



STATE OF MICHIGAN

DEPARTMENT OF COMMUNITY HEALTH
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

JANET OLSZEWSKI
DIRECTOR

MEMORANDUM

ATTENTION LABORATORIANS

INFORMATION FOR CLINICAL LABORATORIES 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.

METHOD OF SUBMISSION OF LABORATORY RESULTS

MDCH will work closely with all reporting laboratories to assist in reporting of test results. At this time MDCH is working towards the ability for electronic submission of laboratory data using the state's electronic disease surveillance system via a secure FTP connection, although manual data entry into this electronic system



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is available. Also, test results could be reported in an electronic format (such as Excel, Access, or text file) using 128-bit encryption software, password protected and sent by email. If electronic reports are not a possibility, paper reports sent by fax or mail are acceptable.

CONFIDENTIALITY:

Regardless of the method used to report test results, the department will work closely with laboratories to assure that confidentiality will be maintained. 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 patients 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.

ELECTRONIC LAB REPORTING CONTACT:

For help with establishing electronic reporting from laboratories on the required schedule:
Elizabeth Hamilton, MPH (517) 335-8247

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>

>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



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Instructions:

http://www.michigan.gov/documents/CRFINST9-02_41194_7.pdf

Or navigate through the MDCH website:

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

Instructions:

http://www.michigan.gov/documents/PEDCRF9-02_41195_7.pdf

Or navigate through the MDCH website:

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

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)"