



Committee: House Judiciary Committee

Bill Number: House Bill 39

Title: Public Health - Prohibition on Transfer of Human Immunodeficiency Virus - Repeal

Hearing Date: January 28, 2025

Position: Support

The Maryland Affiliate of the American College of Nurse Midwives (ACNM) supports *House Bill 39 - Public Health - Prohibition on Transfer of Human Immunodeficiency Virus - Repeal*. The bill will repeal the current misdemeanor (MD. CODE. ANN., HEALTH-GEN. § 18-601.1) that criminalizes the transmission or potential transmission of HIV.

The current law is stated in such a way that even breastfeeding a child or consensual sex using a barrier contraceptive can be interpreted as a criminal act. In 2025, the science of preventing and treating HIV renders this law both cruel and unnecessary. Medications for both pre- and post-exposure prophylaxis have transformed the risk equation in all settings, including perinatal exposure, sexual activity, and even needle-sharing. In addition, current treatment regimens for people living with HIV are highly effective at preserving health and preventing transmission.ⁱ

We ask for a favorable report on this legislation. If we can provide any further information, please contact Robyn Elliott at relliott@policypartners.net or (443) 926-3443.

ⁱ HIV.gov. <https://www.hiv.gov/tasp>. Accessed 1/18/2025.