State of California—Health and Human Services Agency
Department of Health Services

California Department of Health Services

SANDRA SHEWRY
Director

ARNOLD SCHWARZENEGGER
Governor

September 14, 2006

TO: PROVIDERS OF HIV TESTING OR TREATMENT SERVICES

SUBJECT: NEW REPORTING REQUIREMENTS FOR CASES OF HIV INFECTION

On April 17, 2006, a new California law took effect, changing the reporting requirements for cases of HIV infection. The purpose of this letter is to make you aware of changes in the law which affect your HIV reporting practices. Under the new law (Health and Safety Code Section 121022), health care providers and laboratories must report cases of HIV infection using patient names to the local health officer and local health officers must report unduplicated HIV cases by name to the California Department of Health Services (CDHS). The new law also stipulates that CDHS must implement emergency regulations governing name-based HIV reporting within 12 months. The draft emergency regulations have been developed and are currently undergoing review.

In response to the new law, CDHS, Office of AIDS (OA) has developed a modified HIV/AIDS Confidential Case Report form for use by health care providers and local health departments. Use of the modified reporting form for reporting HIV infection (not AIDS) will become mandatory when HIV name-based regulations take effect. An electronic print-only version of the new form is available on the CDHS/OA Web site at www.dhs.ca.gov/AIDS. Preprinted copies of the new reporting form are also available from CDHS/OA or from your local health department.

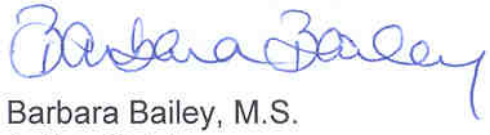
Prior to name-based HIV reporting, some health care providers and institutions may have informed their patients seeking HIV testing or treatment that their names would not be reported to the health department. However, on April 17, 2006, the law changed, and health care providers must now report HIV cases using patient names rather than coded identifiers.

MS 7700, P.O. Box 997426, Sacramento, CA 95899-7426
MS 7700, 1616 Capitol Avenue, Suite 616, Sacramento, CA 95814
Telephone: (916) 449-5900 / Fax: (916) 449-5909
Internet Address: www.dhs.ca.gov/AIDS

It is important that health care providers review the wording of their patient consent forms or any verbal consent statements that they use, to ensure that they are providing consent language that is consistent with the requirements of the new reporting law.

Additional information regarding the new reporting requirements is available on the CDHS/OA Web site. For further assistance regarding HIV or AIDS reporting, please contact your local health department.

Please feel free to share this information with other interested parties.



Barbara Bailey, M.S.
Acting Chief
Office of AIDS

cc: Local Health Officers
AIDS Directors
County Health Executives
HIV/AIDS Surveillance Program Coordinators
California Medical Association