

Approved By: Chief Operations Officer	Adopted Date: 05/09/2001
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PURPOSE: To set forth guidelines and procedures relating to the provision of HIV tests, and the recording and disclosure of HIV test results

POLICY: HIV testing is offered at all ODCHC sites. Provision of HIV testing services shall comply with the legal requirements set forth in the California Health and Safety Code sections 120975-121020.

PROCEDURE:

1. HIV tests may be ordered by a licensed medical practitioner (physician or mid-level), or by a certified HIV educator.
2. Any provider ordering an HIV test in the course of providing medical care or treatment shall:
 - a. document the patient's informed consent to test in the chart note. In such cases, no written authorization to test is required. However, if a patient presents for the sole purpose of obtaining an HIV test through an HIV Educator operating as part of an alternative test site program, written consent must be obtained.
 - b. provide information about the test to the patient.
 - c. inform the patient that there are numerous treatment options available for a person who test positive for HIV and for a person who test negative for HIV should continue to be routinely tested.
 - d. Advise the patient that they have the right to decline the test.
3. HIV counseling, including individual risk factors, may be recorded in the chart note, and may be noted as "Confidential – Special Release Required" as appropriate.
4. HIV test results may be recorded in the chart note. When recorded in that chart note, HIV test results shall be noted as "Confidential – Special Release Required." Unless specific authorization is received, such notes shall not be released with the rest of the record, except to another health care provider for the purpose of diagnosis, care or treatment of the patient.
5. Lab reports for HIV test results will be received via Lab Interface or on occasion via paper. Paper reports will be scanned into the EMR and filed with all other lab results.
6. Requests to release the results of HIV testing must be separate from the general records release and must specifically state to whom the results are to be disclosed.
7. Verbal disclosure of HIV test results to patients must be documented in the chart. No written authorization to release results to the subject of the test is required.
8. HIV information and testing must be offered in the following situations:
 - To patients requesting examination in preparation for obtaining a California marriage license (Family Code Section 358).
 - To pregnant women by the provider of prenatal care (Health and Safety Code 125107).

Approved:



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Chief Operations Officer