**Section 691.1300 HIV Testing Protocols**

a) HIV antibody testing shall be completed in accordance with Section 697.100 of the HIV/AIDS Confidentiality and Testing Code.

b) All persons seeking counseling and HIV testing at an HIV testing site operated by a Department funded African-American community-based organization shall be offered a rapid HIV Antibody Test. If the HIV test counselor determines that rapid HIV antibody testing is not appropriate at the time of testing, the person shall be offered the option of another HIV antibody test.

c) A patient record shall be created for each person tested at an HIV testing site operated by a Department funded African-American community-based organization. All patient records shall be maintained in accordance with the provisions of the AIDS Confidentiality Act.

d) No person may order an HIV test without first providing pre-test information and receiving the documented informed consent of the subject of the test or the subject's legally authorized representative, in accordance with the HIV/AIDS Confidentiality and Testing Code.

e) HIV counseling and testing centers shall provide counseling to the test subject prior to performing the test. The counseling must include, but is not limited to, information about:

1) HIV infection and HIV transmission;

2) The difference between confidential and anonymous HIV testing;

3) Information about the meaning of the test and test results, such as the purpose, potential uses, and limitations of the test and test results and the statutory rights to anonymous testing and to confidentiality;

4) Information about the availability of supplemental testing;

5) The availability of referrals for further information or counseling; and

6) Methods for prevention of transmission of HIV.

f) Department funded African-American community-based organizations shall report all positive HIV test results to the appropriate local health authority in accordance with Section 693.30 of the Control of Sexually Transmissible Diseases Code.

(Source: Amended at 46 Ill. Reg. 15735, effective September 1, 2022)