

**TITLE 3: HUMAN RESOURCES**  
**DIVISION 2: HEALTH**

**§ 2162. Prenatal HIV Testing.**

Following the provision of mandatory HIV education, all pregnant mothers who present themselves for medical attention at the Commonwealth Health Center shall be offered free HIV testing. Prior to such testing all pregnant women will be given pre-test counseling in accordance to guidelines set forth by the Department of Public Health's HIV Program. All women who test positive for HIV will be referred to the Department of Public Health's HIV Program for post-test counseling and further evaluation and treatment, if necessary. Such testing will be incorporated into the routine prenatal laboratory testing/screening protocols currently provided to pregnant women. If a pregnant woman presents herself in labor and upon evaluation, was determined that she did not receive prenatal care, then HIV counseling and testing will be offered post-partum before she is released from the hospital. Women who decline such testing shall be requested to sign a form acknowledging that they have received the mandatory HIV education, they acknowledge the availability of free HIV testing, but nevertheless refuse to undergo testing. Such refusal does not preclude denial of treatment for remaining testing/screening protocols for prenatal care. In order to preserve patient confidentiality, all tests will be conducted in accordance to a coded system developed by the Department of Public Health.

**Source:** PL 12-75, § 3.