



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

FACT SHEET FOR H.B. 2433

HIV testing; consent; repeal

Purpose

Repeals statute requiring health care providers to provide informed consent information to patients prior to ordering any HIV-related test, as well as outlined exceptions.

Background

Health care providers must provide patients with informed consent information prior to ordering any HIV-related test, including information that explains HIV infection and the meaning of a positive test result. The patient may ask questions and choose to decline the test. The informed consent requirement does not apply to the performance of an HIV-related test: 1) relating to procuring, processing or distributing human body parts for use in medical research, therapy or transplantation; 2) on a health care provider who has had an occupational significant exposure; 3) for research purposes; 4) on a deceased person being evaluated for cause of death; 5) on a patient who requires emergency medical treatment but lacks the capacity to consent or requires testing for diagnosis and treatment of a medical condition; or 6) performed on an anonymous basis at a public health agency ([A.R.S. § 36-663](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Repeals the requirement that health care providers provide informed consent information to patients prior to ordering any HIV-related test, as well as outlined exceptions.
2. Makes technical and conforming changes.
3. Becomes effective on the general effective date.

House Action

HHS	2/14/22	DP	8-1-0-0
3 rd Read	2/23/22		51-8-1

Prepared by Senate Research
 March 21, 2022
 MM/sr