



Research Protocol: Reporting Requirements for Negative HIV and Hepatitis C Test Results

January 2024

Scope

The aim of this legal research is to compile enacted state laws and regulations regarding reporting requirements for HIV and Hepatitis C test results. The research will include 50 states and the District of Columbia. The legal research will only include enacted laws and regulations, excluding proposed bills, sub-regulatory guidance, and case law.

Project Timeline

The legal research will be conducted between January 17, 2024, and February 13, 2024, and will include all relevant laws and regulations in effect during these dates.

Data Collection Methods

Searches will be conducted in the Westlaw state statute and regulation library. Keyword searches will be supplemented by examination of the table of contents of the public health sections of state codes, implementing regulations, relevant case law, and secondary source materials. Only enacted statutes and regulations will be examined. Keyword searches will be conducted using the following search terms:

- test! and ((HIV or “human immunodeficiency virus” or AIDS or “acquired immune deficiency syndrome”) or (“hepatitis C” or “hepatitis” or “hep”))
- result! and ((HIV or “human immunodeficiency virus” or AIDS or “acquired immune deficiency syndrome”) or (“hepatitis C” or “hepatitis” or “hep”))
- (“HIV test!” or “hep! test!” or “STD test!” or “sexually transmitted disease test” or “sexually transmitted infection test”)
- report! and ((HIV or “human immunodeficiency virus” or AIDS or “acquired immune deficiency syndrome”) or (“hepatitis C” or “hepatitis” or “hep”))
- (“HIV report!” or “hep! report!” or “STD report!” or “sexually transmitted disease report!” or “sexually transmitted infection report!”)

Coding

Research will be presented in chart format. The relevant state codes regarding HIV and Hepatitis C testing reporting requirements will be provided, as well as the answers to the following questions:

- [Does the state require reporting for negative HIV test results?](#) Yes/No
- [Does the state require reporting for negative Hepatitis C test results?](#) Yes/No

Questions may have different answers for healthcare providers vs. clinical laboratories.

Exclusions

Research will exclude any provisions specific to prenatal/postnatal testing and exposed newborns – infants.