

1 AN ACT in relation to health.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the  
5 Perinatal HIV Prevention Act.

6 Section 5. Definitions. In this Act:

7 "Health care provider" or "provider" means any physician,  
8 hospital facility, or other person that is licensed or  
9 otherwise authorized to deliver health care services.

10 "Health care services" means any services included in (i)  
11 the furnishing of prenatal medical care or labor or delivery  
12 services to a pregnant woman, including home health and  
13 pharmaceutical services and products, or (ii) the  
14 hospitalization incident to the furnishing of such care or  
15 services.

16 Section 10. HIV counseling and offer of HIV testing  
17 required.

18 (a) Every health care provider in this State that  
19 provides health care services to a pregnant woman must ensure  
20 that the woman is provided with HIV counseling and is offered  
21 HIV testing. A provider must ensure that the counseling is  
22 provided and the testing offered as early in the woman's  
23 pregnancy as possible. The provider must also ensure that the  
24 counseling and offer of testing are entered into the woman's  
25 medical records.

26 (b) The counseling required under this Section must  
27 include, but need not be limited to, the following:

- 28 (1) The routes of HIV transmission.
- 29 (2) Methods of avoiding HIV transmission.
- 30 (3) The benefits, to both the expecting mother and

1 to her child, of learning one's serostatus.

2 (c) All counseling and testing, and offers of testing,  
3 provided under this Act must be in accordance with the  
4 standards set forth in the AIDS Confidentiality Act. Those  
5 standards include, but are not limited to, the requirement of  
6 written informed consent to the performance of an HIV test.

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.