**Section 697.155 Delivery of HIV Test Results**

a) *The subject of the test or the subject's legally authorized representative shall be notified* in person *whenever possible of the confirmed positive result of an HIV test.* (Section 9.5(b) of the Act) If the results are provided over the phone, the health care professional shall ensure that results are delivered to the test subject or the legally authorized representative only through methods such as verifying the subject's date of birth or other confidential information known only to the subject.

1) A health care professional shall make at least two attempts to deliver a positive test result to the subject or the subject's legally authorized representative.

2) If a health care professional is unable to notify a subject or the subject's legally authorized representative of a positive test within 14 days after receipt of the test result, the health care professional shall notify the local health department within 21 days after receipt of the test result. The name of the subject (unless testing was anonymous) and his or her locating information shall be included in the notification.

b) *When the subject or the subject's legally authorized representative is notified of a confirmed positive test result, the health care professional shall provide the subject or the subject's legally authorized representative with a referral to counseling in connection with the confirmed positive test result and a referral to an appropriate medical facility for the treatment and management of HIV.* (Section 9.5(b) of the Act) Any health care professional making a referral to another health care professional shall document consent from the test subject or the test subject's legally authorized representative.

c) *A health care professional shall not be in violation of* this Section *when an attempt to contact the test subject or the subject's legally authorized representative at the address or telephone number provided by the test subject or the test subject's legally authorized representative does not result in contact and notification or where an attempt to deliver results by personal contact has not been successful* and the Department has been notified in accordance with subsection (a)(2). (Section 9.5(b) of the Act)

d) HIV-negative results shall be delivered to the test subject in person when feasible. It is recommended that post-test information be provided to those with HIV-negative results, including:

1) Risk reduction strategies to prevent transmission;

2) The importance and availability of STI screening;

3) The possibility that a recent infection cannot be detected by standard tests; and

4) The benefits of repeat testing.

(Source: Added at 36 Ill. Reg. 7613, effective May 4, 2012)