

## HIV Counseling and Testing: Understanding CDC and NYS Recommendations

### Background

The New York State Department of Health (NYSDOH) “2005 Guidance on HIV Counseling, Testing and Revised Reporting Requirements” shares many common elements and one significant difference with the Centers for Disease Control and Prevention (CDC) September, 2006 “Revised Recommendations for HIV Testing of Adults, Adolescents and Pregnant Women in Health Care Settings.” This document compares the major components of these state and federal recommendations.

### Comparison of CDC Revised Recommendations and NYS Guidance

Recommendation	NYSDOH Guidance	CDC Revised recommendations
<b>HIV Testing should be offered at least once as a routine part of health care for all adults.</b>	√	√
<b>HIV pre-test counseling should be streamlined and may be done by offering the patient written materials to review and an opportunity to ask questions.</b>	√	√
<b>Written informed consent is required for testing.</b> CDC recommends the “opt-out” model where the patient is informed that testing will be performed unless he/she declines. <u>However, in NYS written informed consent is still required by public health law.</u>	√	
<b>Post-test counseling for people who test HIV positive including partner notification services and prompt referral for evaluation of their clinical status and consideration for antiretroviral therapy.</b>	√	√
<b>Post-test counseling for patients who test HIV negative.</b> Both CDC and NYS recommend that people who test HIV negative be informed of the meaning of their test result and that high risk individuals should be referred for prevention services. The CDC does not require in-person notification. <u>In NYS, post-test counseling for a negative HIV test can be streamlined. A simple one page patient handout is available.</u>	√	

### Conclusion

The NYSDOH “2005 Guidance” is consistent with the CDC “Revised Recommendations” except that NYS public health law requires written informed consent prior to testing and brief post-test counseling for people who test HIV negative. In NYS, removing written informed consent would require a change in public health law.

### Resources:

NYS 2005 Guidance: <http://nyhealth.gov/diseases/aids/testing/>

CDC Recommendations: <http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5019a1.htm>