

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-2403.01 of the Code of Virginia and to amend the Code of Virginia*
 3 *by adding a section numbered 32.1-11.6, relating to the Pregnant Women Support Act.*

[S 1088]

Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 54.1-2403.01 of the Code of Virginia is amended and reenacted and that the Code of**
 8 **Virginia is amended by adding a section numbered 32.1-11.6 as follows:**

9 *§ 32.1-11.6. Virginia Pregnant Women Support Fund; purpose; guidelines.*

10 *A. There is hereby created the Virginia Pregnant Women Support Fund (the Fund) as a special*
 11 *nonreverting fund to be administered by the Board of Health to support women and families who are*
 12 *facing unplanned pregnancy.*

13 *B. The Board of Health shall have authority to accept gifts, donations, and bequests and to apply for*
 14 *grants on behalf of the Fund from any source and to deposit all moneys received in the Fund.*

15 *C. The Fund shall be established on the books of the Comptroller. All moneys received from any*
 16 *source pursuant to subsection B shall be paid into the state treasury and credited to the Fund. Interest*
 17 *earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in*
 18 *the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund*
 19 *but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of carrying out*
 20 *the activities enumerated below:*

21 *1. Purchasing or upgrading ultrasound equipment;*

22 *2. Creating a separate program for domestic violence, dating violence, sexual assault and stalking*
 23 *screening against pregnant women and new mothers;*

24 *3. Conducting a public campaign to increase public awareness;*

25 *4. Providing support services for students of institutions of higher education;*

26 *5. Providing funds to allow early childhood education programs to work with pregnant or parenting*
 27 *teens to complete high school and provide job training education; or*

28 *6. Providing for teenage or first-time mothers education on the health needs of their infants through*
 29 *free home visits by registered nurses.*

30 *D. The Board of Health shall establish an application process and related procedures for community*
 31 *health centers, migrant health centers, homeless health centers, and public-housing centers seeking*
 32 *grants from the Fund. A grant may be made only if an application for the grant is submitted to the*
 33 *Board of Health and the application is in such a form, is made in such a manner, and contains such*
 34 *agreements, assurances, and information as the Board determines to be necessary to carry out its*
 35 *functions.*

36 *§ 54.1-2403.01. Routine component of prenatal care.*

37 *A. As a routine component of prenatal care, every practitioner licensed pursuant to this subtitle who*
 38 *renders prenatal care, including any holder of a multistate licensure privilege to practice nursing,*
 39 *regardless of the site of such practice, shall advise every pregnant woman who is his patient of the value*
 40 *of testing for Human Immunodeficiency Viruses (HIV) infection and shall request of each such pregnant*
 41 *woman consent to such testing. The confidentiality provisions of § 32.1-36.1, the informed consent*
 42 *stipulations, test result disclosure conditions, and appropriate counseling requirements of § 32.1-37.2*
 43 *shall apply to any HIV testing conducted pursuant to this section. Practitioners shall counsel all pregnant*
 44 *women with HIV-positive test results about the dangers to the fetus and the advisability of receiving*
 45 *treatment in accordance with the then current Centers for Disease Control recommendations for*
 46 *HIV-positive pregnant women. Any pregnant woman shall have the right to refuse consent to testing for*
 47 *HIV infection and any recommended treatment. Documentation of such refusal shall be maintained in*
 48 *the patient's medical record.*

49 *B. As a routine component of prenatal care, every practitioner licensed pursuant to this subtitle who*
 50 *renders prenatal care, including any holder of a multistate licensure privilege to practice nursing,*
 51 *regardless of the site of such practice, upon receipt of a positive test result from a prenatal test for*
 52 *Down syndrome or other prenatally diagnosed conditions performed on a patient, the health care*
 53 *provider involved shall provide the patient with up-to-date, scientific written information concerning the*
 54 *life expectancy, clinical course, and intellectual and functional development and treatment options for an*
 55 *unborn child diagnosed with or child born with Down syndrome or other prenatally diagnosed*
 56 *conditions. He shall also provide a referral to support services providers, including information hotlines*

57 *specific to Down syndrome or other prenatally diagnosed conditions, resource centers, or*
58 *clearinghouses, and other education and support programs. For the purposes of this section, "prenatally*
59 *diagnosed condition" means any fetal health condition identified by prenatal genetic testing or prenatal*
60 *screening procedures.*