

Compendium of State HIV Testing Laws

Quick Reference Guide for Clinicians

September 25, 2009

To the Reader:

The *Compendium of State HIV Testing Laws* describes key state HIV testing laws and policies. Each state's HIV testing laws are unique and many have undergone revision or supplementation since the release of the [CDC's 2006 HIV testing recommendations](#). The *Compendium* is designed to help clinicians understand HIV testing laws and to implement sound HIV testing policies. It should not, however, be used as an official legal document.

The NCCC provides clinical consultation for healthcare providers as part of the HRSA [AIDS Education and Training Centers](#) program. Clinicians with questions about HIV testing are encouraged to call the *National HIV Telephone Consultation Service (Warmline)* at (800) 933-3413. The Warmline also provides advice on HIV management, including antiretroviral treatment. Other NCCC consultation services include: the National Clinicians' Post-Exposure Prophylaxis Hotline ([PEPline](#)) at (888) 448-4911 for advice on managing occupational exposures to HIV and hepatitis; and the National Perinatal Consultation and Referral Service ([Perinatal HIV Hotline](#)) at (888) 448-8765 for consultation on preventing mother-to-child transmission of HIV.

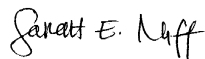
We update the *Compendium* periodically, but it is beyond the scope of the project to perform ongoing verification of every section frequently. We encourage readers to send comments, corrections, and updates (with citations when possible) to Sarah Neff at neffs@nccc.ucsf.edu.

Thank you,



Ronald H. Goldschmidt, MD
Director

&



Sarah E. Neff, MPH
Director of Research and Evaluation

National HIV/AIDS Clinicians' Consultation Center (NCCC)
San Francisco General Hospital
University of California, San Francisco

The Warmline, PEPline, and Perinatal Hotline are part of the National HIV/AIDS Clinicians' Consultation Center (NCCC) based at San Francisco General Hospital/ UCSF. The NCCC is a component of the **AIDS Education and Training Centers (AETC) Program** funded by the Ryan White CARE Act of the **Health Resources and Services Administration (HRSA)** HIV/AIDS Bureau in partnership with the **Centers for Disease Control and Prevention (CDC)**.

Table of Contents							
Alabama	2	Illinois	15	Montana	28	Puerto Rico	41
Alaska	3	Indiana	16	Nebraska	29	Rhode Island	42
Arizona	4	Iowa	17	Nevada	30	South Carolina	43
Arkansas	5	Kansas	18	New Hampshire	31	South Dakota	44
California	6	Kentucky	19	New Jersey	32	Tennessee	45
Colorado	7	Louisiana	20	New Mexico	33	Texas	46
Connecticut	8	Maine	21	New York	34	Utah	47
Delaware	9	Maryland	22	North Carolina	35	Vermont	48
District of Columbia	10	Massachusetts	23	North Dakota	36	Virginia	49
Florida	11	Michigan	24	Ohio	37	Washington	50
Georgia	12	Minnesota	25	Oklahoma	38	West Virginia	51
Hawaii	13	Mississippi	26	Oregon	39	Wisconsin	52
Idaho	14	Missouri	27	Pennsylvania	40	Wyoming	53

Alabama

A Quick Reference Guide for Clinicians to Alabama HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Alabama state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Alabama HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent required; general consent may be used (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile). Compatible with CDC Recommendations and Guidelines.

Counseling

- Post-test counseling is required with HIV positive test results.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - Rapid testing may be used on pregnant women presenting to labor and delivery.
 - A confirmatory test is required before notifying the patient of HIV test results.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual partners of a possible exposure to HIV is required.

Minor/Adolescent Testing

- Persons 12 years of age or older may consent to STD testing, HIV not explicitly included.

Alaska

A Quick Reference Guide for Clinicians to Alaska HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Alaska state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Alaska HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding informed consent were found.

Counseling

- Post-test counseling (regarding measures for preventing transmission and the need for treatment) is required for individuals who have been or may have been exposed.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to medical services, HIV not explicitly included.

