

~~(D)~~ (E) WHEN A PHYSICIAN ~~WHO~~ OBTAINS THE RESULTS OF A TEST FOR THE PRESENCE OF HIV THAT WAS CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION ~~(C)~~ (D) OF THIS SECTION, THE PHYSICIAN OR A DESIGNEE OF THE HEALTH CARE FACILITY SHALL DIRECTLY NOTIFY THE HEALTH CARE PROVIDER AND THE PATIENT OF THE RESULTS OF THE PATIENT'S HIV TEST.

~~(E)~~ (F) THE NOTIFICATION REQUIRED UNDER SUBSECTION (D) OF THIS SECTION SHALL:

(1) BE MADE WITHIN 48 HOURS OF CONFIRMATION OF THE RESULTS OF THE PATIENT'S HIV TEST;

(2) INCLUDE SUBSEQUENT WRITTEN CONFIRMATION OF THE POSSIBLE EXPOSURE TO HIV; AND

(3) TO THE EXTENT POSSIBLE, BE MADE IN A MANNER THAT WILL PROTECT THE CONFIDENTIALITY OF THE HEALTH CARE PROVIDER AND THE PATIENT.

~~(F)~~ (G) IF THE RESULTS OF A TEST FOR THE PRESENCE OF HIV THAT WAS CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION ~~(C)~~ (D) OF THIS SECTION ARE POSITIVE, A PHYSICIAN ~~OF OR~~ OR THE PHYSICIAN'S DESIGNEE SHALL PROVIDE OR ARRANGE FOR THE PROVISION OF APPROPRIATE COUNSELING TO THE HEALTH CARE PROVIDER AND THE PATIENT.

~~(G)~~ (H) (1) NOTWITHSTANDING THE PROVISIONS OF SUBTITLE 3 OF TITLE 4 OF THIS ARTICLE, THE RECORDS, INCLUDING ANY PHYSICIAN ORDER FOR AN HIV TEST OR THE RESULTS OF A HIV TEST PERFORMED ON A BLOOD SAMPLE OF A PATIENT OR A HEALTH CARE PROVIDER IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION MAY NOT BE DOCUMENTED IN THE MEDICAL RECORD OF THE PATIENT OR HEALTH CARE PROVIDER.

(2) THE HEALTH CARE FACILITY SHALL MAINTAIN A SEPARATE CONFIDENTIAL RECORD OR INCIDENT REPORT FOR ALL HIV TESTS PERFORMED ON A BLOOD SAMPLE OF A PATIENT OR HEALTH CARE PROVIDER IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.

(3) THE HEALTH CARE FACILITY SHALL ADOPT PROCEDURES FOR THE ~~ANONYMOUS~~ CONFIDENTIAL TESTING OF BLOOD SAMPLES OBTAINED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.

(4) EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE RECORDS, INCLUDING ANY PHYSICIAN ORDER FOR AN HIV TEST OR THE RESULTS, OF ANY HIV TEST PERFORMED ON A BLOOD SAMPLE OF A PATIENT OR HEALTH CARE PROVIDER IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION ARE:

(I) CONFIDENTIAL; AND