



Mandatory HIV Testing in NY State Since the 2010 Legislation Making it Law



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Background

- In 2010, the NYS legislature passed a public health law requiring EDs to offer an HIV test to all patients 13-64.
- This is the first legislation of its kind in the US.
- No data exists on implementation of testing throughout the state.

Objectives

- To evaluate statewide implementation of HIV testing since the law.
- To evaluate differences based on HIV prevalence or site-specific state Designated AIDS Centers
- To evaluate compliance with linkage to care mandates.

Methods

- Investigators developed survey questions related to the HIV testing legislation and linkage to care.
- An electronic survey was administered to all ED directors in NYS except VA hospitals.
- Basic descriptive statistics were used for analysis.
- Respondents were allowed to skip questions.

Results

- 183/191 (96%) of ED directors responded.
- All were aware of the testing legislation.
- 67% (107/159) still used a separate written consent although no longer required by law.
- Most EDs (75%) use clinicians or nursing staff to perform testing.
- Most EDs use rapid testing (67%).
- Only 62% of EDs provide results to patients while in the ED.
- 90% had protocols for linkage to care, although only 33% confirm linkage.

Is Testing Offered?	Yes	No
ALL	155/180 (86%)	25/180 (14%)
High HIV Prevalence	43/44 (98%)	1/44 (2%)
Medium HIV Prevalence	18/24 (75%)	6/24 (25%)
Low HIV Prevalence	94/112 (84%)	18/112 (16%)
DAC	34/35 (97%)	1/35 (3%)
Non-DAC	121/145 (83%)	24/145 (17%)

Are results provided in the ED?	Yes	No
ALL	98/159 (62%)	61/159 (38%)
High HIV Prevalence	36/42 (86%)	6/42 (14%)
Medium HIV Prevalence	11/18 (61%)	7/18 (39%)
Low HIV Prevalence	51/99 (52%)	48/99 (48%)
DAC	27/34 (79%)	7/34 (21%)
Non-DAC	71/125 (57%)	54/125 (43%)

Protocol for Linkage to Care in place?	Yes	No
ALL	164/183 (90%)	19/183 (10%)
High HIV Prevalence	43/44 (98%)	1/44 (2%)
Medium HIV Prevalence	20/25 (80%)	5/25 (20%)
Low HIV Prevalence	101/114 (89%)	13/114 (11%)
DAC	35/35 (100%)	0/135 (0%)
Non-DAC	129/148 (87%)	19/148 (13%)

Conclusions

- We provide the first report of statewide HIV testing practice since testing became mandatory through state law.
- Most EDs in the state offer HIV testing, definitely exceeding the national mean for ED HIV testing.
- Multiple challenges to full implementation still exist including delivery of results to patients while in the ED.
- Linkage to care protocols are in place, but few EDs confirm that linkage actually took place.