



**Department
of Health**

NYS HCV Testing Law

Background and Implementation

March 6, 2015

Agenda

- Why HCV testing law is so important
- NYS HCV testing law
- Additional resources
- New Materials

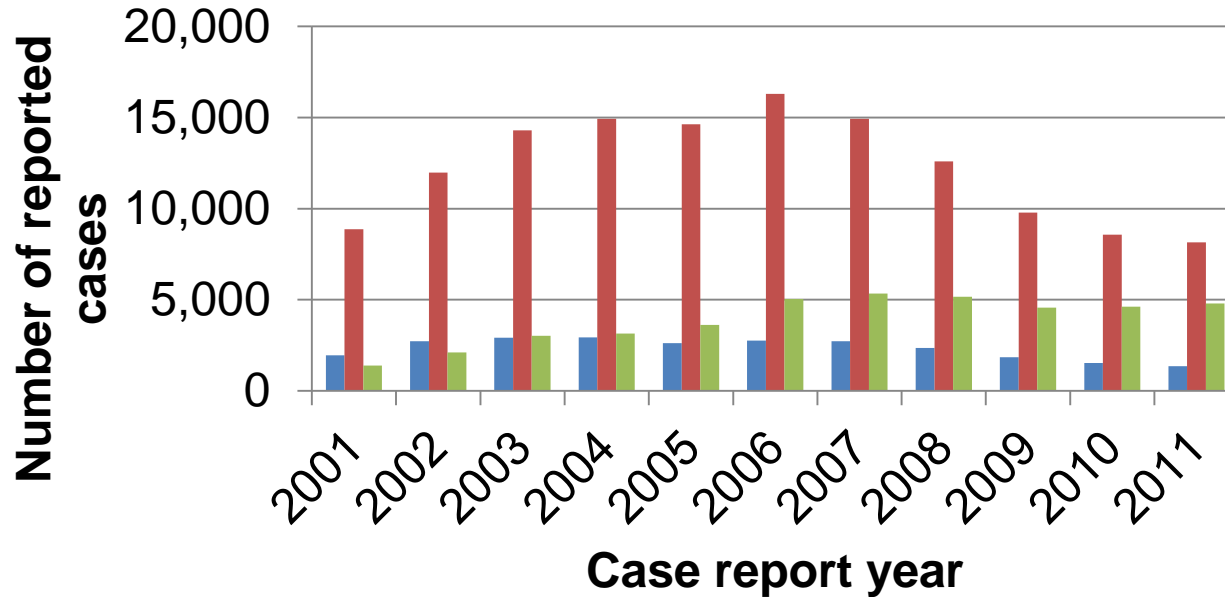
Why is this legislation so important?

- 4.1 million persons ever infected; 3.2 million chronic infections
 - Up to 75% unaware of status
- Transmitted through percutaneous exposure to infected blood
 - Injection drug use (IDU) is the principle risk for transmission
- Major cause of liver disease
 - Leading indication for liver transplants
 - Leading cause of HHC (approx. 50% of HCC incident)
- HCV-related deaths doubled from 1999-2007 to over 16,000/year
 - In 2007, HCV related deaths began to exceed HIV related deaths
- No vaccine available
- Changing landscape of HCV:
 - New CDC expanded screening recommendations
 - Newer screening technologies are available
 - More effective treatments
 - HCV is curable

Why Baby Boomers?

- Persons born between 1945-1965 are five times more likely to be infected with HCV
 - HCV Prevalence 3.25% among 1945-1965 birth cohort vs. 0.88% among individuals outside the birth cohort.
- 1.94 million chronically infected
- Represent 73% of all HCV-associated mortality
- 31.5% lacked health insurance
- 57.8% reported drinking an average of two or more alcoholic drinks per day
- 80% lack Hepatitis A/B vaccination

NYS-HCV-Baby Boomers*



■ Born before 1945 ■ Baby boomers ■ Born after 1965

*Data through 2011

Data Source: NYSDOH, Bureau of Communicable Disease Control and NYCDOHMH, Bureau of Communicable Disease Control and Prevention



