



Maryland
Hospital Association

March 26, 2024

To: The Honorable William C. Smith Jr., Chair, Senate Judicial Proceedings Committee

Re: Letter of Support with Amendments - Senate Bill 1165 - Public Health - Prohibition on Transfer of Human Immunodeficiency Virus - Repeal

Dear Chair Smith:

On behalf of the Maryland Hospital Association's (MHA) 62 member hospitals and health systems, we appreciate the opportunity to comment on Senate Bill 1165.

Maryland hospital employees often serve as the first line of care and compassion for sexual assault survivors. One of the primary health risks to rape survivors is HIV infection. MHA agrees there must be criminal charges for individuals who maliciously and intentionally infect their victims. However, the existing law that SB 1165 would repeal, which targets HIV as the only infectious disease that can be intentionally transmitted, is concerning and was heavily influenced by discriminatory prejudices against the LGBTQ+ community. It also does not reflect the three decades of HIV research and biomedical advancements, including post-exposure prophylaxis, to treat and prevent HIV transmission. The Centers for Disease Control and Prevention (CDC) state: "[T]hese laws have been shown to increase stigma, exacerbate disparities, and may discourage HIV testing."¹

For these reasons, MHA respectfully requests amending SB 1165 with the language proposed by the Maryland Coalition Against Sexual Assault (MCASA). Replacing HIV with "infectious or contagious diseases" will hold wrongdoers accountable for their actions but destigmatizes HIV and appropriately expands the types of diseases that can be intentionally spread. This includes other sexually transmitted infections with long-term effects, such as hepatitis and syphilis, the latter of which experienced an 80% increase since 2018.²

For these reasons, we request a favorable report on SB 1165 with the proposed amendment from MCASA.

For more information, please contact:

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¹ Centers for Disease Control and Prevention (CDC). "HIV and STD Criminalization." [cdc.gov/hiv/policies/law/states/exposure.html](https://www.cdc.gov/hiv/policies/law/states/exposure.html) (accessed February 2, 2024).

² Cho, Kelly Kasulis. "U.S. syphilis numbers are at their highest since the 1950s, CDC report says." [washingtonpost.com/health/2024/02/01/syphilis-cases-surge-united-states/](https://www.washingtonpost.com/health/2024/02/01/syphilis-cases-surge-united-states/) (accessed February 2, 2024).