



Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

James W. Clyne, Jr.
Executive Deputy Commissioner

March 4, 2010

Health Advisory: Emergency Responders' Access to Confidential HIV-Related Information in Cases of Potential Occupational Exposure

To: Emergency Response Agencies (e.g., fire departments, police departments, emergency medical services), Medical Facilities and Local Health Departments.

This Advisory provides important information concerning emergency responders' access to confidential medical information in cases of potential occupational exposure. Please review this information and inform your staff of the correct procedures to be followed.

The federal Ryan White HIV/AIDS Treatment Extension Act of 2009, signed into law on October 30, 2009, reinstated previous provisions for notification of possible exposure of emergency responders to infectious diseases that had been included in the federal Ryan White law from 1990 until 2006. Part G, Notification of Possible Exposure to Infectious Diseases of the Ryan White HIV/AIDS Treatment Extension Act of 2009, assigned responsibility for implementation to the U.S. Department of Health and Human Services (DHHS).

The new federal Part G does not automatically reinstate the list of infectious diseases that existed before 2006, and DHHS has not yet developed a new list to implement this Part.

The Department consulted with DHHS regarding plans for implementation in order to clarify procedures to be followed in New York State (NYS) until the new federal law is fully implemented. At this time, we ask that you continue to follow the procedures set forth in NYS regulations and in guidance documents that have been provided for handling cases since the 2006 reauthorization.

Emergency responders' access to protected information related to the HIV infection status of source patients in NYS is governed by NYS regulations, specifically Section 63.8(m) of Title 10.

The Bureau of Emergency Medical Services' Occupational Exposure to HIV web page contains guidance documents, informational materials and Section 63.8(m) regulations.

Procedural questions may be directed to: Gary L. Tuthill, Bureau of Emergency Medical Services at 518-402-0996, ext. 2.

Clinical questions may be directed to: Lyn C. Stevens, MS, NP, ACRN, AIDS Institute Office of the Medical Director, at 518-473-8815.

Resources

1. [Bureau of Emergency Medical Services' "Occupational Exposure to HIV" web page](http://www.health.state.ny.us/nysdoh/ems/aids/occupational_exposure/index.htm) Available at: http://www.health.state.ny.us/nysdoh/ems/aids/occupational_exposure/index.htm
2. [Section 63.8\(m\) Regulations.](http://www.health.state.ny.us/nysdoh/ems/aids/occupational_exposure/10_nycrr_section_63_8_-_contact_notification.htm) Available at: http://www.health.state.ny.us/nysdoh/ems/aids/occupational_exposure/10_nycrr_section_63_8_-_contact_notification.htm