NYS Hepatitis C Testing Law

- Signed by Governor Cuomo on October 23, 2013
- First in the Nation
- Effective January 1, 2014
- **KEY PROVISIONS** of the law
 - An hepatitis C screening test be offered to every individual born between 1945 and 1965
 - Inpatient of a hospital or
 - Receiving primary care services in the outpatient department of a hospital or
 - In a freestanding diagnostic and treatment center or
 - From a physician, physician assistant, or nurse practitioner providing primary care regardless of setting type.

NYS Hepatitis C Testing Law (2)

- KEY PROVISIONS- continued
 - If an individual accepts the offer and the screening test is reactive, the health care provider must offer the individual follow-up health care or refer the individual to a health care provider who can provide follow-up health care.
 - The follow-up health care must include a hepatitis C diagnostic test (i.e., HCV RNA test)
 - The offer of testing must be culturally and linguistically appropriate.

Key definitions

- Hepatitis C screening test
 - Any laboratory screening test that detects the presence of HCV antibodies
- Hepatitis C diagnostic test
 - Any laboratory test that detects the presence of hepatitis C virus in the blood and that provides confirmation of whether or not the individual has HCV infection
- Primary care
 - Medical fields of family medicine, general pediatrics, primary care, internal medicine, primary care obstetrics or primary care gynecology

Settings and Providers Impacted

Health Care Settings

- Inpatient of a hospital
- Outpatient department of a hospital that offers primary care services
- Freestanding diagnostic and treatment center

Health Care Providers

**Physician,
Physician Assistant
or Nurse
Practitioner
providing primary
care regardless of
setting type**

Key Question: Does the setting or provider offer primary care? If yes, then the law applies.

Sites that may or may not be impacted

Family Planning Clinics	Retail Clinics
STD Clinics	Employee Health Clinics
Urgent Care Settings	Others?

Key Question:

Does the site provide primary care?

Exceptions to the law

- When the individual is being treated for a life threatening emergency.
- When the individual has previously been offered or has been the subject of a hepatitis C related test (unless otherwise indicated due to risk factors).
- When the individual lacks the capacity to consent (though in these cases the offer may also be made to an appropriate person who is available to provide consent on behalf of the patient).

Coverage for HCV testing

Payer	Testing Covered
Medicaid	Yes
Medicare	Yes, when ordered by PCP
Private	Refer to policy

- USPSTF – Grade B
- No co-pay as a result of ACA

Other parts of the law

- Report to the Governor
 - On or before January 1, 2016, the commissioner of health shall evaluate and report on the impact
 - Number of persons who are screened for hepatitis C
 - Number of persons who have accessed care following a positive test
- Sunset Date
 - The law expires and is deemed repealed on January 1, 2020

Implementation of the law

- Provide guidance in the form of FAQ
- Stakeholder meetings
- Dear Colleague letter
- Host statewide webcast
- Provide briefings to various groups, councils and task forces
- Launching Statewide Media Campaign

Evaluation of the Testing Law

- Evaluation of the law:
 - # persons tested
 - # of person with a reactive test that get linked to health care
 - Assess successes and barriers to implementing the law (provider level)

Evaluation component	Data Source
Number of tests conducted	<ul style="list-style-type: none">• Commercial lab data• Medicaid data• Surveillance data• Behavior Risk Factor Surveillance Study
Number of persons linked to care	<ul style="list-style-type: none">• Surveillance data
Implementation of the law	<ul style="list-style-type: none">• Provider survey (quantitative data)• Provider focus groups (qualitative data)

Additional resources

- Additional information on NYS testing law
 - www.health.ny.gov/hepatitis
 - Click on Hepatitis C Testing
- List of free HCV testing sites
 - www.health.ny.gov/hepatitis
 - Click Hepatitis C Testing
- Additional information on Hepatitis C
 - www.health.ny.gov/hepatitis
 - www.cdc.gov/hepatitis
 - www.aasld.com

New educational materials - HCV testing card

Should you be tested for Hepatitis C?

