



STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

RICK SNYDER
GOVERNOR

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DIRECTOR

DATE: March 29, 2011
TO: Local Health Officers
FROM: Amna Osman *AO*
Director, Division of Health, Wellness and Disease Control
SUBJECT: HIV Client Acknowledgement Forms

Some local health departments (LHD) have adopted the practice of requiring clients diagnosed with HIV infection to acknowledge, in writing, an understanding of Michigan's law related to HIV disclosure. The Michigan Department of Community Health (MDCH) does not endorse or encourage the use of "client acknowledgement forms" for this purpose.

LHDs are required by law, as part of partner services, to inform HIV infected individuals of their legal obligation to disclose their HIV status to sex partners prior to engaging in sexual activity. LHDs have a responsibility to interact with clients in a way that facilitates client understanding of the importance of disclosure and the legal implications associated with failure to disclose. Client acknowledgement forms are not a replacement for sound counseling.

Some of the "client acknowledgement forms" currently in use include information which is inaccurate, misleading or which goes beyond state law. LHDs are responsible for providing accurate and current information about HIV laws, including those laws that serve to protect clients. LHD policies and practices must accurately reflect state law.

A key priority for Michigan is to identify individuals living with HIV infection and to link them with medical treatment needed to keep them healthy. Engaging individuals with HIV infection in medical care is also an important prevention intervention and therefore an important public health strategy. We do not endorse or support any practice or policy, which may contribute to stigmatizing HIV or associated risk behaviors as this may serve as a deterrent to individuals seeking testing to learn their HIV status, or from seeking care, if they know that they are HIV-infected.

We strongly encourage LHDs that are currently using client acknowledgement forms, to review this practice immediately. Furthermore, LHDs are responsible for identifying alternative strategies for monitoring responsiveness to the law and provision of appropriate counseling. The MDCH recommends that LHDs have their respective legal counsel review any such forms.

We appreciate your prompt attention to this matter. If you have questions or need additional information, please contact Amna Osman at 517.241.0854 or osmana@michigan.gov.

cc: M. Miller
M. Swain, Executive Director, MALPH