



## HIV/AIDS Reporting and Partner Notification

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### Reporting

*Maryland state law specifies that:*

- A physician caring for a patient that the physician knows is infected with HIV or is AIDS defined must report the individual to the health officer of the county where the physician provides care to the patient within 48 hours of diagnosis or of entry into their care.
- A physician shall report an infant born to a woman who tested positive for HIV to the Secretary of the Department of Health and Mental Hygiene within 48 hours of the infant's birth.
- The physician report must be on a form approved by the Secretary of the Department of Health and Mental Hygiene (DHMH 1140).
- The report shall identify the disease, state the name, race, sex, and address of residence of the patient and be signed by the physician.
- A physician and healthcare facility reporting HIV/AIDS cases shall cooperate with staff of the Department of Health and Mental Hygiene in completing the case report.
- Reports are to be made to the local health officer where your practice is located. A list of contact information for health officers is available in the instructions for the reporting form. The Maryland Confidential Morbidity Report form (DHMH 1140) should be used to report HIV and AIDS. Complete all relevant sections for which information is available.
  - Fill in **“HIV infection”** or **“AIDS”** or **“perinatal HIV exposure”** in the box labeled **“Disease or Condition.”**
  - Fill in information about the **possible HIV transmission risk factors** (such as “injection drug use,” “sex with an injection drug user” or “heterosexual contact”) in the box labeled **“Suspected Source of Infection.”**
- HIV and AIDS are separate reportable events. Therefore, a patient with HIV, who later develops AIDS, must be reported again as an AIDS case.
- Reports should be phoned in or mailed to the local health officer **within 48 hours**. Reports should **NOT** be sent by email or fax.

*Health care providers should:*

- Maintain a policy that provides for records access by Department of Health and Mental Hygiene staff.

## **Notifying Sexual or Needle Sharing Partners**

*Maryland state law specifies:*

- It is the responsibility of the physician to ensure that partner notification occurs, either by the patient or by the physician. *Assistance can be requested from the health department.*
- If acting in good faith, a provider will not be held liable for damages resulting from the notification of or failure to notify the sexual or needle-sharing partners of an HIV positive individual.
- On the DHMH 1140, for the line labeled “Physician Requests Local Health Department to Assist with:” please indicate, by checking the appropriate “yes” or “no” box, if you would like assistance with either notifying your patient of their HIV test results (because they have not returned for their results and you have been unsuccessful in locating them), or in providing HIV partner notification services (because you do not believe that the patient has or will notify their partners and you are either unable to or have been unsuccessful in notifying their partners). The health department will work with you to identify the patient and/or their partner(s), and to confidentially deliver their test results and/or provide partner services.

*Health care providers should:*

- Determine if the HIV positive individual is at risk for domestic violence and make appropriate referrals.
- Cooperate with the local health officer’s designee if partner notification assistance is requested.
- Inform the local health officer if the individual refuses to notify her partner(s).

*For more information, visit: [http://dhmh.state.md.us/AIDS/HIV\\_index.html](http://dhmh.state.md.us/AIDS/HIV_index.html)  
or <http://www.healthymaryland.org/hiv-and-aids.php>.*