

Disclosures

Louisiana law authorizes disclosure of HIV test results without the consent of the person tested as follows:

- To any person to whom disclosure of medical information is authorized by law without the consent of the patient.
- To a health care facility provider which: a) is permitted access to medical records; b) is authorized to obtain HIV test results; c) maintains or processes medical records for billing or reimbursement purposes.
- To a health care facility/provider when knowledge of HIV test results is necessary to provide appropriate care or treatment and afford the provider an opportunity to protect themselves from transmission of the virus.
- To a health care facility staff committee, accreditation or oversight review organization authorized to access medical records.
- To a federal, state, parish or local health officer when the disclosure is mandated by federal or state law.
- To an agency or individual in connection with the foster care programs of the Department of Social Services or to an agency or individual in connection with the adoption of a child.
- To any person to whom disclosure is ordered by a court of competent jurisdiction.
- To an employee or agency of the Board of Parole of the Department of Public Safety and Corrections (or of its Office of Parole) to the extent the employee or agent is authorized to access records containing HIV test results.
- To a medical director of a local corrections institution to the extent he/she is authorized to access records containing HIV test results.
- To an employee or authorized agent of the Department of Social Services, Office of Rehabilitative Services.
- To an insurer, insurance administrator, self-insured employer, self-insurance trust or other person or entity responsible for paying or determining medical services to the extent necessary to secure payment for those services.

Discrimination

Federal law prohibits discrimination against an HIV infected person in the rental or purchase of housing. Federal and state laws also prohibit discrimination against persons with HIV with regards to employment.

If you feel that you have been discriminated against, you may contact AIDS Law of Louisiana, Inc. at:

800-375-5035
504-821-2601 ext. 792 (New Orleans)
P.O. Box 30203
New Orleans, LA 70190

You should know that *AIDS Law of Louisiana* has been organized to meet the legal needs of individuals infected with HIV or diagnosed with AIDS. You may also contact the Office of Civil Rights directly by calling the U.S. Department of Health and Human Services, Office of Civil Rights, Dallas, Texas at 214-767-4056.

Informed Consent and Voluntary Agreement to HIV Antibody Testing

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For more information, please call:

Louisiana AIDS Hotline

**1-800-99AIDS9
(1-800-992-4379)**

Louisiana Office of Public
Health STD/HIV Program

Information on HIV/AIDS:

- HIV Antibody Testing
- What test results mean
- Reducing risks for HIV
- Testing disclosures

Voluntary Agreement to HIV Antibody Testing

Counselor: Detach and file this form. Give the remaining brochure to the client.

As the client:

- I understand the information in this brochure about HIV/AIDS.
- I had the chance to have my questions answered to my satisfaction.
- I understand that I have an option of HIV antibody tests to choose from.
- I understand how the HIV antibody test works.
- I have voluntarily agreed to have my sample collected for the HIV antibody test.
- I understand that my test result will only be given to me in person.
- I understand that if I am tested anonymously (no name) I will not be contacted about my test result.
- I understand the disclosure laws for HIV in Louisiana.
- I understand that results of all tests are reported to the Louisiana Office of Public Health.

Rapid Test

- I have received a Testing Subject Information pamphlet and reviewed it with my counselor.
- I understand that the possible results on this Rapid HIV Antibody Test are preliminary positive, negative or invalid.
- I understand that if my Rapid HIV Antibody Test is preliminary positive, another test will be required to confirm the preliminary positive result.
- I understand the process for follow-up testing after a preliminary positive result.

Signature/form number

Counselor Signature

Date

P Sticker

What is HIV/AIDS?

HIV stands for human immunodeficiency virus, and AIDS stands for acquired immunodeficiency syndrome--a disease in which your body's immune system is weakened. Your immune system automatically fights off infections and certain other diseases. If AIDS weakens your immune system, you could get a variety of life-threatening illnesses.

AIDS is Caused by HIV Infection

AIDS is caused by the virus HIV. A virus is a small germ that enters your body and can make you sick.

If HIV enters your body, you may become infected with HIV. A person with HIV can infect others, even if he or she does not look or feel sick. You cannot tell by looking at someone whether he or she is infected with HIV. A person with HIV can appear completely healthy. That is why it is important to get tested for HIV if you have ever had unprotected sex (sex without using a condom) or shared needles.

How is HIV Transmitted?

HIV is passed from one person to another by four body fluids: **1) semen 2) vaginal fluid 3) blood or 4) breast milk.** At least one of these fluids must get into a person's body for infection to happen.

You can Protect Yourself

- Do not have unprotected sex: Use a latex (rubber) condom for vaginal, anal and oral sex. Condoms can help protect you from Sexually Transmitted Diseases (STDs) and HIV.
- Do not share needles.
- Talk to your partner about past sex partners and/ or about needle/drug use. Don't have sex with someone who you think might have HIV or another STD or who might share needles.

What to do if you think you may have HIV

If you think you might have HIV, get it checked out. Don't just hope it will go away. It won't! However, seeking medical care will increase your chances of living a longer and healthier life with HIV.

Testing Negative

A negative result means that no HIV antibodies were found in your sample. This usually means that you are not infected. However, even if tested negative there is a small chance that you may be infected. It can take an average of 3 months after a risky behavior for the test to become positive. To be sure, you must be retested at least 3 months after you have had any risky behavior.

Testing Preliminary Positive (with a Rapid HIV Test)

A preliminary positive result suggests that antibodies to HIV may be present in your blood. If you receive a preliminary positive result on the test, you will need to have another test to confirm the result.

Testing Positive

A positive result means that antibodies to HIV were found in your body. A person is considered to have HIV infection if both the Rapid Test and follow-up tests show positive results. **Prompt medical care may delay the onset of AIDS and prevent some life-threatening conditions**--so make sure that your counselor sets up a medical appointment for you before you leave his/her office.

Confidentiality

If you are tested anonymously, no one will ask your name. You are the only one who can tell anyone else your results.

If you are tested confidentially, your name is recorded with your test result. Your record will not be shared with anyone who does not legally have access to your medical records unless you give written permission. Results of both positive and negative tests are reported to the Louisiana Office of Public Health.

For information about who has legal access to your medical records, see the "Disclosures" section.

If your test is positive, your sex and/or needle-sharing partner(s) need to be informed that they may have HIV also. The health department or a doctor may help you in notifying your partner(s) and getting them medical services. You may be contacted to give the health department information about your partner(s). If the health department contacts your partner(s), your name will not be used.

Pregnancy and HIV

If you have HIV while pregnant and don't have any treatment, there's a one in four chance your baby will get the virus from you. **But now you can take special medicine while pregnant that may keep your baby from becoming infected with HIV.** If you have HIV, talk to your health care provider about what you can do to help you and your baby stay healthy longer. You will be advised not to breastfeed, because the virus can be passed to your baby through breast milk. If you have HIV, your doctor can also test your baby to find out if he or she is infected, and if so, give special medical care that your baby needs.