

Guidance 33
HIV Early Intervention Services

Contract Reference: *Sections A-1.1, and C-1.2.3*
Authority: *42 U.S.C. s. 300x-24*
Frequency: *Ongoing*
Due Date: *Not Applicable*

Florida is required to expend 5% of the Substance Abuse Prevention and Treatment Block Grant on HIV Early Intervention Services. HIV Early Intervention Services funded under the Block Grant may only be provided to individuals receiving treatment for substance use disorders and shall be made available at the sites at which individuals are undergoing treatment for substance use disorders. The primary purpose of these set-aside funds is to provide onsite HIV testing services. These funds are not intended or permitted to be used for general educational programs about HIV.

Allowable HIV Early Intervention Services may include one or any combination of the following activities:

- Pretest counseling;
- Posttest counseling;
- Tests to confirm the presence of HIV;
- Tests to diagnose the extent of the deficiency in the immune system;
- When provided to individuals with HIV, tests to provide information on appropriate therapeutic measures for preventing and treating the deterioration of the immune system and conditions arising from HIV, including tests for hepatitis C; and
- Therapeutic measures for preventing and treating the deterioration of the immune system and conditions arising from HIV.

The Department is in the process of adding a new covered service through rule-making called HIV Early Intervention Services. The HIV Early Intervention Services covered service will be defined according to the activities listed above. Until this covered service is promulgated in rule, the only allowable covered services that can be funded under OCA MS023 (ME SA HIV SVCS) are as follows:

- 02 – Case Management
- 11 – Intervention (Individual)
- 12 – Medical Services
- 14 – Outpatient (Individual)

HIV testing sites must be registered and staff must be trained through the Department of Health’s HIV/AIDS 500 and HIV/AIDS 501 HIV Prevention Counseling, Testing, and Linkage courses. Additional details can be found at DOH’s Testing and Counseling website:

www.floridahealth.gov/diseases-and-conditions/aids/prevention/testing-counseling.html.

Additionally, DOH has two Internal Operating Procedures which guide the provision of HIV counseling and testing and minimum standards for HIV counselors and trainers:

- Provision of HIV Testing and Linkage: IOP 360-09-17
[http://www.floridahealth.gov/diseases-and-conditions/aids/prevention/ documents/Counseling_testing/IO360-09-17FINAL_12-27-17B.pdf](http://www.floridahealth.gov/diseases-and-conditions/aids/prevention/documents/Counseling_testing/IO360-09-17FINAL_12-27-17B.pdf)

- Minimum Standards for HIV Counselors, Trainers, and Early Intervention Consultants: IOP 360-07-17
[www.floridahealth.gov/diseases-and-conditions/aids/prevention/ documents/Counseling_testing/IOP-360-07-17-FINAL-12-27-17.pdf](http://www.floridahealth.gov/diseases-and-conditions/aids/prevention/documents/Counseling_testing/IOP-360-07-17-FINAL-12-27-17.pdf)

HIV Early Intervention Services must be undertaken voluntarily by, and with the informed consent of, the individual. The Department of Health's protocol for obtaining informed consent in health care settings shall be followed, as described in IOP 360-09-17 above. Receiving HIV Early Intervention Services may not be required as a condition of receiving treatment services for substance use disorders or any other services.

HIV testing and counseling services are to be provided in confidential, non-group settings, pursuant to IOP 360-09-17.

The scope and content of HIV negative, inconclusive, and positive post-test counseling sessions are also described in IOP 360-09-17.

Substance use disorder treatment providers that receive HIV EIS set-aside funds must make pre-test counseling available, but they do not need to require pre-test counseling as a necessary precondition for receiving an HIV test. This is pursuant to DOH's Model Protocol for HIV Counseling and Testing in Health Care Settings, which does not require pre-test counseling in drug treatment facilities. DOH's protocol is designed to help treatment providers develop more efficient and routine testing procedures if they desire. However, in order to comply with Block Grant regulations, HIV pre-test counseling should be made available upon request at the sites receiving HIV EIS set-aside funds. Providers are still allowed to use HIV EIS set-aside funds to pay for pretest counseling. To comply with Block Grant reporting requirements, Managing Entities must obtain the following information from each provider that receives HIV EIS set-aside funds:

- Total number of individuals tested through SAPT HIV EIS funded programs;
- Total number of HIV tests conducted with SAPT HIV EIS funds;
- Total number of HIV tests that were positive for HIV;
- Total number of individuals who tested positive for HIV, but who were unaware of their HIV infection status prior to the 12-month reporting period; and
- Total number of HIV-infected individuals who were diagnosed and referred into treatment and care during the 12 month reporting period.