

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 396 (Chairman, Economic and Environmental Affairs Committee)
(Departmental - Health and Mental Hygiene)
Economic and Environmental Affairs

AIDS - Pregnant Women - Counseling and Testing

This departmental bill requires health care providers to counsel pregnant women about being tested for human immunodeficiency virus (HIV) as part of a prenatal care program. It requires that the health care provider discuss the effect of a positive HIV test regarding the risk of transmission of HIV to the fetus and recognized methods of reducing that risk during pregnancy. It also provides safeguards for a woman regarding confidentiality of records and coercion in testing.

Fiscal Summary

State Effect: Potential future decrease in general fund Medicaid expenditures, as discussed below. Revenues would not be affected.

Local Effect: None. The bill codifies existing practice in maternity clinics operated by local health departments.

Small Business Effect: The Department of Health and Mental Hygiene has determined that this bill has a meaningful impact on small businesses (attached). Fiscal Services concurs with this assessment.

Fiscal Analysis

State Expenditures: The bill codifies existing practice in maternity clinics operated by the State. Future Medicaid expenditures could decrease by a significant amount, to the extent that the bill's provisions (which apply to private as well as government maternity clinics), prevent transmission of HIV to infants. The lifetime medical costs for a child with perinatally acquired HIV is \$222,000.

Additional Comments: When Congress re-enacted the Ryan White CARE Act in 1996, it

required that states (1) demonstrate a reduction in perinatal HIV transmission; (2) demonstrate that 95% of all pregnant women knew their HIV status; or (3) enact legislation mandating HIV testing of newborns born to women of unknown HIV status. The provisions of this bill would enhance Maryland's chances of achieving the federal target for reducing perinatal transmission.

Information Source(s): Department of Health and Mental Hygiene, Department of Fiscal Services

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