



STATE OF MICHIGAN

DEPARTMENT OF COMMUNITY HEALTH

LANSING

**MEMORANDUM**

JENNIFER M. GRANHOLM  
GOVERNOR

JANET OLSZEWSKI  
DIRECTOR

**ATTENTION CLINICIANS**

**INFORMATION FOR CLINICIANS REGARDING NEW HIV REPORTING LAW**

On December 30, 2004 Governor Granholm signed Senate Bill 1129 into law. This Senate Bill, sponsored by Senator Virg Bernero, updates the state HIV/AIDS reporting requirements and goes into effect April 1, 2005 as Public Act (PA) 514 of 2004. Under former law, physicians were required to report cases of HIV infection and AIDS, but clinical laboratories were not required to do so, although some did report voluntarily. PA 514 removes the exemption for clinical laboratories which, beginning April 1, 2005, will be required to report HIV test results to the state or local health department (LHD). The revised law will improve the timeliness and completeness of HIV reporting, thereby strengthening public health efforts to prevent and manage HIV. Furthermore, it will potentially increase the state's share of federal resources to fight this epidemic.

**REPORTABLE TESTS AND REPORTING TIMEFRAME:**

The law maintains the same timeframe for reporting positive HIV results (primarily positive Western Blot test results). Health care providers and clinical laboratories will both be required to report these results within seven days of obtaining the test result. In addition, results of tests "ordered to evaluate immune system status, to quantify HIV levels, or to diagnose acquired immunodeficiency syndrome" among persons already diagnosed as HIV-infected will be required to be reported. Such tests include CD4 counts/percents, and viral loads (including those with undetectable levels), which are to be reported within a month of testing.

These additional laboratory results will enable public health officials to identify unmet need by identifying those who have been diagnosed with HIV but who are not receiving adequate care. Furthermore, it will reveal how well public health efforts are working to prevent HIV-infected persons from developing AIDS. MDCH will work with the testing laboratories to determine the most efficient way for them to report these test results.

**TIMETABLE AND TO WHOM TO REPORT:**

In many cases, it will be impractical for laboratories to report to individual local health departments. Test results received by the state health department will be distributed to LHDs per individual agreements with each local jurisdiction. Details of which health department is to get laboratory results will be worked out before the April 1, 2005 implementation date. Laboratories are encouraged to forward their HIV positive test results to the state health department at present, but must begin reporting positive HIV results weekly beginning on April 1, 2005. HIV viral loads and CD4 counts/percents also may be reported to the state health department at present but must be reported monthly beginning on July 1, 2005.

**CASE REPORT FORMS STILL A NECESSITY:**

Although test results will be reported to the health department by the clinical laboratories, providers will still need to complete an *HIV/AIDS Confidential Case Report* since all the required information is not available to the laboratories. Providers may contact the local or state health department surveillance staff for assistance in completing the case report form. Required information includes complete demographics, mode of transmission,



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testing history, opportunistic illnesses, and, the physician's intention regarding partner counseling and referral service (PCRS), see below.

**PARTNER COUNSELING AND REFERRAL SERVICE (PCRS):**

PCRS (formerly known as Partner Notification), is the affirmative duty of the HIV infected patient's physician to warn known sex or needle sharing partners of their exposure to HIV unless the physician defers that responsibility to the local health department by marking the appropriate box in Section IX of the HIV/AIDS case report form. The physician may alternately complete DCH-1221, *Confidential Request for Local Health Department Assistance for PCRS*. Physicians who defer PCRS responsibility to the local health department should tell their patients to expect to be contacted in a confidential manner by LHD staff in the jurisdiction where the patient lives. These LHD staff will offer to assist the patient with notifying his/her partners.

**PREGNANT WOMEN:**

HIV infected pregnant women constitute a high priority group for follow up to prevent HIV transmission to the infant. Please note on the case report form if the patient is pregnant and whether she has been notified of her HIV status. Additionally, if known, please note the estimated delivery date and current provider of prenatal care in the comment section.

**CONFIDENTIALITY:**

The department will work closely with laboratories and clinicians to assure that confidentiality will be maintained in the reporting of test results. Health department staff will continue to adhere to their stringent standards of confidentiality.

**ANONYMOUS OPTION MAINTAINED:**

This law does not remove the existing options for anonymous reporting either at counseling and testing sites or doctors' offices. Those who wish to report results of "a test for HIV or antibody to HIV" anonymously will be required to submit the specimen to the laboratory without the name, address, or telephone number of the test subject. Any physician who reports a patient anonymously retains his/her affirmative duty to warn known sex or needle sharing partners of their exposure to HIV.

**WHO TO CONTACT WITH QUESTIONS:**

**IN SOUTHEASTERN MICHIGAN CALL 313.876.0353**  
**FOR OUT-STATE MICHIGAN CALL 517.335.8165**

**TO FIND A COPY OF THE PUBLIC ACT GO TO:**

[HTTP://WWW.MICHIGANLEGISLATURE.ORG/DOCUMENTS/2003-2004/PUBLICACT/PDF/2004-PA\\_-0514.PDF](http://www.michiganlegislature.org/documents/2003-2004/publicact/pdf/2004-pa_-0514.pdf)

Or to navigate through the Michigan Legislature's website:

<http://www.michiganlegislature.org>



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>Click on Bills on the left side of the Screen

>Under Search Bill by Number select the 2003-2004 legislative session and type in 1129 as the bill number

**WHERE TO FIND FORMS:**

**Finding Adult HIV/AIDS Case Report form or instructions online:**

Form:

[http://www.michigan.gov/documents/Frm5042A\\_6861\\_7.pdf](http://www.michigan.gov/documents/Frm5042A_6861_7.pdf)

Instructions:

[http://www.michigan.gov/documents/CRFINST9-02\\_41194\\_7.pdf](http://www.michigan.gov/documents/CRFINST9-02_41194_7.pdf)

Or navigate through the MDCH website:

[www.michigan.gov/mdch](http://www.michigan.gov/mdch)

>Providers

>Departmental Forms

>Communicable Disease Case Definitions and History Forms:

Click on Form # “CDC 50.42A Adult HIV/AIDS” or “Instructions”

**Finding Pediatric HIV/AIDS Case Report form or instructions online:**

Form:

[http://www.michigan.gov/documents/frm5042b\\_6862\\_7.pdf](http://www.michigan.gov/documents/frm5042b_6862_7.pdf)

Instructions:

[http://www.michigan.gov/documents/PEDCRF9-02\\_41195\\_7.pdf](http://www.michigan.gov/documents/PEDCRF9-02_41195_7.pdf)

Or navigate through the MDCH website:

[www.michigan.gov/mdch](http://www.michigan.gov/mdch)

>Providers

>Departmental Forms

>Communicable Disease Case Definitions and History Forms:

Click on Form # “CDC 50.42B Pediatric HIV/AIDS” or “Instructions”

**Finding DCH-1221 Confidential Request for Local Health Department Assistance for Partner Counseling & Referral Services online:**

<https://www.hapis.org/dc/PublicPages/DCH1121.pdf>

Or navigate through the HAPIS website:

[www.hapis.org](http://www.hapis.org)

Scroll down beyond the username and password boxes.

Under “Partner Counseling & Referral Services Material, click:

“Confidential Request for LHD Assistance for PCRS (Obsoletes Form HP-139)”