Arizona

A Quick Reference Guide for Clinicians to Arizona HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Arizona state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Arizona HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Oral or written informed consent is required; opt-out process is implied; compatible with CDC Recommendations and Guidelines.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - Consent form must inform patient of availability of anonymous testing.
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is required.

Minor/Adolescent Testing

- Minors may consent to STD testing, HIV not explicitly included.

Arkansas

A Quick Reference Guide for Clinicians to Arkansas HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Arkansas state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Arkansas HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent is not required for diagnosis (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile). Informed consent is not specified for screening. Compatible with CDC Recommendations and Guidelines.

Counseling

- Counseling must be offered in cases of health care worker exposure.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual partners of possible exposure to HIV is required.

Minor/Adolescent Testing

- Minors may consent to STD testing, HIV not explicitly included.

California

A Quick Reference Guide for Clinicians to California HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant California state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of California HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Specific simple consent through the opt-out process required (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions); written not required. Consistent with CDC Recommendations and Guidelines

Counseling

- Counseling must be offered to a patient with a confirmed HIV positive test.
- Counseling must be offered to notified partners and contacts.

Provisos of Testing

- **Anonymous**
 - Testing must be made available anonymously.
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - As part of consent, a medical provider must inform the patient that in cases of negative results, routine testing is advised.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is required.

Minor/Adolescent Testing

- Persons 12 years of age or older may consent to HIV testing and treatment.

Colorado

A Quick Reference Guide for Clinicians to Colorado HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Colorado state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Colorado HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent is required (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions); oral or written not specified. Opt-in or opt-out process not specified. Compatible with CDC Recommendations and Guidelines

Counseling

- Post-test counseling is required with HIV positive test results.
- Counseling must be offered in cases of health care worker exposure.

Provisos of Testing

- **Anonymous**
 - Testing must be made available anonymously.
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to HIV testing and treatment.
- Physicians may, but are not required to, notify the parents of the HIV test result.

Connecticut

A Quick Reference Guide for Clinicians to Connecticut HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Connecticut state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Connecticut HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- General consent for medical care is sufficient; declination must be documented in the medical record (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).

Counseling

- Post-test counseling or referral for counseling as needed.

Provisos of Testing

- **Anonymous**
 - Consent form must inform patient of the availability of anonymous testing.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual partners is not required.

Minor/Adolescent Testing

- Minors may consent to HIV testing.

Delaware

A Quick Reference Guide for Clinicians to Delaware HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Delaware state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Delaware HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Specific informed consent required; may be oral or in writing.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is required.

Minor/Adolescent Testing

- Persons 12 years of age or older may consent to HIV testing and treatment.

District of Columbia

A Quick Reference Guide for Clinicians to District of Columbia HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant District of Columbia HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of District of Columbia HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding informed consent were found.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - Testing must be made available anonymously.
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding disclosure were found.

Minor/Adolescent Testing

- No specific provisions regarding minor or adolescent testing were found.

Florida

A Quick Reference Guide for Clinicians to Florida HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Florida state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Florida HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent required; may be oral or in writing.

Counseling

- Counseling must be offered.

Provisos of Testing

- **Anonymous**
 - Testing must be made available anonymously.
 - Physicians must inform patients of availability of anonymous testing.
- **Rapid**
 - A confirmatory test is required before notifying the patient of HIV test result.
- **Routine**
 - Protocols must be made available by the Department to health care providers for offering HIV testing, on a voluntary basis, as a routine part of primary health care or admission to a health care facility.

Disclosure

- No specific provisions regarding disclosure were found.

Minor/Adolescent Testing

- Minors may consent to STD testing; HIV is explicitly included.

Georgia

A Quick Reference Guide for Clinicians to Georgia HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Georgia state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Georgia HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Consent is required; oral or written not specified.

Counseling

- Pre-test counseling and post-test medically appropriate counseling with confirmed HIV positive test result are required.
- Counseling of the spouse of HIV positive patient is required.

