

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 1416

Short Title: Study HIV Risk/Treat-Rape Victim/Health Worker. (Public)

Sponsors: Representative Daughtry.

Referred to: Rules, Calendar, and Operations of the House.

April 26, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION TO STUDY
3 THE LAWS AND PUBLIC POLICIES REGARDING THE TREATMENT OF
4 RAPE VICTIMS AND HEALTH CARE WORKERS WHO RISK HIV
5 INFECTION.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** There is created the Legislative Study Commission on the
8 Treatment of Rape Victims and Health Care Workers Who Risk HIV Infection. The
9 purpose of the Commission is to review State law and public policy pertaining to the
10 treatment of rape victims and needle stick health care workers who risk HIV infection.

11 **SECTION 1.(b)** The Commission shall consist of 15 members, seven
12 appointed by the Speaker of the House of Representatives, four of whom are members
13 of the House of Representatives; seven appointed by the President Pro Tempore of the
14 Senate, four of whom are members of the Senate; and the Secretary of Health and
15 Human Services, or her designee. The public members appointed by the Speaker and
16 the President Pro Tempore shall be as follows: one shall be a member of the North
17 Carolina Victims Assistance Network, one shall be a member of the medical community
18 who has expertise in infectious diseases, one shall be a representative of the
19 pharmaceutical industry, one shall be a member of the North Carolina Bar Association,
20 and two shall be members of the general public. The Speaker shall designate one
21 representative as cochair and the President Pro Tempore shall designate one senator as
22 cochair. Vacancies on the Commission shall be filled by the same appointing authority
23 as made the initial appointment. The Commission shall expire upon delivering its final
24 report.

25 The Commission, while in the discharge of its official duties, may exercise all
26 powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The
27 Commission may meet at any time upon the joint call of the cochairs. The Commission
28 may meet in the Legislative Building or the Legislative Office Building. The

1 Commission may contract for professional, clerical, or consultant services as provided
2 by G.S. 120-32.02.

3 The Legislative Services Commission, through the Legislative Services
4 Officer, shall assign professional staff to assist the Commission in its work. The House
5 of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to
6 the Commission, and the expenses relating to the clerical employees shall be borne by
7 the Commission. Members of the Commission shall receive subsistence and travel
8 expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

9 **SECTION 1.(c)** In conducting the study, the Commission shall consider the
10 following:

- 11 (1) The issues that must be considered by a person exposed to HIV in
12 determining whether to take the medical "cocktail" used as a first
13 measure to combat any exposure to the virus.
- 14 (2) How the timing of receiving the drug treatment as quickly as possible
15 after exposure to the virus is critical and impacts on the effectiveness
16 of the drug treatment.
- 17 (3) The side effects of the drugs treatment used to treat HIV.
- 18 (4) The effects that a drug treatment may have on a pregnancy.
- 19 (5) Whether the treatment of HIV is uniform in all medical facilities
20 across the State.
- 21 (6) The counseling services offered to victims who risk HIV infection.
- 22 (7) The insurance coverage for this type of medical treatment.
- 23 (8) Current laws and policies relating to the criminal procedural issues and
24 practices that apply in these situations and whether those should be
25 amended.
- 26 (9) Any other issues relevant to this study.

27 **SECTION 2.** The Legislative Study Commission on the Treatment of Rape
28 Victims and Health Care Workers Who Risk HIV Infection may make an interim report
29 to the 2001 General Assembly not later than the convening of the 2002 Regular Session
30 of the 2001 General Assembly, and shall make its final report to the 2003 General
31 Assembly upon its convening.

32 **SECTION 3.** All State departments and agencies and local governments and
33 their subdivisions shall furnish the Commission with any information in their possession
34 or available to them.

35 **SECTION 4.** There is appropriated from the General Fund to the General
36 Assembly the sum of thirty thousand dollars (\$30,000) for the 2001-2002 fiscal year and
37 the sum of thirty thousand dollars (\$30,000) for the 2002-2003 fiscal year to carry out
38 the purposes of this act.

39 **SECTION 5.** This act is effective when it becomes law.