

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD
MSW, MPH, MBA, FRCPC, FACP
Commissioner

TO: All Ambulance and First Response Services in Suffolk County

FROM: Robert Delagi, MA, NREMT-P
Chief, Prehospital Medical Operations and
Acting Director

DATE: December 29, 2010

RE: Updated Material – Post Exposure Follow-up / Bloodborne Pathogens

As follow-up to my November 25, 2009, and March 5, 2010 memos to you regarding the re-instatement of the Ryan White provisions for post-exposure follow-up to occupational exposure to blood or other potentially infectious materials, we are pleased to forward the latest information on this subject. Please ensure that your agency leadership and your Designated Exposure Control Officer(s) receive this information.

You will recall that the EMERGENCY RESPONSE DISEASE NOTIFICATION PROVISIONS of the Ryan White Act, that were deleted from federal law in 2006, have been reinstated through the Ryan White HIV/AIDS Treatment Extension Act of 2009 (S1793). This restoration contains what was previously omitted and includes enhanced provisions for post-exposure follow-up for bloodborne and airborne infectious diseases. This Act reinstates the requirement that emergency response organizations, including fire departments, ambulance services, and first response services, have a “Designated Officer” to field calls from members regarding exposure to communicable/infectious diseases and obtain the infectious disease status of the source patients from the medical facility providing treatment to that patient.

In the most recent change that affects EMS Providers, A11487 / S8227, *An Act to Amend the Public Health Law, in Relation to HIV Testing* has been passed into law in NY State. In summary, this bill revises the informed consent requirements associated with HIV/AIDS testing, while ensuring that adequate patient protections are maintained; tailors counseling information based on HIV test results; updates current testing requirements to reflect medical advances; and facilitates authorization for testing in the case of certain occupational exposures to HIV infection by at-risk health care workers, including EMS providers.

Continued.



DIVISION OF EMERGENCY MEDICAL SERVICES
P.O. Box 6100, Hauppauge, NY 11788-0099 (631) 853-5800 Fax (631) 853-8307

This is important to EMS providers as this bill further provides that in situations involving occupational exposures that create a significant risk of contracting or transmitting HIV infection, HIV testing will be allowed in cases where: EITHER (1) the source person is deceased, comatose or unable to provide consent, and his or her health care provider determines that mental capacity to consent is not expected to be regained in time for the exposed person to receive appropriate medical care, as determined by the exposed person's health care provider; (2) an authorized representative for the source person is not available or expected to become available in time for the exposed person to provide appropriate medical care; OR (3) the exposed person would benefit medically by knowing the Source person's HIV test results. The passage of this bill eliminates the requirement that a physician certify that informed consent has been obtained before ordering HIV related testing by a laboratory or other facility when one of these conditions is met.

Don't hesitate to call (853-5800) or email Robert.delagi@suffolkcountyny.gov if you have any questions.

Enc.