**Section 699.200 HIV Counseling and Testing in Labor and Delivery**

a) A health care facility providing medical care for labor or delivery services to a pregnant woman and her newborn infant shall develop and follow written policies

and procedures concerning the delegation of the responsibilities for carrying out the counseling and testing requirements of Subparts C and D of this Part. These policies and procedures shall be provided to the Department upon request. Delegation of responsibilities shall be in accordance with other personnel policies of the facility and the Act.

b) *Every health care professional or facility that cares for a pregnant woman during labor or delivery shall, unless she has already been tested during the current pregnancy* and HIV test results are already documented in the woman's medical record, *provide the woman with HIV counseling and* rapid *HIV testing unless she refuses*, in accordance with Section 699.100(c) and (d). HIV testing shall be provided with the woman's informed *consent* in accordance with Section 699.100(e). (Section 10(b) of the Act)

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

d) The health care facility shall adopt a policy that provides that as soon*,* as possible within medical standards after the infant's birth, the mother's HIV test result, if available, shall be noted in the newborn infant's medical record. It shall also be noted in the newborn infant's medical record if the mother's HIV test result is not available because she has not been tested or has declined testing. (Section 10(b) of the Act)

e) *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 Ac*t and the HIV/AIDS Confidentiality and Testing Code in the woman's medical record. (Section 10(b) of the Act)

f) In addition to the counseling information required in Section 699.100(d), when disclosing a positive result of a rapid HIV test to a pregnant woman, every health care professional or facility shall provide the woman with post-delivery follow-up referrals to physicians or facilities with experience in providing services to women with HIV.

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