

## **Va. now must disclose the flaws in Lyme disease testing**

**BY MARKUS SCHMIDT** Richmond Times-Dispatch | Posted: Tuesday, February 26, 2013  
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Lyme disease is one of the fastest-growing infectious diseases in the United States, but despite testing, many patients are not aware that they are infected until it is too late. New legislation passed by Virginia's General Assembly is supposed to change that.

A proposal that passed last week would require physicians to provide patients with information about the limitations of tests for Lyme disease.

House Bill 1933, sponsored by Del. Barbara Comstock, R-Fairfax, advanced in the Senate by 38-2 and went to Gov. Bob McDonnell's desk.

McDonnell has not commented on the legislation, but the bill's supporters are hopeful that he will sign it. In 2010, McDonnell had appointed a task force to explore treatment and prevention for Lyme disease.

"This is a patient's bill," said Monte Skall, executive director of the National Capital Lyme Disease Association in Washington. "It will not help people who already have Lyme, but it'll prevent others from getting it."

Skall sat on McDonnell's task force three years ago, which proposed a more open-minded approach to treating the disease and asked for better education on the matter.

Lyme disease, typically caused by a tick bite, has reached epidemic levels in many counties in Virginia, Skall said. According to the U.S. Centers for Disease Control and Prevention, it is the sixth fastest-growing disease nationwide.

In 2011, the CDC recorded 1,220 cases of Lyme disease in Virginia — a significant increase from 149 in 2000. But the actual number could be between eight and 10 times as high, Skall said. The disease is most common in Northern Virginia.

Lyme disease is curable with a limited dose of antibiotics when treated early, Skall said. If left untreated or treatment is delayed, Lyme disease can become chronic with serious complications, including heart disease, joint pain and swelling, and muscle weakness.

Existing tests by commercial laboratories already bear disclaimer warnings that the results may yield false negatives, requiring additional testing, said Skall's husband Gregg, who serves as legal counsel for the association. "But many doctors fail to disclose this to their patients," he said.

The Medical Society of Virginia criticized HB 1933 as an attempt to codify a standard of medical care. "Standards of care are established by the medical and scientific community," said MSV spokeswoman Rachel Mertz. "By stepping outside of their roles as lawmakers and into the physician's role, our legislators are interfering in the patient-physician relationship."

Instead, the medical society proposed educating patients and providers.

"This solution would have provided additional resources through the Virginia Department of Health for patients and providers to use as they work together," Mertz said.

[mschmidt@timesdispatch.com](mailto:mschmidt@timesdispatch.com)

(804) 649-6537