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Title 22@ Social Security

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Division 2@ Department of Social Services-Department of Health Services

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Part 2@ Health and Welfare Agency-Department of Health Services Regulations

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Subdivision 6@ Preventive Medical Services

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Chapter 8@ Human Immunodeficiency Virus (HIV) Testing of Inmates in Correctional Facilities

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Article 5@ COUNSELING

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Section 41149@ Pre-Test Counseling Guidelines

41149 Pre-Test Counseling Guidelines

(a)

The pre-test counseling session shall be delivered by the chief medical officer, or his or her designee, and shall include, but not be limited to, a licensed physician or surgeon, registered nurse, or other health professional who has knowledge of the transmission, prevention, and etiology of HIV infection and AIDS. Any individual requiring counseling as provided for in section 41148 shall be given the opportunity to meet individually in private with the counselor to discuss personal questions about the HIV antibody test and its implications. Any written education material may be used which enhances or reinforces issues and/or topics covered in the pre-test session. In no way shall this educational material take the place of face-to-face HIV education counseling session.

(b)

A counselor shall be available after the pre-test session to answer or provide additional information regarding the HIV antibody test.

(c)

The counselor shall deliver a minimum of twenty minutes of pre-test information. During the pre-test session the counselor(s) should provide the client(s) with basic information about the HIV antibody test, interpretation of both positive and negative results and the possible consequences a test subject may confront by being identified as serologically positive. Information about reducing the risks of

HIV transmission and exposure shall also be provided to the test subject during the pre-test counseling session. Topics and/or information covered during the pre-test counseling session shall include, but not be limited to, topics covered in the "Guidelines for Human Immunodeficiency Virus (HIV) Education, Information, and Testing in Correctional Facilities," December 1989, developed and distributed by the Department of Health Services, Office of AIDS.