Provisos of Testing

- **Anonymous**
 - Testing must be made available anonymously.
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to spouse of possible exposure to HIV is required.

Minor/Adolescent Testing

- Minors may consent to STD testing, HIV not explicitly included.
- Physicians may, but are not required to, notify the parents of the HIV test result.

Hawaii

A Quick Reference Guide for Clinicians to Hawaii HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Hawaii state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Hawaii HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Health care provider must afford the patient the opportunity to decline testing, but specific written consent is not required – opt-out process. (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).
- Verbal consent is acceptable at anonymous testing sites.

Counseling

- Pre-test counseling is not required for tests ordered by a health care provider. Post-test counseling must be offered in cases of reactive, indeterminate, or confirmed positive results

Provisos of Testing

- **Anonymous**
 - Testing must be available anonymously.
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding disclosure were found.

Minor/Adolescent Testing

- Minors may consent to STD testing and treatment, HIV not explicitly included.

Idaho

A Quick Reference Guide for Clinicians to Idaho HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Idaho state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Idaho HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding informed consent were found.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - Availability of anonymous testing is not required.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding disclosure were found.

Minor/Adolescent Testing

- Persons 14 years of age or older may consent to testing for communicable diseases, HIV explicitly included.

Illinois

A Quick Reference Guide for Clinicians to Illinois HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Illinois state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Illinois HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent may be through the opt-out process; included in general consent; and obtained verbally or in writing, as long as it is documented. This policy effective June 1, 2008.

Counseling

- Pre-test information must be offered; may be provided verbally, in writing, electronically, by video, or through other means, as long as patients are permitted to ask questions.

Provisos of Testing

- **Anonymous**
 - Physicians must inform patients of the availability of anonymous testing.
 - Patients may request anonymous testing.
 - All testing must be available anonymously.
- **Rapid**
 - A confirmatory test is required before notifying the patient of positive HIV test results.
- **Routine**
 - HIV testing should be made a routine part of general medical care, as recommended by the United States Centers for Disease Control and Prevention.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is not required.

Minor/Adolescent Testing

- Persons 12 years of age or older may consent to HIV testing.
- Physicians may, but are not required to, notify the parents of HIV test results.

Indiana

A Quick Reference Guide for Clinicians to Indiana HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Indiana state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Indiana HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Specific informed consent required; may be oral or in writing.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - Testing must be available anonymously.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Persons 14 years of age or older may consent to STD testing and treatment, HIV not explicitly included.

Iowa

A Quick Reference Guide for Clinicians to Iowa HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Iowa state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Iowa HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- HIV testing is implicitly included in a general consent for medical tests or procedures.
- If general medical consent is not used or is no longer in effect, specific informed consent may be oral or in writing.

Counseling

- Post-test counseling is required with HIV positive test results.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is not available.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual partners of possible exposure to HIV is required.

Minor/Adolescent Testing

- Minors may consent to HIV testing.
- Specific written informed consent is required.
- Health care provider or health facility is required to inform the legal guardian of an HIV positive result.
- Health facility must notify patient that legal guardian will be notified of an HIV positive result.

Kansas

A Quick Reference Guide for Clinicians to Kansas HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Kansas state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Kansas HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding informed consent were found.

Counseling

- Counseling must be offered.

Provisos of Testing

- **Anonymous**
 - Testing must be available anonymously.
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to STD testing and treatment, HIV not explicitly included.
- Physicians may, but are not required to, notify the parents of the HIV test result.

Kentucky

A Quick Reference Guide for Clinicians to Kentucky HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Kentucky state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Kentucky HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- HIV testing is included in general medical consent (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).

Counseling

- Post-test counseling is required with HIV positive test results.

Provisos of Testing

- **Anonymous**
 - Testing must be available anonymously.
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - A confirmatory test is required before notifying the patient of HIV test results.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to STD testing and treatment, HIV not explicitly included.

