



SB0251 - Public Health – Treatment for the Prevention of HIV – Consent by Minors
Presented to the Hon. Delores G. Kelley and Members of the Senate Finance Committee
February 6, 2019 1:30pm

POSITION: SUPPORT

NARAL Pro-Choice Maryland **urges the Senate Finance Committee a favorable report on SB0251**, Public Health – Treatment for the Prevention of HIV – Consent by Minors, sponsored by Senator Clarence Lam. Our organization believes that there should be no discrimination or barrier to care based on a patient's age regarding prevention or treatment for sexual or reproductive health.

Although current state law allows minors to consent to medical care for sexually transmitted infections and contraception, it has been unclear whether they may also do so when seeking to prevent contracting the Human Immunodeficiency Virus (HIV). In 2018, the FDA approved a drug that can prevent HIV infection, but without explicit legal permission, doctors, nurse practitioners, and physician assistants have not been prescribing it to minors without parental consent in Maryland.

Youth need to be able to receive preventative care for HIV without fear of judgement or a backlash from others around them for their own health and the health of others. Those potentially exposed to HIV must seek preventative treatment very quickly for it to be effective, and delays may occur when there is fear of parental involvement. SB0251 seeks to protect the health of minors when they face the possibility of punishment or abuse from their parents for being sexually active, or risking exposure to HIV. This situation helps no-one – not the individual or those who may contract HIV from him or her.

The U.S. Department of Health and Human Services estimates that the majority¹ of adolescents who acquire HIV do so through sexual activity. Time is a key factor in successfully preventing the further development of HIV and anyone reluctant to seek help can have a negative impact on public health. Approximately 4.2% of all new HIV diagnoses in the U.S. in 2016² were given to those aged 13 to 20. Maryland has the second highest lifetime risk of HIV infection. Applying doctor-patient confidentiality will encourage more minors to seek timely care.

We strongly support the rights of minors to have control over their own reproductive and sexual healthcare decisions. Maryland should join 17 other states that have laws to explicitly permit medical care providers to prescribe HIV prevention medicine without parental consent. NARAL Pro-Choice Maryland **urges a favorable report on SB0251**. Thank you for your time and consideration.

¹ AIDSinfo. (2018). *Adolescents and Young Adults with HIV Considerations for Antiretroviral Use in Special Patient Populations Adult and Adolescent ARV*. [online] Available at: <https://aidsinfo.nih.gov/guidelines/html/1/adult-and-adolescent-arv/21/adolescents-and-young-adults-with-hiv> [Accessed 4 Feb. 2019].

² Cdc.gov. (2018). *HIV Among Youth | Age | HIV by Group | HIV/AIDS | CDC*. [online] Available at: <https://www.cdc.gov/hiv/group/age/youth/index.html> [Accessed 4 Feb. 2019].