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Senate of Pennsylvania

Original: 2185

June 6, 2001

Hon. Robert S. Zimmerman, Jr., MPH
Secretary of Health
Room 802, Health & Welfare Building
Harrisburg, PA 17108

Re: Department of Health Proposed Regulation #10-166
Reporting of Certain HIV Test Results, CD4 T-Lymphocyte Counts
Below a Certain Level, and Perinatal Exposure of Newborns to HIV

Dear Secretary Zimmerman:

I have serious concerns with this proposed regulation. Specifically, I recommend that you reconsider the following provisions:

- 1) Names-based reporting will create an unnecessary risk of both reduced HIV testing and delayed treatment for those Pennsylvanians who are HIV+;
- 2) Limiting anonymous-testing sites will similarly create an unnecessary risk of both reduced HIV testing and delayed treatment for those Pennsylvanians who are HIV+;
- 3) There is a total failure to describe the security systems that will be used to protect the medical information that will be transmitted electronically;
- 4) The discrepancies between this regulation and one you submitted last year, DOH 10-156, Reporting of Communicable and Non-communicable Diseases, will cause confusion and uncertainty about who is required to report AIDS cases.

The outcry against names-based reporting by medical providers, AIDS/HIV service providers and people living with AIDS/HIV is telling. It is inconceivable that the decision to pursue names-based reporting will not harm Pennsylvanian's lives. There is no good reason to take this risk. Even the Centers for Disease Control and Prevention (CDC) recognize that unique-identifier reporting will provide the necessary information for the public health system to control the spread of this disease.

STANDING COMMITTEES

PUBLIC HEALTH & WELFARE,
DEMOCRATIC CHAIRMAN
COMMUNICATIONS & HIGH TECHNOLOGY,
DEMOCRATIC CHAIRMAN
APPROPRIATIONS
EDUCATION
MILITARY & VETERANS AFFAIRS
POLICY

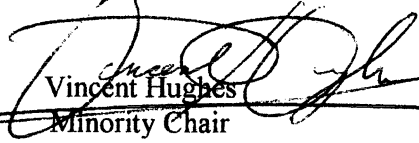
APPOINTMENTS

PHILADELPHIA SENATE DEMOCRATIC DELEGATION,
CHAIRMAN
COMMUNITY SERVICE ADVISORY BOARD
HUMAN RESOURCE INVESTMENT COUNCIL
JOINT STATE GOVERNMENT COMMISSION
EXECUTIVE COMMITTEE
PA HIGHER EDUCATION ASSISTANCE AGENCY BOARD
PA LEGISLATIVE BLACK CAUCUS
PA MINORITY BUSINESS DEVELOPMENT AUTHORITY
PA TRAUMA SYSTEMS FOUNDATION
STATE SYSTEM OF HIGHER EDUCATION
BOARD OF GOVERNORS
STROKE PREVENTION TASK FORCE

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REVIEW COMMISSION

I hope that we can begin discussions to correct the deficiencies in this regulation. Thank
you.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Vincent Hughes", written over a horizontal line.

Vincent Hughes
Minority Chair

Public Health & Welfare Committee

cc: Sen. Harold F. Mowery, Jr.
Robert E. Nyce, Exec. Dir., IRRC