

that needs medical information about the deceased individual to ensure that the body part is medically acceptable for its intended purpose;



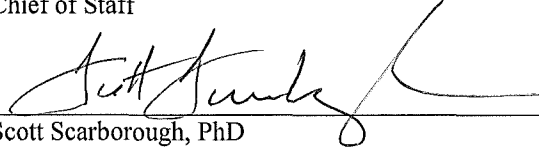
- f. Health care facility staff committees or accreditation or oversight review organizations conducting program monitoring, program evaluation, or service reviews;
 - g. A health care provider, emergency medical services worker, or peace officer who has significant exposure to the body fluids of another individual, if that individual was tested pursuant to paragraph *6(f) of the Ohio Department of Health Protocols for implementation of Ohio's Omnibus AIDS Law, entitled "Consent and Counseling for HIV Testing," except that the identity of the individual tested shall not be revealed.
 - h. To law enforcement authorities pursuant to a search warrant or a subpoena issued by or at the request of a grand jury, a prosecuting attorney, city director of law or similar chief legal officer of a municipal corporation, or village solicitor in connection with a criminal investigation or prosecution.
3. The results of an HIV test or diagnosis of AIDS or HIV Infection may be disclosed to a health care provider, or an authorized agent or employee of a health care facility or health care provider, if the provider, agent, or employee has a medical need to know the information and is participating in the diagnosis, care, or treatment of the individual on whom the test was performed or who has been diagnosed as having AIDS or HIV Infection.
 4. Disclosure may not be requested or made solely for the purpose of identifying an individual who has a positive HIV test result or has been diagnosed as having AIDS or HIV Infection in order to refuse to treat the individual. Referral of the individual to another health care provider or facility based on reasonable professional judgment does not constitute refusal to treat the individual.
 5. Access to or authority to disclose the HIV test records of an individual may also be sought by filing an action for the same in a court of common pleas. Legal counsel should be consulted for the filing of such actions.
 6. Persons or government agencies who consider it necessary to disclose test results of an HIV test of a specific individual in an action in which it is a party may seek authority for the disclosure by filing a motion with the court in which the action is being heard.
 7. Except pursuant to an order issued in a criminal prosecution or an order issued pursuant to the proceedings set forth in paragraphs 5 and 6 above, no hospital blood center shall be compelled by any other court to disclose the results of HIV tests performed on the blood of voluntary donors in a way that reveals the identify of any donor.
 8. Any disclosure made pursuant to this protocol shall be in writing and accompanied by a written statement that includes the following or substantially similar language:

This information has been disclosed to you from confidential records protected from disclosure by state law. You shall make no further disclosure of this information with the specific, written and informed release of the individual to whom it pertains, or as otherwise permitted by state law. A general authorization for the release of medical or other information is not sufficient for the purpose of the release of HIV test results or diagnosis.
 9. It is recommended that individuals who are authorized to disclose positive results of an HIV test to the individual tested or to render a diagnosis of AIDS or HIV infection to an individual, should apprise such

* 6 when the test is performed on an individual after the Infection Control Committee of a health care facility or other body or health care facility performing a similar function determines that a health care provider, emergency medical services worker, or peace officer, while rendering health or emergency care to an individual, has sustained a significant exposure to the body fluids of that individual and the individual has refused to give consent for testing.

individual that he/she has the legal obligation to disclose this information to any other person with whom he/she intends to make common use of hypodermic needle or engage in sexual contact.

Reference: <http://codes.ohio.gov/orc/3701.24>

<p>Approved by:</p> <p> _____ Julie Westerink, MD Chairman, Infection Control Committee</p> <p> _____ John Kane, MD Chief of Staff</p> <p> _____ Scott Scarborough, PhD Interim Executive Director and Sr. VP for Finance & Administration</p> <p><i>Review/Revision Completed By: Infection Control Committee</i></p>	<p>Review/Revision Date: 8/5/91 11/10/93 12/8/97 2/1/99 12/17/01 12/20/04 3/24/2008 3/28/2011</p> <p>Next Review Date: 3/1/2014</p>
<p>Policies Superseded by This Policy: 31:SUR-002</p>	