

2014 -- S 2924 SUBSTITUTE A AS AMENDED

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LC005304/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - LYME DISEASE DIAGNOSIS AND
TREATMENT

Introduced By: Senator Stephen R. Archambault

Date Introduced: April 30, 2014

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 5-37.5 of the General Laws entitled "Lyme Disease Diagnosis and
2 Treatment" is hereby amended by adding thereto the following section:

3 **5-37.5-6. Lyme disease testing information disclosure. -- (a) Every physician or his/her**
4 **in-office designee who orders a laboratory test for the presence of Lyme disease shall provide to**
5 **the patient or his/her legal representative the following information.**

6 "ACCORDING TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION,
7 AS OF 2011 LYME DISEASE IS THE SIXTH FASTEST GROWING DISEASE IN THE
8 UNITED STATES.

9 YOUR HEALTH CARE PROVIDER HAS ORDERED A LABORATORY TEST FOR
10 THE PRESENCE OF LYME DISEASE FOR YOU. CURRENT LABORATORY TESTING
11 FOR LYME DISEASE CAN BE PROBLEMATIC AND STANDARD LABORATORY TESTS
12 OFTEN RESULT IN FALSE NEGATIVE RESULTS, AND IF DONE TOO EARLY, YOU
13 MAY NOT HAVE PRODUCED ENOUGH ANTIBODIES TO BE CONSIDERED POSITIVE
14 BECAUSE YOU'RE YOUR IMMUNE RESPONSE REQUIRES TIME TO DEVELOP
15 ANTIBODIES. IF YOU ARE TESTED FOR LYME DISEASE AND THE RESULTS ARE
16 NEGATIVE THIS DOES NOT NECESSARILY MEAN YOU DO NOT HAVE LYME
17 DISEASE. IF YOU CONTINUE TO EXPERIENCE SYMPTOMS, YOU SHOULD CONTACT
18 YOUR HEALTH CARE PROVIDER AND INQUIRE ABOUT THE APPROPRIATENESS OF

1 RETESTING OR ADDITIONAL TREATMENT."

2 (b) Physicians shall be immune from civil liability for the provision of the written
3 information required by this section absent gross negligence or willful misconduct.

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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- 1 This act would require that a written notice may be given to a person who has been
- 2 referred for testing for Lyme disease.
- 3 This act would take effect upon passage.

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