

1 AN ACT to create the HIV Education for Pregnant Women  
2 Act.

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

5 Section 1. Short title. This Act may be cited as the  
6 HIV Education for Pregnant Women Act.

7 Section 5. Definitions. As used in this Act:

8 "AIDS" means acquired immune deficiency syndrome, as  
9 defined from time to time by the Centers for Disease Control  
10 and Prevention of the U.S. Public Health Service.

11 "Department" means the Illinois Department of Public  
12 Health.

13 "HIV" means the human immunodeficiency virus and any  
14 other identified causative agent of AIDS.

15 Section 10. Information; counseling.

16 (a) A physician or other health care practitioner who is  
17 the primary caregiver for a woman who seeks care or treatment  
18 while pregnant or within 4 weeks of giving birth shall  
19 provide the woman with information about HIV and AIDS and the  
20 benefits of being tested for HIV and shall inform her of the  
21 option of being tested anonymously or confidentially.

22 (b) No woman shall be tested unless she has provided  
23 written, informed consent, as provided by the AIDS  
24 Confidentiality Act.

25 (c) A woman shall not be denied appropriate prenatal or  
26 other medical care because she decides to be tested or not to  
27 be tested.

28 (d) If the woman decides to be tested, the physician  
29 shall report the positive or negative test result to the  
30 woman. The report shall otherwise remain confidential and

1 shall be disclosed only as provided in the AIDS  
2 Confidentiality Act. The physician shall also personally  
3 counsel the woman or arrange for a counselor competent in HIV  
4 infection to counsel the woman to obtain appropriate medical  
5 treatment and shall inform the woman of the risk to herself  
6 and her baby if she fails to obtain appropriate medical  
7 treatment. The counseling shall also include information  
8 concerning the available medical interventions to prevent the  
9 onset of illness in the mother and to reduce the incidence of  
10 transmission of HIV to her child.

11 Section 15. Department guidelines. The Illinois  
12 Department of Public Health shall provide to all physicians  
13 and other health care practitioners information and  
14 guidelines regarding the requirements of this Act.