



The College at
BROCKPORT
STATE UNIVERSITY OF NEW YORK

POLICY TITLE: HIV and AIDS Confidentiality Policy

OVERVIEW: This policy informs The College community of the HIV and AIDS confidentiality and privacy regulations and expresses compliance with the New York State Public Health Law, Article 27-F.

OFFICE/DEPARTMENT RESPONSIBLE: Student Health Services and Office of Human Resources

DATE UPDATED: July 8, 2008

New York State Confidentiality Law and HIV: Public Health Law, Article 27-F

Article 27-F is the section of New York State Public Health Law that protects the confidentiality and privacy of anyone who has:

- been tested for HIV;
- been exposed to HIV;
- HIV infection or HIV/AIDS-related illness; or
- been treated for HIV/AIDS-related illness.

A. Public Health Law, Article 27-F:

1. Requires that anyone who takes a voluntary HIV test must first sign a *consent form*. This means the person understands what the test means and agrees to take it.
2. Requires that, with few exceptions, information about a person's HIV status can only be disclosed (shared with others) if the person signs an HIV release form or if the form is signed by the person's legally appointed guardian or healthcare proxy.
3. Applies to individuals and facilities that directly provide health or social services and to anyone who receives HIV-related information about a person pursuant to a properly executed HIV release form.
4. Requires that any individual or facility whose work is covered by Article 27-F and who receives HIV-related information **MUST** keep that information confidential as required by the law.

B. Confidential HIV-related information includes all documentation that a person:

1. Had an HIV-related test (such as a HIV antibody test, PCR test, CD4 test for HIV, viral load test or other test);
2. Has HIV-infection, HIV-related illness, or AIDS;
3. Has been exposed to HIV; or
4. Has one of these conditions, including information on the individual's contacts.

HIV/AIDS Confidentiality Statement:

The College at Brockport will not discriminate against students, faculty or staff with a positive HIV test or a diagnosis of AIDS, in compliance with New York State Public Health Law. The College at Brockport has adopted the standards of the American College Health Association. For

more information regarding the details of this policy, please contact the Student Health Center at (585) 395-2414 or Office of Human Resources at 585 395 2126.

For further information on Public Health Law, Article 27-F refer to the following Web address:

<http://www.health.state.ny.us/diseases/aids/docs/doh-9192.pdf>

For general information and questions about HIV confidentiality, to report a possible violation of Article 27-F, or to get forms to report a possible violation of Article 27-F:

New York State Department of Health HIV Confidentiality Hotline at 800-962-5065

Monday - Friday, 8:30 a.m. - 4:30 p.m.

To report a possible violation send to:
Special Investigation Unit AIDS Institute
New York State Department of Health
90 Church Street, New York, NY 10007