Louisiana

A Quick Reference Guide for Clinicians to Louisiana HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Louisiana state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Louisiana HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent is required and through the opt-out process. HIV testing is included in general medical consent.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - Testing must be available anonymously.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - Diagnostic HIV testing may be offered to a person as part of a routine medical screening in health care settings, substance abuse treatment facilities, mental health treatment facilities, and correctional settings.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to venereal disease testing and treatment, HIV not explicitly included.

Maine

A Quick Reference Guide for Clinicians to Maine HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Maine state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Maine HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent is required and through the opt-out process; may be oral or in writing.

Counseling

- Post-test counseling is required with HIV positive test results.
- Post-test counseling is required in cases of health care worker exposure.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to venereal disease testing and treatment, HIV not explicitly included.
- Physicians may, but are not required to, inform the parents of the HIV test result.

Maryland

A Quick Reference Guide for Clinicians to Maryland HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Maryland state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Maryland HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent required in a health care facility. Specific written informed consent required in a location other than a health care facility. (See *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions.)

Counseling

- Pre-test counseling may be written, oral, or by video
- Post-test counseling is required for HIV positive results.
- Post-test counseling is required for HIV positive test results in cases of health care worker exposure.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - A confirmatory test must be offered.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is not required.

Minor/Adolescent Testing

- Minors may consent to venereal disease testing and treatment, HIV not explicitly included.

Massachusetts

A Quick Reference Guide for Clinicians to Massachusetts HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Massachusetts state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Massachusetts HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Specific informed consent required; must be in writing (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).

Counseling

- Counseling of all HIV/AIDS patients to modify high-risk behavior is required.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to venereal disease testing and treatment, HIV not explicitly included.
- Physicians may, but are not required to, notify the parents of the HIV test result.

Michigan

A Quick Reference Guide for Clinicians to Michigan HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Michigan state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Michigan HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent required; must be in writing.

Counseling

- Pre- and post-test counseling is required.

Provisos of Testing

- **Anonymous**
 - Testing must be available anonymously.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual partners of possible exposure to HIV is required.

Minor/Adolescent Testing

- Minors may consent to HIV testing and treatment.
- Physicians may, but are not required to, notify the parents of the HIV test results.

Minnesota

A Quick Reference Guide for Clinicians to Minnesota HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Minnesota state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Minnesota HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding consent were found.

Counseling

- No specific provisions regarding consent were found.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - Routine testing is through the opt-out process.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to venereal disease testing and treatment, HIV not explicitly included.

Mississippi

A Quick Reference Guide for Clinicians to Mississippi HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Mississippi state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Mississippi HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Specific consent not required by hospitals, their staff, or physicians for the purposes of diagnosis, treatment, or protection of health and safety. Opt-out process is implied. Compatible with CDC Recommendations and Guidelines.

Counseling

- Post-test counseling is required with HIV positive test results.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is not available.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to venereal disease testing and treatment, HIV explicitly included.
- Physicians may, but are not required to, notify the parents of the HIV test result.

Missouri

A Quick Reference Guide for Clinicians to Missouri HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Missouri state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Missouri HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent is required; oral or written not specified.

Counseling

- Pre- and post-test counseling is required by health professionals other than physicians.
- The scope of pre- and post-test counseling shall be governed by the physician’s judgment and shall be as comprehensive as consultation provided for other diagnostic tests.

Provisos of Testing

- **Anonymous**
 - Testing must be made available anonymously.
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to STD testing and treatment, HIV not explicitly included.
- Physicians may, but are not required to, notify the parents of the HIV test result.

Montana

A Quick Reference Guide for Clinicians to Montana HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Montana state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Montana HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Consent must be incorporated into the patient’s general informed consent for medical care; may be oral or in writing with documentation of declination in the medical record.

Counseling

- Pre-test information to ensure the patient’s knowledge and understanding that HIV diagnostic testing is planned and that testing is voluntary

Provisos of Testing

- **Anonymous**
 - No provisions were regarding anonymous testing were found
- **Rapid**
 - Rapid testing shall be offered to women in labor if their status is unknown/undocumented
- **Routine**
 - HIV screening is routine.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is encouraged but not required.

