

## Frequently Asked Questions About PCRS by HIV Prevention Educators

**Q. Do community-based agencies or case managers under contract to MDCH to perform HIV prevention activities have a responsibility to provide/offer PCRS services to their HIV-infected clients?**

A. Yes: MCL 333.5133 requires agencies under contract to provide/offer PCRS. The legal statute states: Upon receipt of a positive HIV test result, the testing site shall proceed with PCRS in the same manner in which a local health department would proceed as described in section 5114a (3) to (5). **Note:** Departmental recommendations restrict investigations of partners or clients to local health departments only. Refer to your agency's program standards.

**Q. Can case managers or community-based agency workers refer a client into the local health department for the purpose of PCRS without requiring the client to sign a consent form?**

A. Exemptions to Michigan's confidentiality law allows for the referral of clients to the health department without a signed release for one or more of the following reasons: 1) to protect the health of an individual; (2) to prevent further transmission of HIV; an (3) to diagnosis and care for a patient.

**Q. Can a worker employed by a community-based agency to provide HIV prevention services be held legally responsible for disclosing client information to the health department for the purpose of PCRS?**

A. Again, exemptions within Michigan's confidentiality law allow for the release of HIV information for the purpose of PCRS. Community-based agencies are immune from civil or criminal liability and administrative penalties. (MCL 333.5131 (6)).

**Q. What exactly is partner elicitation?**

A. The process of obtaining identifying information about an at-risk sexual or needle-sharing partner of an individual who has been diagnosed as having HIV or AIDS. This identifying information should include any physical characteristics and/or logistical data to aid in the confidential notification of the at-risk partner for the purpose of PCRS.

**Q. What tools are available to make a client or partner referral to the local health department for assistance with PCRS?**

A. Agencies may use the HIV/AIDS case report (50.42A) to make a HIV diagnosis and request assistance with PCRS. Agencies may also complete the Confidential Request for Local Health Department Assistance for Partner Counseling and Referral Services (DCH - 1221). **Note:** Completion of the DCH - 1221 does not replace the required completion of the HIV/AIDS case report form (50.42).