**Section 697.130 Anonymous Testing**

*Any individual seeking an HIV test shall have the right to anonymous testing, unless identification of the test subject is otherwise required. Anonymous testing shall be performed after pre-test information is provided and informed consent is obtained, using a coded system that does not link individual identity with the request or result. A health care facility or health care* professional *that does not provide anonymous testing shall refer an individual requesting an anonymous test to a site where it is available.* (Section 6 of the Act) Any anonymous testing system adopted by the health care professional ordering the test shall ensure that the persons conducting the laboratory tests transmit the correct test results to the proper health care professional, and that the correct test results are given to the correct patient. When a test subject does not have the right to request anonymity, the test subject may request that the blood sample be labeled so as to prevent any person from learning the identity of the test subject, unless the person is authorized to receive the information pursuant to Section 697.140 of this Part.

a) If anonymous testing is requested, the health care professional shall assign to the person a unique number or notation, which shall be used in lieu of the person's name. The specimen for testing shall be labeled with the name of the health care professional or health care facility and the unique number or notation assigned to the patient for the purpose of receiving the test results. Unless otherwise authorized by the patient, any record of the test result shall be maintained in a manner identifying the record only by its unique number or notation.

b) Anonymous testing shall not be permitted under the following circumstances:

1) When identification of the test subject is permitted or required to comply with Section 697.140(a)(3) or (6) of this Part; or

2) If the test is performed to determine eligibility as a donor or acceptability of a donation of blood, plasma, semen, oocytes or other human tissue.

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