Minor/Adolescent Testing

- Emancipated minors may consent to STD testing and treatment, HIV explicitly included.

Nebraska

A Quick Reference Guide for Clinicians to Nebraska HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Nebraska state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Nebraska HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Specific informed consent required; must be in writing.

Counseling

- Post-test counseling is required with HIV positive test results in cases of occupational exposure.

Provisos of Testing

- **Anonymous**
 - Testing must be made available anonymously.
 - Physicians must inform patients of availability of anonymous testing.
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual partners of possible exposure to HIV is required.

Minor/Adolescent Testing

- Minors may consent to STD testing and treatment, HIV not explicitly included.

Nevada

A Quick Reference Guide for Clinicians to Nevada HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Nevada state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Nevada HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding informed consent were found.

Counseling

- Post-testing counseling is required with HIV positive test results.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - Rapid testing may be used on pregnant women.
 - Rapid testing may be used on newborns.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to STD testing and treatment, HIV not explicitly included.

New Hampshire

A Quick Reference Guide for Clinicians to New Hampshire HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant New Hampshire state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of New Hampshire HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent is required in accordance with CDC HIV testing consent recommendations (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).

Counseling

- Post-test counseling as appropriate.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - A confirmatory test is required before notifying the patient of HIV test results.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners and contacts were found.

Minor/Adolescent Testing

- Persons 14 years of age or older may consent to STD testing, HIV not explicitly included.

New Jersey

A Quick Reference Guide for Clinicians to New Jersey HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant New Jersey state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of New Jersey HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding consent were found.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners and contacts were found.

Minor/Adolescent Testing

- Minors 13 years or older may consent to HIV testing.

New Mexico

A Quick Reference Guide for Clinicians to New Mexico HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant New Mexico state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of New Mexico HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent required; may be oral or in writing (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions); may be included in routine medical care.

Counseling

- Post-test counseling is required with HIV positive test results.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - HIV testing may be included as part of routine panel of tests for pregnant women.

Disclosure

- No specific provisions regarding the notification of partners and contacts were found.

Minor/Adolescent Testing

- Minors may consent to HIV testing.

New York

A Quick Reference Guide for Clinicians to New York HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant New York state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of New York HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Specific informed consent required; must be in writing. Incompatible with CDC recommendations.

Counseling

- Pre-test counseling is required; however may be fulfilled through written materials and an opportunity to ask questions. Compatible with CDC recommendations and guidelines
- Post-test counseling is required.

Provisos of Testing

- **Anonymous**
 - Physicians must inform patients of availability of anonymous testing.
 - All testing must be available anonymously.
- **Rapid**
 - A confirmatory test is required before notifying the patient of HIV test results, except in perinatal testing.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is required.

Minor/Adolescent Testing

- Minors may consent to HIV testing.
- Physicians may, but are not required to, notify the parents of the HIV test result.

North Carolina

A Quick Reference Guide for Clinicians to North Carolina HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant North Carolina state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of North Carolina HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- May use general informed consent; oral or written not specified (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).

Counseling

- Post-test counseling with referrals for medical and psychosocial services for persons infected with HIV required; local health departments must offer free counseling.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - See “Prenatal and Neonatal Testing” in the individual state profile.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to partners of a possible exposure to HIV is required.

Minor/Adolescent Testing

- Minors may consent to STD testing and treatment, HIV explicitly included.

North Dakota

A Quick Reference Guide for Clinicians to North Dakota HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant North Dakota state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of North Dakota HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent is required; oral or written not specified (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners and contacts were found.

Minor/Adolescent Testing

- Minors may consent to HIV testing

Ohio

A Quick Reference Guide for Clinicians to Ohio HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Ohio state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Ohio HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- HIV test may be given by or on the order of a health care provider who, in the exercise of the provider’s professional judgment, determines the test to be necessary for providing diagnosis and treatment to the individual to be tested, .

