# Ohio Administrative Code

## Rule 3701-3-12 AIDS, ARC, and HIV test reporting.

Effective: July 1, 2014

(A) As used in this rule:

(1) "AIDS" has the same meaning as in section 3701.24 of the Revised Code.

(2) "ARC" is a historic term having the same meaning as in section 3701.24 of the Revised Code.

(3) "A CD4 count" means a count of lymphocytes containing the CD4 epitope as determined by the results of lymphocyte phenotyping.

(4) "Health care facility" has the same meaning as in section 3701.24 of the Revised Code.

(5) "Health care provider" has the same meaning as in section 3701.23 of the Revised Code.

(6) "HIV" has the same meaning as in section 3701.24 of the Revised Code.

(7) "HIV infection" means a disease of the human immune system caused by infection with the human immunodeficiency virus.

(8) "HIV test" has the same meaning as in section 3701.24 of the Revised Code.

(9) "HIV viral load" means concentration of HIV virus in blood.

(B) Persons required to report cases of AIDS, ARC, HIV, confirmed positive tests for HIV, and HIV infections pursuant to divisions (B) and (C) of section 3701.24 of the Revised Code and this rule are as follows:

(1) Health care providers shall report every case of HIV infection, including AIDS, for persons under their treatment and care. In an institutional or health care facility setting, a designated agent,

including, but not limited to, an infection preventionist may make the report for the diagnosing or treating health care provider.

(2) The individual in charge of the laboratory shall report all positive or repeatedly reactive results from antigen detection, nucleic acid detection, detection of antibody confirmed with a supplemental test, or positive cultures used in the diagnosis of HIV infection, CD4 counts and percentages when performed to monitor the progression of HIV disease, and detectable and undetectable viral load results when performed to monitor the efficacy of HIV treatment. If a second laboratory is used for additional or supplemental HIV testing, the person in charge of the laboratory first receiving the specimen shall report the results of the supplemental testing.

(C) Every health care provider attending a newborn infant or child born to an HIV infected mother shall report every instance of perinatal exposure to HIV and any subsequent test results on every such exposed newborn infant or child until such time that either an HIV infection or a sero status that is negative is confirmed. In an institutional or health care facility setting, a designated agent, including, but not limited to, an infection preventionist, may make the report for the diagnosing or treating health care provider.

(D) Persons designated by paragraphs (B) and (C) of this rule shall report every case of HIV infection, including AIDS, every instance of perinatal exposure to HIV, and HIV test as described in paragraph (B)(2) of this rule to the department of health as follows (in each county the director shall designate the health commissioner of a health district in the county to receive the reports):

(1) Health care provider shall provide the following information:

(a) Case information: name, diagnosis, date of birth, sex, ethnicity, race, and street address including city, state, and zip code.

(b) Health care provider information: name, telephone number, and street address including city, state, and zip code.

(c) Laboratory test information: specimen collection date, specimen type, test name, test result, and reference range, where applicable.

(d) Supplementary information as needed to complete official surveillance forms provided or set forth by the director.

(e) A health care provider may submit electronic reports in the manner approved by the director.

(2) Person in charge of a laboratory shall provide the following information:

(a) Case information: name, diagnosis, date of birth, sex, ethnicity, race, and street address including city, state, and zip code.

(b) Health care provider information: name, telephone number, and street address including city, state, and zip code.

(c) Laboratory information: name, telephone number, and street address including city, state, and zip code.

(d) Laboratory test information: specimen collection date, specimen type, test name, test result, and reference range, where applicable.

(e) A laboratory may submit electronic reports in the manner approved by the director.

(3) Health care providers and laboratories shall report in the following manner:

(a) Persons designated in paragph (B)(1) of this rule shall report to the local health district in which the case resides, or if the residence is unknown, to the Ohio department of health no later five calendar days from the date of diagnosis or specimen collection date, whichever is later.

(b) Persons designated in paragraph (B)(2) of this rule shall report to the local health district in which the case resides, or if the residence is unknown, to the Ohio department of health no later than five calendar days from the test result.

(c) Persons designated in paragraph (C) of this rule shall report to the local health district in which

the infant was born, or if unknown, to the Ohio department of health no later than five calendar days from the infant's date of birth.