

Revised Permanent Rules for HIV Testing, Counseling and Partner Services

Helping health care providers and local health jurisdictions understand the effect on related activities



Background on rule revision

The Centers for Disease Control and Prevention (CDC) recommends HIV screening for patients in all health-care settings after the patient is notified that testing will be performed unless the patient declines.

New HIV testing, counseling, and partner services rules offer flexibility to health care providers and local health jurisdictions.

The rules remove specific requirements for HIV testing, counseling, and partner services no longer recommended by CDC. The rule provides health care providers with the flexibility to offer HIV testing to all individuals. HIV testing rules require health care providers to:

- Obtain the informed consent separately or with general consent for care.
- Specifically inform the individual verbally or in writing that a test for HIV is included.
- Offer an opportunity to ask questions and decline testing.
- Notify the local health officer when a person tests positive in order to provide post-test counseling.

For pregnant women only, documentation of patient refusal of an HIV test is still required.

Flexibility to local health jurisdictions includes authorizing local health officers to directly perform partner services with a newly diagnosed HIV-positive individual rather than provide the services with the permission of the health care provider.

More information is available

We are developing materials to help health care providers, local health jurisdictions, and other stakeholders understand this new rule. We will post communications about the rule on the Department of Health HIV and Adult Viral Hepatitis Web page.

http://www.doh.wa.gov/cfh/HIV_AIDS/Prev_Edu/default.htm HIV and Adult Viral Hepatitis Web page

<http://apps.leg.wa.gov/documents/laws/wsr/2010/01/10-01-082.htm> link to permanent rule language

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For persons with disabilities, this document is available on request in other formats. To submit a request, please call 1-800-525-0127 (TDD/TTY 1-800-833-6388). DOH430-032 January 2010