Counseling

- Post-test counseling in cases of HIV-positive results is required.

Provisos of Testing

- **Anonymous**
 - Patients may request anonymous testing.
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - A policy to offer routine and voluntary testing may be adopted by a facility or physician.

Disclosure

- Notification to sexual partners of possible exposure to HIV is required.

Minor/Adolescent Testing

- Minors may consent to STD testing, HIV explicitly included.

Oklahoma

A Quick Reference Guide for Clinicians to Oklahoma HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Oklahoma state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Oklahoma HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding consent were found.

Counseling

- Physician must instruct in measures of preventing the spread of disease and of the necessity for treatment with HIV positive test results.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - Rapid testing may be used on source patient in cases of occupational exposure of health care workers.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to STD testing, HIV explicitly included.
- Physicians may, but are not required to, notify the parents of the HIV test result.

Oregon

A Quick Reference Guide for Clinicians to Oregon HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Oregon state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Oregon HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent required; oral or written not specified (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - HIV test is included as part of routine panel of tests for pregnant women.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is not required.

Minor/Adolescent Testing

- Persons 15 years or younger may consent to HIV testing.

Pennsylvania

A Quick Reference Guide for Clinicians to Pennsylvania HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Pennsylvania state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Pennsylvania HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent required; must be in writing.

Counseling

- Pre- and post-test counseling is required.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - A confirmatory test is required before notifying the patient of HIV test results.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is not required.

Minor/Adolescent Testing

- Minors may consent to services for reportable diseases, HIV explicitly included.

Puerto Rico

A Quick Reference Guide for Clinicians to Puerto Rico HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Puerto Rico state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Puerto Rico HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding consent were found.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - No specific provisions regarding anonymous testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- No specific provisions regarding minor or adolescent testing were found.

Rhode Island

A Quick Reference Guide for Clinicians to Rhode Island HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Rhode Island state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Rhode Island HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Specific informed consent form required; patient may opt-out of testing on form; informed consent must be in writing, excepting anonymous testing, which may be verbal (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).

Counseling

- Pre-test information and client-specific counseling tailored to the patient (to allow greater flexibility) must be offered with HIV testing and informed consent; information may be oral or written.
- Post-test counseling must be given in person (see *State Policies Relating to HIV Testing, 2009*, below, for specific requirements).

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - A physician or health care provider attending to any person who may be at risk for HIV infection shall routinely offer the HIV test to those patients.
 - HIV test may be included as part of routine panel of tests for pregnant women.

Disclosure

- Results must be given in person
- Notification to partners of a possible exposure to HIV is not required.

Minor/Adolescent Testing

- Minors may consent to services for reportable communicable diseases, HIV explicitly included.

South Carolina

A Quick Reference Guide for Clinicians to South Carolina HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant South Carolina state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of South Carolina HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding consent were found.

Counseling

- No specific provisions regarding counseling were found (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).

Provisos of Testing

- **Anonymous**
 - Anonymous testing is not available.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is required.

Minor/Adolescent Testing

- Persons 16 years or older may consent to HIV testing.

South Dakota

A Quick Reference Guide for Clinicians to South Dakota HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant South Dakota state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of South Dakota HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding consent were found.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is not required.

Minor/Adolescent Testing

- Minors may consent to STD testing, HIV not explicitly included.

Tennessee

A Quick Reference Guide for Clinicians to Tennessee HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Tennessee state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Tennessee HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding consent were found.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - Name-based reporting precludes anonymous testing.
- **Rapid**
 - Rapid testing may be used on pregnant women presenting to labor or delivery with undocumented HIV status.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to STD testing, HIV explicitly included.

Texas

A Quick Reference Guide for Clinicians to Texas HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Texas state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Texas HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent required; may be oral or in writing.
- HIV testing may be included in general medical consent.

Counseling

- Post-test counseling is required with HIV positive test results.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to partners of a possible exposure to HIV is required.

