

Witness Testimony for HOUSE BILL 0039
Public Health - Prohibition on Transfer of Human Immunodeficiency Virus - Repeal

Submitted by:
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ATTENTION: Delegates Fair, Bouchat, Feldmark, D. Jones, Kaufman, Lehman, Mireku–North, Pruski, Ruth, Stewart, and Terrasa

RE: Testimony Submission for HB 0039

1

Greetings to Governor Wes Moore, Lieutenant Governor Aruna Miller, Delegates Fair, Bouchat, Feldmark, D. Jones, Kaufman, Lehman, Mireku–North, Pruski, Ruth, Stewart, and Terrasa and the Maryland Judiciary Committee. We submit this written testimony in opposition to House Bill 0039.

We are Zen Corp Federation Inc. a Maryland-based expert consulting firm specializing in policy administration, project management, strategic planning/procurement, contract administration, and crisis management. We support a variety of community outreach initiatives and organizational missions throughout Maryland. This level of advocacy ignites our sincere interest in social issues and causes that impact men, women, and youth such as the decriminalization of the Human Immunodeficiency Virus commonly referred to as HIV. We believe it is our civic and social responsibility to support Maryland’s legislative process, and our opposition of HB 0039 is based on the realization that a repeal of Section §18–601.1 means an insensitive disregard for the moral transparency, consequences for recklessness, and the egregious offense that this law upholds and enforces when HIV infected persons knowingly choose not to disclose their positive status.

Since its inception in the early 1980s and over the past several years, the HIV/AIDS epidemic has been a major health crisis worldwide. Although medical advances have emerged to improve treatment and the overall life expectancy for HIV victims, there is still a daunting fear associated with an HIV diagnosis. Medical institutions such as National Institutes of Health and the Centers for Disease Control emphasize the positive aspects about recent statistics and case studies pertaining to the “scientific” advances of HIV. However, on the contrary, both institutions still confirm that HIV is among the leading cause of death; thus making this epidemic a health issue that still envelopes fear and traumatic experiences that may prompt any person to view it as a medical condition may diminish their hope if diagnosed. Many studies have shown that a one-time confirmed HIV diagnosis can trigger a drastic mental and emotional traumatic response. Part of this is because of the social and psychological stigma that has been long associated with the HIV epidemic that the scientific medical advances cannot erase. Mental health illnesses such as PTSD, Emotional Disturbance Disorder, and Anxiety are just a few of the conditions that a person could develop when learning about a HIV diagnosis for the first time.

Over the past 2 years, our firm has served as a volunteer with a local support group for women who are victims of domestic violence and HIV. We have heard (firsthand) several heartbreaking stories from women who unknowingly contracted HIV from their mate/partner who chose not disclose their HIV positive status. As a result of them not being informed, their lives were devastatingly altered in ways they never imagined mainly because a partner they trusted acted recklessly and violated their personal right to choose and exposing them to irreversible risk. With these types of scenarios, a manner of justice and law enforcement should be a justifiable option for any man or woman whose personal rights were violated by someone who willingly and knowingly infected them with a disease that still has a fatal outcome associated

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2

with it despite the scientific medical breakthroughs. Until the social and psychological stigma is totally eradicated (which both still exists), it does not seem ethical or logical to convince people that normalizing the acceptance of an unwanted HIV transmission is the best solution when full disclosure should have been availed in the beginning. It also seems that some form of legal recourse is justifiable if a person in this type of scenario feel his or her individual rights were violated.

In closing, a question we would ask any person who feels a repeal is warranted, would you want justice or legal protection of your individual rights if an unfortunate occurrence of this kind happened to you? How would you feel if someone who knowingly had HIV and failed to reveal their status imposed such action and not allow you to choose as it relates to your fate?

Sources:

Center for Disease Control (CDC):

[https://www.cdc.gov/mmwr/volumes/69/wr/mm6946a1.htm#:~:text=Background,with%20diagnosed%20HIV%20\(PWDH\)](https://www.cdc.gov/mmwr/volumes/69/wr/mm6946a1.htm#:~:text=Background,with%20diagnosed%20HIV%20(PWDH)).

National Institutes of Health (NIH); HIV and AIDS:

<https://www.ncbi.nlm.nih.gov/books/NBK534860/>

The Well Project; Trauma and HIV: <https://www.thewellproject.org/hiv-information/trauma-and-hiv>

U. S. Department of Veteran Affairs:

<https://www.hiv.va.gov/patient/daily/mental/single-page.asp>