

Sullivan County Department of Public Health

<p><u>Title:</u> HIV Confidentiality</p> <p><u>Number:</u> DT- 06</p> <p><u>Page Number:</u> 1 of 2</p>	<p>Original Approval: 2/91</p> <p>Reviewed/ revised: 9/99, 6/03, 5/18, 9/18, 5/24</p>
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Statement/ Purpose:

To ensure patient’s right to privacy and confidentiality, and compliance with the NYCRR.

Authority:

New York Codes Rules and Regulations Title 10 Part 63

Application:

All SCDPH staff

Terminology:

Responsible Party:

Public Health Director

Cross-Reference:

Procedure:

1. All staff are instructed on initial date of employment and annually in-serviced as to the HIV Confidentiality Law. This includes prohibition of release of any HIV-related information to any person not entitled to the information per NYCRR; disciplinary action within the agency; and NYS. This training will be documented in the staff member’s personnel record.
2. The department will require and provide annual education on the legal prohibition of unauthorized disclosure. This will be documented and maintained in the staff member’s personnel record.
3. HIV confidential information is released only if a signed, dated, complete Authorization for Release is obtained from the patient.
4. Any released HIV information is accompanied by Prohibition of Further Disclosure.
5. Confidential HIV related information may be released with written authorization in very specific situations as outlined by New York State Law.
6. The names of persons with HIV are reported to the NYSDOH for tracking the epidemic and planning services.
7. The HIV Confidentiality Hotline number is 1-800-962-5065. This number will be provided to patients upon request.

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NOTICE PROHIBITING REDISCLOSURE OF CONFIDENTIAL INFORMATION

This information has been disclosed to you from confidential records which are protected by N.Y.S. law. State law prohibits you from making any further disclosure of this information without the specific written consent of the person to whom it pertains, or as otherwise permitted by law. Any unauthorized further disclosure in violation of state law may result in a fine or jail sentence or both.

A general authorization for the release of medical or other information is NOT sufficient authorization for further disclosure. Disclosure of confidential HIV information that occurs as the result of a general authorization for the release of medical or other information will be in violation of state law and may result in a fine or jail sentence or both.

Reference: TITLE 40 NYS Codes, Rules, & Regulation (NYSCRR)
Part 63 of the NYS Public Health Codes
Public Health Law 2782(5); 10 NYCRR 63)
Effective 8/21/89, Amended 3/27/91 and 9/25/91