Minor/Adolescent Testing

- Minors may consent to services for communicable diseases, HIV explicitly included.

Utah

A Quick Reference Guide for Clinicians to Utah HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Utah state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Utah HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding consent were found.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV by health departments is required.

Minor/Adolescent Testing

- Minors may consent to STD testing, HIV not explicitly included.

Vermont

A Quick Reference Guide for Clinicians to Vermont HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Vermont state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Vermont HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding consent were found.

Counseling

- No specific provisions regarding counseling were found.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Persons 12 years of age or older may consent to STD testing, HIV not explicitly included.

Virginia

A Quick Reference Guide for Clinicians to Virginia HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Virginia state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Virginia HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Consent is required; oral or written not specified but must be documented. Opt-out process implied. Compatible with CDC Recommendations.

Counseling

- Post-test counseling must be offered.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- No specific provisions regarding the notification of partners or contacts were found.

Minor/Adolescent Testing

- Minors may consent to HIV testing.
- Physicians may, but are not required to, notify the parents of the HIV test result.

Washington

A Quick Reference Guide for Clinicians to Washington HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Washington state HIV testing laws. Note that if a section in this Quick Reference Guide reads "no specific provisions were found," provisions actually might exist for this topic within the state's statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Washington HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent required; may be oral or in writing.

Counseling

- Pre-test counseling must be offered.
- Post-test counseling must be offered.
- Post-test counseling is required with HIV positive test results.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - Rapid testing may be used on pregnant women presenting to labor or delivery.
 - A confirmatory test is required before notifying the patient of HIV test results.
- **Routine**
 - HIV testing may be included as part of routine panel of tests for pregnant women.

Disclosure

- Notification to sexual and needle-sharing partners of possible exposure to HIV is required.

Minor/Adolescent Testing

- Persons 14 years of age or older may consent to STD testing, HIV explicitly included.

West Virginia

A Quick Reference Guide for Clinicians to West Virginia HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant West Virginia state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of West Virginia HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Informed consent required; may be oral or in writing (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).

Counseling

- Post-test counseling is required; may be fulfilled with a brochure. Compatible with CDC recommendations and guidelines.

Provisos of Testing

- **Anonymous**
 - All testing must be available anonymously.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual partners of a possible exposure to HIV is not required.

Minor/Adolescent Testing

- Minors may consent to STD testing, HIV not explicitly included.

Wisconsin

A Quick Reference Guide for Clinicians to Wisconsin HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Wisconsin state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Wisconsin HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- Specific informed consent required; must be in writing (see *State Policies Relating to HIV Testing, 2009*, in the individual state profile, for exceptions).

Counseling

- Counseling is required.

Provisos of Testing

- **Anonymous**
 - Anonymous testing is available at designated anonymous testing sites.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification of sexual partners of a possible exposure to HIV is encouraged but not required.

Minor/Adolescent Testing

- Persons 14 years or older may consent to HIV testing.

Wyoming

A Quick Reference Guide for Clinicians to Wyoming HIV Testing Laws

September 25, 2009

This Quick Reference Guide for clinicians is a summary of relevant Wyoming state HIV testing laws. Note that if a section in this Quick Reference Guide reads “no specific provisions were found,” provisions actually might exist for this topic within the state’s statutes, codes, or rules and regulations, but probably are not essential to clinicians.

For a more complete synopsis of Wyoming HIV testing laws, please refer to the section of the Compendium that follows this Quick Reference Guide.

[→ Table of Contents](#)

Informed Consent

- No specific provisions regarding consent were found.

Counseling

- Counseling may be offered with HIV positive test results.

Provisos of Testing

- **Anonymous**
 - No specific provisions regarding anonymous testing were found.
- **Rapid**
 - No specific provisions regarding rapid testing were found.
- **Routine**
 - No specific provisions regarding routine testing were found.

Disclosure

- Notification to sexual partners of a possible exposure to HIV is required.

Minor/Adolescent Testing

- Persons 18 years or younger may consent to HIV testing.