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Public Comment, LCB File No. R002-22

The Advisory Task Force on HIV Exposure Modernization supports the proposed regulation, LCB File No. R002-22, which would revise the Nevada Administrative Code and Nevada Revised Statutes in accordance with Senate Bill 211 of 2021.

This Task Force was created to study the laws and policies in Nevada that affect people living with the human immunodeficiency virus (HIV). We have always intended to positively contribute to efforts to end the HIV epidemic. According to the CDC, most HIV criminalization laws have not increased disclosure and can actually discourage HIV testing, which increases stigma and exacerbates disparities. Our recommendations to repeal and amend Nevada state statutes have removed these harmful HIV criminalization laws, taking us one step closer to ending the HIV epidemic.

Similarly, SB211 aims to help end the epidemic by requiring certain healthcare professionals who provide emergency medical services to offer sexually transmitted disease (STD) tests to patients. This policy change can lead to increased testing, which is vital to preventing the spread of STDs and limiting new cases of HIV. This Task Force believes that the proposed regulation is a necessary measure to support prevention efforts here in Nevada.

Although this Task Force supports the adoption of the proposed regulation, we do not support the amended language in the errata, which redefines when a test would be “medically indicated.” The definition of “medically-indicated” in the errata does not align with the intent of SB211. More specifically, adopting this definition in the errata would unnecessarily limit opportunities for a patient to be offered a test for STDs.

In order to best support prevention measures, we hope to see the adoption of the proposed regulation without the amended language in the errata.

Sincerely,

Quentin Savvoir
Chair, Advisory Task Force on HIV Exposure Modernization