

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 32.1-36 of the Code of Virginia, relating to reports by physicians.*

3 [H 2529]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 32.1-36 of the Code of Virginia is amended and reenacted as follows:**

7 § 32.1-36. Reports by physicians and laboratory directors.

8 A. Every physician practicing in this Commonwealth who shall diagnose or reasonably suspect that
9 any patient of his has any disease required by the Board to be reported and every director of any
10 laboratory doing business in this Commonwealth which performs any test whose results indicate the
11 presence of any such disease shall make a report within such time and in such manner as may be
12 prescribed by regulations of the Board.13 B. Any physician who diagnoses a venereal disease in a child twelve years of age or under shall, in
14 addition to the requirements of subsection A hereof, report the matter, in accordance with the provisions
15 of § 63.1-248.3, unless the physician reasonably believes that the infection was acquired congenitally or
16 by a means other than sexual abuse.17 C. Any physician practicing in this Commonwealth shall report to the local health department the
18 identity of any patient of his who has tested positive for exposure to human immunodeficiency virus as
19 demonstrated by such test or tests as are approved by the Board for this purpose. However, there is no
20 duty on the part of the physician to notify any third party other than the local health department of such
21 test result, and a cause of action shall not arise from any failure to notify any other third party.22 D. Upon investigation by the local health department of a patient reported pursuant to subsection A,
23 the Commissioner may, to the extent permitted by law, disclose the patient's identity and disease to the
24 patient's employer if the Commissioner determines that (i) the patient's employment responsibilities
25 require contact with the public and (ii) the nature of the patient's disease and nature of contact with the
26 public constitutes a threat to the public health.27 The patient's identity and disease state shall be confidential as provided in §§ 32.1-36.1 and 32.1-41.
28 Any unauthorized disclosure of reports made pursuant to this section shall be subject to the penalties of
29 § 32.1-27.

ENROLLED

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