

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 514

SPONSOR: Senator Wilson and others

SUBJECT: Human Immunodeficiency Virus

DATE: February 27, 2003      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Munroe	Wilson	HC	Favorable
2.	_____	_____	CJ	_____
3.	_____	_____	AHS	_____
4.	_____	_____	AP	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

The bill amends provisions relating to the statewide HIV and AIDS prevention campaign targeting minority communities to require that the campaign be expanded to include prevention information specifically targeted to Florida’s Hispanic and Haitian communities. The Department of Health must provide HIV/AIDS outreach programs in Florida’s minority communities to identify persons infected with HIV/AIDS and these programs must address real and perceived barriers to HIV testing among Florida’s minority populations. The program must ensure that HIV-positive persons are linked with prevention, care, and support services. The program must be provided in a culturally sensitive manner to promote prevention among persons who are HIV positive and foster the acceptance and delivery of care and support services in high-risk communities.

The Department of Health must expand testing programs for HIV, sexually transmissible diseases, and hepatitis in local county jails and establish programs for HIV-positive inmates to ensure coordination and linkage to treatment and secondary prevention messages upon their release. To promote HIV testing among minority persons who are at risk of infection, the department must expand its HIV counseling, testing, and referral services to include additional oral HIV testing.

The bill requires HIV and AIDS prevention programs implemented by the Department of Health to be consistent with the findings and recommendations of the Minority HIV and AIDS Task Force, the (Florida) HIV/AIDS Comprehensive Prevention Plan, and the recommendations of the Centers for Disease Control and Prevention.

This bill amends section 381.0046, Florida Statutes.

## II. Present Situation:

Among states, Florida ranks third in the nation for the total number of reported AIDS cases and second in the total number of pediatric AIDS cases. The HIV/AIDS epidemic has disproportionately affected the minority population of the state. Minorities, primarily African-Americans and Hispanics, now constitute 61 percent of the more than 83,000 adult and pediatric AIDS cases reported in Florida since 1981. As of November 30, 2002, 88,353 adults/adolescents and 1,494 children were reported in Florida with AIDS. As of December 31, 2002, nationally there were 816,149 AIDS cases reported with 88,980 AIDS cases reported in Florida. Statistics show that minority communities have been disproportionately affected by this disease, with minorities making up only 33% of Florida's population, but 62% of the cumulative reported AIDS cases through December 2002, and 72% of the cumulative reported HIV cases through December 2002.

In 1999, the Legislature passed s. 381.0046, F.S., to address HIV/AIDS in Florida's minority communities. Under s. 381.0046, F.S., the Department of Health was required to develop and implement a statewide HIV and AIDS prevention media campaign directed towards minorities. Four regional minority coordinator positions and one statewide coordinator position were established in the department to facilitate statewide efforts to implement and coordinate HIV and AIDS prevention and treatment programs targeting the state's minority communities. Today, there are seven regional minority HIV/AIDS coordinators to carry out these tasks; four positions are funded by the General Revenue Fund and three positions are funded by federal grants.

Section 381.0046, F.S., also created the Minority HIV and AIDS Task Force to provide recommendations to the Governor, the Legislature and the Department of Health on strategies to strengthen HIV/AIDS prevention, early intervention and treatment efforts in Florida's minority communities. The Department of Health was directed to plan and conduct a statewide Black Leadership Conference with assistance from the task force, which was held in January, 2000. The task force held public forums around the state to elicit ideas on ways to improve HIV/AIDS prevention, treatment and care. The task force recommended the following strategies:

- Specific strategies for reducing the risk of HIV and AIDS in the state's minority population.
- A plan for establishing mentor programs and exchanging information and ideas among minority, community-based organizations that provide HIV and AIDS prevention services.
- The needs of prevention and treatment programs within communities and the resources that are available within minority communities.
- Specific strategies for ensuring that minority persons who are at risk of HIV seek testing.
- Specific strategies for ensuring that persons who test positive for HIV or AIDS are provided with access to treatment and secondary prevention services.
- Specific strategies to help reduce or eliminate high-risk behaviors in persons who test negative but continue to practice high-risk behaviors.
- A plan to evaluate the implementation of the recommendations of the task force.

### III. Effect of Proposed Changes:

The bill amends provisions relating to the statewide HIV and AIDS prevention campaign targeting minority communities to require that the campaign be expanded to include prevention information specifically targeted to Florida's Hispanic and Haitian communities. The bill requires the Department of Health to provide HIV/AIDS outreach programs in Florida's minority communities to identify persons infected with HIV/AIDS. These programs must address real and perceived barriers to HIV testing among Florida's minority populations. The department must provide a program to ensure that HIV-positive persons are linked with prevention, care, and support services. The program must be provided in a culturally sensitive manner to promote prevention among persons who are HIV positive and foster the acceptance and delivery of care and support services in high-risk communities.

The Department of Health must expand testing programs for HIV, sexually transmissible diseases, and hepatitis in local county jails. The department must establish programs for HIV-positive inmates to ensure coordination and linkage to treatment and secondary prevention messages upon their release. To promote HIV testing among minority persons who are at risk of infection, the department must expand its HIV counseling, testing, and referral services to include additional OraSure testing<sup>1</sup>.

The bill requires HIV and AIDS prevention programs implemented by the Department of Health to be consistent with the findings and recommendations of the Minority HIV and AIDS Task Force, the (Florida) HIV/AIDS Comprehensive Prevention Plan, and the recommendations of the Centers for Disease Control and Prevention.

The effective date of the bill is upon becoming a law.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Art. VII, s. 18 of the Florida Constitution.

#### B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Art. I, s. 24(a) and (b) of the Florida Constitution.

#### C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Art. III, s. 19(f) of the Florida Constitution.

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<sup>1</sup> The OraSure® HIV-1 oral fluid specimen device is a Food and Drug Administration-approved collection device that collects oral fluid to test for antibodies to the HIV-1 virus.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The bill's requirements for the Department of Health's HIV and AIDS prevention efforts in minority communities may reduce the incidence of HIV/AIDS in these communities in Florida.

**C. Government Sector Impact:**

The Department of Health will incur expenses to implement the bill including hiring of four regional minority coordinators for the HIV/AIDS program and costs associated with the media prevention campaign, prevention outreach, linkage projects, and expanded duties for counseling and testing, including Orasure®. The department estimates such costs to equal \$4,977,880 for fiscal year 2003-2004 and \$5,007,880 for fiscal year 2004-2005.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.