

Dec-26-07 Governor Codey Signs HIV Screening Legislation for Pregnant Women and Newborns

NEWS RELEASE

Governor Richard J. Codey
December 26, 2007

FOR MORE INFORMATION:

Press Office
609-777-2600

GOVERNOR CODEY SIGNS HIV SCREENING LEGISLATION FOR PREGNANT WOMEN AND NEWBORNS

NEWARK— Governor Richard J. Codey today signed legislation requiring health providers to test pregnant women for HIV (Human Immunodeficiency Virus) as part of routine prenatal care. The bill, A4218, also requires testing of newborns whose mother's HIV status is either positive or unknown at the time of delivery.

"Since the early '90's we've made great strides in reducing the HIV transmission rate to newborns. But even one infected baby is one too many," said Governor Codey. "Today, New Jersey becomes the first state to require universal opt-out HIV testing for pregnant women, a move that has the potential to dramatically reduce the transmission of HIV from a pregnant mother to her newborn."

According to a September 2006 Morbidity and Mortality Weekly Report (MMWR), the CDC (Centers for Disease Control) estimates that perinatal transmission rates can be reduced to less than two percent with universal screening of pregnant women in combination with prophylactic administration of antiretroviral drugs, a Cesarean delivery and avoidance of breast feeding.

The legislation requires that all pregnant women be tested for HIV as early as possible in their pregnancy and again during their third trimester. In addition, each birthing facility in the state is now required to test any newborn whose mother's HIV status is either positive or unknown at the time of delivery.

"Early detection is the key to helping people living with HIV/AIDS to live longer with a better quality of life. Currently we have the treatment available to help prevent the transmission of HIV from mothers to their babies," said Senator Loretta Weinberg (D -Bergen), a primary sponsor of the bill. "This measure is a

huge step forward in terms of protecting all babies while helping to educate mothers.”

The measure moves New Jersey from “opt in” status to “opt out” status, meaning women will automatically be tested unless they choose not to be. Physicians and health care practitioners now are required to provide women with information about HIV and AIDS, the benefits of being tested, the medical treatment available to treat HIV infection, and the reduced rate of transmission to a fetus if an HIV-infected pregnant woman receives treatment.

Only New York, Connecticut, Illinois and Indiana require some form of newborn testing. Of those four states, none require universal opt-out testing for pregnant mothers.

“Early detection and treatment are integral parts of the fight against HIV and AIDS,” said Assemblyman John F. McKeon (D-West Orange). “New Jersey faces some of the nation's highest HIV rates among women. We must act now to get mothers tested to prevent mother-to-infant HIV transmission.”

“We must do all that we can to prevent the transmission of HIV by making testing part of routine medical care,” said Assemblyman Charles T. Epps, Jr. (D-Hudson). “Requiring this testing will help to enhance detection, prevent HIV transmission to newborns, and improve the quality of health care delivery in New Jersey for women and babies.”

“New Jersey's best defense against HIV and AIDS is to reduce the number of people who become infected,” said Assemblyman Robert M. Gordon (D-Bergen). “This comprehensive approach will ensure that all women have access to testing to further stem the spread of HIV and protect the health of newborns.”

Assemblyman Neil Cohen (D-Union) was also a primary sponsor of the legislation.

The Commissioner of the Department of Health and Senior Services is responsible for adopting regulations to carry out the testing requirements, as well as guidelines for the information that physicians must provide their patients on testing, treatment and counseling.

