



Rod R. Blagojevich, Governor  
Eric E. Whitaker, M.D., M.P.H., Director

525-535 West Jefferson Street • Springfield, Illinois 62761-0001 • [www.idph.state.il.us](http://www.idph.state.il.us)

June 28, 2006

Dear Colleague:

In 2003, the Illinois Perinatal Prevention Act was enacted to ensure that women are screened for HIV as early in pregnancy as possible and to reduce the risk of HIV transmission from mother to newborn infant. As you are aware, Governor Rod R. Blagojevich and the General Assembly amended the Act (Public Act 94-0910) on June 23, 2006 to further reduce the risks to newborn infants. The amendments to the Act include the following provisions:

- Health care providers must provide all pregnant women seeking health care services with HIV counseling and recommend HIV testing unless she has already received an HIV test during pregnancy. The health care provider must inform the woman that if she declines HIV testing during pregnancy, her newborn infant will be tested for HIV upon delivery.
- Hospitals must adopt policies to record the mother's HIV test result in the newborn infant's medical chart if available. Additionally, it must be noted whether the mother's HIV test result is not available because she declined testing.
- When the HIV status of the mother is unknown at the time of delivery, health care facilities must perform a rapid HIV test on the newborn infant upon delivery or as soon as possible within medical standards after the infant's birth. The mother or legal guardian of the newborn infant may refuse HIV rapid testing based on religious tenets and practices by presenting a written statement to the health care provider.
- The HIV counseling required by the Act must be provided in accordance with the AIDS Confidentiality Act and must include specific information about the benefits of HIV testing for the mother and the newborn infant, as well as the voluntary nature of testing for the pregnant women.

Additionally, Public Act 94-0910 specifies reporting requirements for health care facilities with regard to preliminary HIV-positive pregnant women or HIV-exposed newborn infants, as well as monthly statistics which must be filed with the Illinois Department of Public Health. The Act also requires IDPH to maintain a 24-hour Perinatal HIV Hotline to provide linkages to case management services to HIV-positive pregnant women and preliminarily positive newborn infants thereby ensuring access to care and treatment services. Health care providers and facilities can access the 24/7 Illinois Perinatal HIV Hotline by calling 800-439-4079. The 24/7 Illinois Perinatal HIV hotline is a 24-hour resource for clinicians and medical and social service providers to assist with medical and social services for pregnant, HIV-positive women, to help ensure healthy outcomes for the mothers and their babies.

Although the Illinois Department of Public Health will begin the process to adopt amendments to the Perinatal HIV Prevention Code (77 Ill. Adm. 699) immediately, it is imperative for all health care providers and facilities to begin to implement the amendments to the Act now that these provisions have been signed into law. The most effective way to reduce the risk of HIV transmission from mother to child continues to be the screening of pregnant women as early during pregnancy as possible. Only by screening pregnant women early for HIV, can we ensure that both mother and newborn infant have access to treatment that can greatly reduce the risk of HIV transmission from mother to child.

If you have questions about implementation of Public Act 94-0910, please contact Dr. Andre Rawls, Chief, HIV/AIDS Program, 312-814-4846 or TTY (for hearing impaired use only) 800-547-0466.

Sincerely,

A handwritten signature in black ink that reads "Eric E. Whitaker M.D." with a stylized flourish at the end.

Eric E. Whitaker, M.D., M.P.H.  
Director

CMM:cmm

cc: The Honorable Mary Flowers, State Representative  
Denise Gaines, Governmental Affairs, IDPH  
Tom Hughes, Office of Health Protection, IDPH  
Andre Rawls, HIV/AIDS Program, IDPH