**ILLINOIS ACADEMY OF FAMILY PHYSICIANS**

**ILLINOIS CHAPTER, AMERICAN COLLEGE OF PHYSICIANS**

**ILLINOIS SECTION, AMERICAN CONGRESS OF OBSTETRICIANS AND GYNEGOLOGISTS**

**ILLINOIS OSTEOPATHIC MEDICAL SOCIETY**

**ILLINOIS STATE MEDICAL SOCIETY**

**POSITION PAPER IN OPPOSITION TO SENATE BILL 661**

We urge you to oppose Senate Bill 661, legislation mandating primary care physicians and other primary care professionals to offer Hepatitis C screening to those persons born between 1945 and 1965. This proposed mandate is based upon guidelines from the Center for Disease Control and Prevention and the U.S. Preventive Services Task Force.

*“The U.S. Preventive Services Task Force is an independent panel of experts in primary care and prevention who systematically reviews the evidence of effectiveness and develops recommendations for clinical preventive services. These reviews are published as U.S. Preventive Services Task Force recommendations. The USPSTF recommendation statements present health care providers with information about the evidence behind each recommendation, allowing clinicians to make informed decisions about implementation.****The intent of these recommendations is guidance, not to be construed as mandated by law****.” Barbara Yawn, MD*

**Establishing a clinical guideline in law essentially creates an arbitrary statutory standard of care that cannot be complied with universally. This increases the exposure of the physician to civil liability or professional discipline for failure to comply with the law.**

Senate Bill 661 sets dangerous legislative precedent. Clinical guidelines frequently change as new technology, pharmaceuticals, and treatments are discovered and implemented into the practice of medicine. It is certain that the legislature will never react swiftly to the changes in guidelines.

Please know that we believe in the appropriateness of the Hepatitis C guidelines and are encouraging our members on a regular basis to screen their patients for Hepatitis C. Over 36,000 cases of Hepatitis C have been reported to IDPH in the last five years. These individuals would not have been identified if not for the screening and testing ordered by physicians and other health care professionals.

**We respectfully urge you to vote “NO” on Senate Bill 661**