

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)  
COMMITTEE SUBSTITUTE FOR  
HOUSE BILL NO. 1327

By: Hamilton (Jeff)

COMMITTEE SUBSTITUTE

An Act relating to public health and safety; requiring the State Department of Health to submit a State Plan for the Prevention and Treatment of AIDS to certain persons; making Oklahoma State Department of Health certain lead agency; requiring certain state agencies to prepare the plan in a certain manner; providing for annual review and modification of the plan; providing for annual reports; providing for the contents of the plan; providing for time to submit the plan and annual reports; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-534.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma State Department of Health shall be the lead agency for the coordination of programs and services related to Human Immunodeficiency Virus (HIV).

B. On or before January 1, 1994, the State Department of Health shall submit a State Plan for the Prevention and Treatment of AIDS to the Governor, the President Pro Tempore of the Oklahoma State Senate, the Speaker of the Oklahoma House of Representatives, the chairmen of the appropriate committees of the Senate and the House of Representatives, and the chief executive officer and members of the governing body of each of the agencies affected by the plan. Copies of the State Plan for the Prevention and Treatment of AIDS shall be available to members and the general public upon request.

C. The State Plan for the Prevention and Treatment of AIDS shall be prepared jointly by the State Department of Health, the

Department of Human Services, the State Department of Education, and the Department of Mental Health and Substance Abuse Services in collaboration with other appropriate public and private agencies and organizations.

D. The State Plan for the Prevention and Treatment of AIDS shall be reviewed annually by the entities responsible for the preparation of the plan and modified as necessary and appropriate. On or before October 1 of each year the State Department of Health shall prepare a report of the annual review, including any modifications to the plan and any recommendations for the continued development of programs and services for the prevention and treatment of AIDS. The annual report shall be submitted and made available as provided by subsection A of this section for the submission and availability of the plan.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-534.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

The State Plan for the Prevention and Treatment of AIDS shall include but not be limited to:

1. Coordinated or joint recommendations for funding, legislation or other appropriate action for the prevention and control of the spread of the Human Immunodeficiency Virus, to provide necessary treatment and other services to persons infected with the virus and to protect the human and civil rights and health of the citizens of this state;

2. Education and information programs about the Human Immunodeficiency Virus and AIDS to the general public, health care professionals and other professionals, specialized education and information efforts as appropriate for the effective prevention and control of the spread of the Human Immunodeficiency Virus.

The program shall include but not be limited to teaching that:

- a. engaging in homosexual activity, promiscuous sexual activity, intravenous drug use or contact with contaminated blood products is now known to be primarily responsible for contact with the AIDS virus,

- b. avoiding the activities specified in subparagraph a of this paragraph is the only known method of preventing the spread of the virus,
- c. sexual intercourse, with or without condoms, with any person testing positive for human immunodeficiency virus (HIV) antibodies, or any other person infected with HIV, places that individual in a high risk category for developing AIDS,
- d. abstinence from sexual activity is the only certain means for the prevention of the spread or contraction of the AIDS virus through sexual contact, and
- e. artificial means of birth control are not a certain means of preventing the spread of the AIDS virus and reliance on such methods puts a person at risk for exposure to the disease;

3. An appropriate array of Human Immunodeficiency Virus testing and counseling programs and services, and Human Immunodeficiency Virus prevalence surveillance and monitoring activities including reporting and notification of contacts, as prudent and necessary for the protection of the public health;

4. Testing and education programs and services designed to prevent and control the spread of Human Immunodeficiency Virus infection among intravenous chemical substance abusers; and

5. Case management and other programs in order to assure access to needed health care and for the purpose of reducing the cost of treatment of persons with AIDS.

SECTION 3. This act shall become effective September 1, 1993.

44-1-6407

KSM