

## 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><br>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>People who test HIV-positive should be promptly referred for evaluation of their clinical status and consideration for antiretroviral therapy.</b>   | √               | √                           |

### 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. 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>