseling regarding  
6 care and prevention.

7 (C) The Federal government and others  
8 conducting blind HIV studies should imme-  
9 diately cease such activities.

10 (D) The Federal government and others  
11 who have conducted blind HIV tests should  
12 make every possible effort to notify those who  
13 have been diagnosed with HIV.

14 **SEC. 3. PROHIBITION REGARDING USE OF FEDERAL FUNDS**  
15 **FOR HIV TESTING.**

16 None of the amounts made available in any Federal  
17 appropriations Act for any fiscal year may be used to con-  
18 duct or support any program of testing individuals for in-  
19 fection with the human immunodeficiency virus in which  
20 there is a failure to make every reasonable effort to find  
21 and disclose to the tested individuals the results of the  
22 testing (including testing performed on blood samples the  
23 individuals provided for other purposes), together with ap-  
24 propriate counseling.

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