**Section 699.100 Perinatal Counseling and Testing**

a) *Every health care professional who provides health care services to a pregnant woman shall, unless she has already been tested during the current pregnancy, provide the woman with HIV counseling, as described in* this Section*, and shall test her for HIV* as early in the pregnancy as possible*, unless she refuses.* (Section 10(a) of the Act)

b) *For women at continued risk of exposure to HIV infection in the judgment of the health care professional, a repeat test should be recommended late in pregnancy or at the time of labor and delivery.* (Section 10(a) of the Act)

c) HIV *counseling and testing or refusal of testing shall be documented in the woman's medical record.* (Section 10(b) of the Act)

d) *Any testing or test results shall be* conducted in accordance with the AIDS Confidentiality Act and the HIV/AIDS Confidentiality and Testing Code and *shall be* *documented in accordance with the AIDS Confidentiality Act*  and the HIV/AIDS Confidentiality and Testing Code in the woman's medical record*.* (Section 10(b) of the Act)

e) All HIV counseling *must be provided in accordance with the AIDS Confidentiality Act and must include*, at minimum, *the following*  information:

1) *For the health of the pregnant woman, the voluntary nature of the testing, the benefits of HIV testing, including the prevention of transmission, and the requirement that the HIV testing be performed unless she refuses and the methods by which she can refuse;*

2) *The benefit of HIV testing for herself and the newborn infant, including interventions to prevent HIV transmission;*

3) *The side effects of interventions to prevent HIV transmission;*

4) *The statutory confidentiality provisions that relate to HIV and AIDS testing;*

5) *The requirement for mandatory testing of the newborn if the mother's HIV status is unknown at the time of delivery;*

6) *An explanation of the test, including its purpose, limitations, and the meaning of its results;*

7) *An explanation of the procedures to be followed;*

8) *The availability of additional or confirmatory testing, if appropriate. Counseling may be provided in writing, verbally, or by video, electronic, or other means. The woman must be offered an opportunity to ask questions about testing and to decline testing for herself.* (Section 10(d) of the Act)

f) Information shall also be provided concerning the following:

1) HIV infection and HIV transmission;

2) Methods of preventing HIV transmission; and

3) The *availability of referrals for further information or counseling* (Section 5 of the AIDS Confidentiality Act).

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