**Section 699.300 HIV Testing of a Newborn Infant Post-Delivery**

a) Every health care professional or facility caring for a newborn infant shall, upon delivery or as soon as possible within medical standards after the infant's birth, provide counseling as described in Section10(d) of the Act to the parent or guardian of the infant and perform rapid HIV testing on the infant, when the HIV status of the infant's mother is unknown. (Section 10(c) of the Act)

b) Every health care professional or facility providing the positive result of an HIV test on a newborn infant shall provide the parent or legally authorized representative with an explanation of antiretroviral preventive treatment for HIV-exposed newborn infants.

c) When the newborn infant has tested positive, the health care professional or facility providing information on antiretroviral preventive treatment for the HIV-exposed newborn infant shall explain to the mother how the test detects maternal HIV infection, offer HIV risk counseling, encourage HIV testing for the mother, and provide referrals to physicians or facilities that have experience treating women and children with HIV.

d) *Consent for testing of a newborn infant shall be presumed when a health care professional or health care facility seeks to perform a test on a newborn infant whose mother's HIV status is not known, provided that the counseling required under* Section 10*(d)* of the Act, Section 699.100(d) of this Part *and* *the AIDS* *Confidentiality Act*. (Section 10(e) of the Act)

e) Counseling required in this Subpart shall include the elements required in Section 699.100(d).

(Source: Amended at 37 Ill. Reg. 226, effective December 18, 2012)