

Readoption Review

410 IAC 1-6

**Offering of Human Immunodeficiency Information and Counseling
and Human Immunodeficiency Virus Testing**

Indiana Department of Health

LSA Document #23-648

Description of Rule:

This rule sets standards for providing human immunodeficiency virus (HIV) information to pregnant women, and testing for pregnant women and newborns. A pregnant woman has the option of refusing the test after receiving the information.

I. Continued Need for the Rule

There is a continued need for this rule. It is necessary to test the mother to prevent transmission to the fetus. If necessary, the baby must be started on antiretroviral drugs. There are no alternative ways to prevent transmission to fetuses. The problem this rule was intended to address still exists, and the benefits of the rule are still being provided.

II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6

This rule does not include any fines or penalties. The rule does not specify the type of testing that is required. The testing is inexpensive point of care testing technology that imposes minimal cost which are covered by most insurance plan providers. Consumers overwhelmingly benefit from the implementation of this rule and experience minimal to no costs. This rule does not have an impact on taxes or fees.

III. Complaints and Comments

No complaints or comments have been received.

IV. Difficulties Encountered

This rule represents an industry best-practice that does not impact the complexity of care provided during pregnancy. IDOH nor the regulated parties encounter difficulties. The rule is easy to understand and clearly instructs providers and patients as to their obligations and options.

V. Changes in Technology, Economic Conditions, or Other Factors

Since this rule was last reviewed there are lower costs and more highly sophisticated point-of-care options that have been approved. The application of this rule continues to be easier for providers and parents as costs decrease and ease of testing improves.

VI. Revised Regulatory Analysis

Readoption has minor changes the impact cost/benefit, fiscal impact, regulatory burden, or economic impact is a positive way. Testing technology has improved, and prices have decreased since the rule was last adopted.