

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

***** 333.5114.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 28, 2019 *****

333.5114.amended HIV infected test subject; report; form.

Sec. 5114. (1) Except as otherwise provided in this section, a person or governmental entity that obtains from a test subject a confirmatory diagnostic test result that indicates that the test subject is HIV infected or from a test subject who has already been diagnosed as HIV infected a clinical test result for medical monitoring ordered to evaluate immune system status, to quantify HIV levels, or to diagnose acquired immunodeficiency syndrome shall, within a time frame determined by the department, report to the appropriate local health department or, if requested by the local health department, to the department on a form provided by the department or through electronic methods approved by the department all of the following information, if available:

- (a) The name and address of the person or governmental entity that submits the report.
- (b) The name, address, and telephone number of the health care provider who diagnosed the test subject or who ordered the test.
- (c) The name, date of birth, race, sex, address, and telephone number of the test subject.
- (d) The date on which the specimen was collected for testing.
- (e) The type of test performed.
- (f) The test result.
- (g) If known, whether or not the test subject has tested positive for the presence of HIV or an antibody to HIV on a previous occasion.
- (h) The probable method of transmission.
- (i) The purpose of the test.
- (j) Any other medical or epidemiological information considered necessary by the department for the surveillance, control, and prevention of HIV infections, as described in rules promulgated by the department.

(2) An individual who undergoes a test for HIV or an antibody to HIV in a physician's private practice office or the office of a physician employed by or under contract to a health maintenance organization or who submits a specimen for either of those tests to that physician may request that the report made by the physician under this section not include the name, address, and telephone number of the test subject. Except as otherwise provided in section 5114a, if such a request is made under this subsection, the physician shall comply with the request and submit the specimen to the laboratory without the name, address, or telephone number of the test subject.

History: Add. 1988, Act 489, Eff. Mar. 30, 1989;—Am. 2004, Act 514, Eff. Apr. 1, 2005;—Am. 2018, Act 539, Eff. Mar. 28, 2019.

Popular name: Act 368