

## **HIV Reporting and Partner Notification**

In June of 1998, the New York State Legislature passed and Governor Pataki signed Chapter 163 of the Laws of 1998. This legislation addresses measures related to HIV reporting and HIV partner notification. In response to this new law, NYSDOH, in conjunction with other state and local agencies, developed and published draft regulations for public comments on March 17, 1999 (the public comment period ended May 3, 1999) and again on December 15, 1999 (public comment period ended on January 14, 2000). The DOH received over 300 sets of comments and after a careful and thorough review process, the regulations were revised and an implementation date of June 1, 2000 was set.

This law institutes HIV reporting which means that all cases of HIV infection, HIV related illness and AIDS will be reported by name to the state health department for the purposes of monitoring and tracking the epidemic. The new law adds several new requirements and areas to be emphasized during the Pre and Post-test counseling sessions. Anonymous counseling and testing will continue to be available across the state. The law also strengthens the commitment of health care providers to talk to clients about partner notification and domestic violence issues in the context of HIV/AIDS.

**What is HIV reporting?** Beginning June 1, 2000, doctors and laboratories are required to report to the State Health Department all cases of HIV infection and HIV illness - as determined by CD4 and viral load testing - in New York State. Since 1983, doctors and laboratories have been required to report AIDS cases. Since people usually live for many years with HIV infection before they develop AIDS, all cases of HIV infection and HIV illness are now reported to better measure the size and makeup of the HIV epidemic in New York State.

What's Required?

- Doctors and labs must report to the Health Department the names of persons with HIV infection, HIV illness and AIDS.
- Doctors must also report the names of sex and needle-sharing partners of people who test HIV positive that are known to the doctor.

What's Voluntary?

- Getting an HIV test.
- Giving your doctor or the health department the names of your partners.

What Choices Do I Have?

You can work with your doctor to decide the best way to notify your partners.

**What is Partner Notification?** Doctors are required to talk with HIV-infected patients about their options for letting sexual and needle-sharing partners know they may have been exposed to HIV. Doctors should discuss the three options for partner notification. These options are: have the counselor from the Health Department's PartNer Assistance Program (PNAP) or Contact Notification Assistance Program (CNAP in New York City) tell your partners for you without ever revealing your identity; tell your partners with the help of your doctor or a PNAP or CNAP counselor; or tell your partners yourself. If you choose to tell partners yourself, a PNAP/CNAP counselor will work with your doctor to confirm that the partner was told. If PNAP/CNAP cannot confirm this, they may also follow-up with you or your partner.

**Why is HIV reporting and partner notification important?** The New York State Department of Health needs information about the HIV/AIDS epidemic to better plan prevention services and make sure health care and support services are available. Partner notification is important because:

- It helps people who have been exposed to HIV learn about their risk so they can get tested.
- If they test positive, they can learn about treatment that may help them live longer, healthier lives.
- If they test positive, they can learn about ways to prevent passing HIV to others.
- If they test negative, they can learn how to stay that way.

**Is it still a good idea to get an HIV test?** Yes. There are many very important reasons to get tested. If you learn you are infected, you can get treatments that may help you stay healthy longer, learn how to avoid passing HIV to others and learn how to protect yourself from sexually transmitted diseases (STDs) and other diseases that may harm your health. If you are not infected, you can get information about how to stay that way.

**Who should get tested?** You should get tested if you've ever:

- had sex without a latex condom.
- shared needles to shoot drugs (even insulin or steroids) or for piercing or tattooing.
- had an STD.
- had many sex partners.
- Women should get tested if they are pregnant or planning to get pregnant because there are medicines that greatly reduce the chance that a woman will pass HIV on to her baby.

For detailed information and answers to questions regarding the new law, go to:

<http://www.health.state.ny.us/nysdoh/hiv aids/hivpartner/qanda.htm#Top>