

Sample Script for Clinicians Regarding Verbal Consent for HIV Testing

The following script is an example of the minimum interaction a clinician would have with a patient in order to be in compliance with 2009 Wisconsin Act 209.

Clinicians should adapt this interaction based on the circumstances of the patient and their clinical setting, (e.g. routine testing for pregnant women, annual testing for high risk populations, diagnostic testing for a patient with clinical symptoms, etc.).

The steps below refer to the components of consent for HIV testing identified in 252.15 (2m)(a) of 2009 Wisconsin Act 209. For the actual statutory language delineating these steps, review the [Legislative Summary](#) also on this website.

Step 1: **“In my practice, I recommend HIV testing for many of my patients, so I am planning to test you for HIV unless you decline to be tested.”**

Steps 2: **“Here is some information about HIV infection and the test.”**

Provide DHS patient fact sheet or other material that includes:

- *a brief explanation of HIV infection*
- *meaning of HIV test results*
- *reporting requirements¹*
- *treatment options and HIV-related services for people who test positive*

Rather than providing a fact sheet or brochure, the clinician can also explain this information verbally.

Step 3: **“You have the right to decide not to be tested, and if so, you won’t be denied other health services as a result.”**

Step 4: **“Do you have any questions about HIV or HIV testing?”**

Provider allows sufficient time for patient to ask questions or decline testing

Step 5: **“So, with your consent, I’ll go ahead and order an HIV test.”**

Provider verifies that the patient understands that the test will be performed and that their acceptance is voluntary.

¹ All HIV positive test results must be reported to the Wisconsin Division of Public Health.