

**HOUSE BILL NO. 1296**

Introduced by

Representative Hawken

Senator Fischer

1 A BILL for an Act to amend and reenact section 23-07.5-04 of the North Dakota Century Code,  
2 relating to the human immunodeficiency virus record maintenance.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 23-07.5-04 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **23-07.5-04. Record maintenance.** A health care provider, blood bank, blood center,  
7 or plasma center that ~~obtains~~ collects a specimen of body fluids or tissues for the purpose of  
8 testing for the presence of an antibody to the human immunodeficiency virus shall:

- 9 1. Obtain from the subject; the subject's parent or legal guardian, or custodian if the  
10 subject is a minor; or the subject's legal guardian if the subject is incapacitated,  
11 informed consent for testing or disclosure, unless testing and procedures for  
12 disclosure are otherwise provided by law.
- 13 2. Maintain a record of the consent received under subsection 1.
- 14 3. Maintain a record of the test results obtained.