



## Ohio Senate

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Select Committee on Gaming  
Correctional Institution Inspection Committee

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Chairman Huffman, Ranking Member Antonio, and members of the Senate Health Committee, thank you for allowing me to give testimony on Senate Bill 275, which is aimed at clearing up any confusion regarding HIV testing in the Revised Code.

Current HIV treatment can reduce a patient's viral load to undetectable amounts, which means they cannot transmit the disease. However, the key to treating an individual with HIV is for that individual to know their status. As a matter of fact, diagnosing individuals with HIV as early as possible is one of four key strategies in the U.S. Plan to End the HIV Epidemic (ETE) launched by the US Department of Health and Human Services under former President Trump. In 2019, 21.3% of Ohioans received a late HIV diagnosis, which makes it harder to treat HIV and is a missed opportunity for AIDS intervention. Furthermore, 15% of Ohioans with HIV are unaware of their status. Part of the problem is how Ohio's current law on HIV testing is written. ORC 3701.343 covers the administration of HIV tests only when deemed necessary for diagnosis and treatment. It is unclear how HIV testing that is integrated into routine interactions is permitted under the law. Senate Bill 275 fixes that issue.

Further, Senate Bill 275 would clarify that routine opt-out HIV testing in clinical settings is permitted. This change would bring Ohio up to the testing standards across the country and hopefully improve rates of early diagnosis. Specifically the bill:

- Removes the limitation that general consent for HIV testing is only allowed when the test is necessary for diagnosis and treatment
- Requires providers to notify patients that an HIV test is planned and that patients have the right to decline it
- Acknowledges general consent for care as sufficient for HIV testing, once the patient has been notified by their provider that the HIV test is planned
- Ensures a patient's decision to decline an HIV test is captured in their medical record
- Preserves the patient's right to an anonymous HIV test

These clarifications have broad support and there is no known opposition to the bill.

Thank you for allowing me to provide sponsor testimony today on Senate Bill 275. I am happy to take any questions from the committee.