Why should you be tested for Hepatitis C?

There are things you can do to fight hepatitis C. Early detection can help. Knowing your hep C status will help prevent transmission to others. Hep C is a curable condition for most people. Better treatments are available with fewer side effects. Even if you do not start treatment, there are a few things you can still do to keep your liver healthy, such as avoiding alcohol and getting vaccinated for hepatitis A and B.

What is Hepatitis C?

Hepatitis C (Hep C) is a liver disease caused by the hepatitis C virus. Hepatitis C can lead to serious liver damage. Hepatitis C progresses slowly and often has no symptoms. Many people have hepatitis C and don't know it. The only way to know if you have hepatitis C is to get tested.

Get tested for hepatitis C if you...

- Injected drugs, even just once many years ago
- Were born from 1945-1965 (Baby Boomer)*
- Received donated blood or organs before 1992
- Received dialysis before 1987
- Got a tattoo or body piercing from an unlicensed artist, such as on the street or while in jail
- Are HIV positive
- Were exposed to blood on the job through a needlestick or injury with a sharp object
- Were ever on long-term dialysis
- Snorted drugs

* In New York State, health care providers are required to use to offer anyone born between 1945 and 1965 a test for hepatitis C.

Hepatitis C Antibody Test

A Hepatitis C Antibody test is a blood test that looks for antibodies to the hepatitis C virus. The test can be done by collecting a blood sample and sending it to a lab, or by a fingerstick using a hepatitis C rapid antibody test. The hepatitis C antibody test will tell you if you have ever been infected with hepatitis C. You may need a second test to know if you are currently infected.

Hepatitis C Antibody Test Results

If the test result is NON-REACTIVE/NEGATIVE

- A non-reactive or negative antibody test means that you are not currently infected with the hepatitis C virus.
- However, if you have engaged in risky behavior in the last 6 months, you will need to be tested again.
- Your non-reactive test result does not protect you from getting hepatitis C in the future.

If the test result is REACTIVE/POSITIVE

- A reactive or positive antibody test means that you have antibodies to hepatitis C in your blood.
- You were exposed to hepatitis C at one time. You are probably infected with hepatitis C.
- You will need a second test to know for sure.

Take the Second Test. Know for Sure.

- This second test is called an RNA test. Another name used for this test is a PCR test. The RNA test checks for hepatitis C virus in your blood.
- If you don't have the virus in your blood, this test will come back undetectable. If the test comes back detectable, then you have hepatitis C.

For a list of free hepatitis C testing sites in New York State go to: www.health.ny.gov/hepatitis

1810 New York State Department of Health 03/14



New educational materials- HCV counseling message pads

**You had a rapid hepatitis C antibody test:
Your result is reactive/antibody positive.**

This means:

- You have antibodies to hep C in your blood.
- You were exposed to hep C at one time. You are probably infected with hep C.
- You need a second test to know for sure.

What to do next:

❑ Find out if you have hep C infection.

- You need a second test to know if you have hep C.
- This second test measures hep C virus in your blood.
- If you don't have the virus in your blood, this test will come back undetectable. If the test comes back detectable, then you have hep C.
- Until you take the second test, assume you have hep C.

❑ Be safe. Protect others.

- Hep C is spread mainly by contact with infected blood. Do not share needles or any other injection equipment (cotton, cooker, etc.) or anything, including razors or other personal care items that may have blood on it.
- Hep C is not spread by casual contact like sneezing, hugging, or sharing eating or drinking utensils.

❑ Make healthy choices. Help protect your liver.

- Avoid alcohol. If you have hep C, alcohol is your enemy.
- Make sure you are vaccinated against hepatitis A and B.
- Eat healthy (limit sugar, salt and fat), exercise and get enough rest.

❑ See a doctor.

- A doctor can explain the results of your second test.
- If you have hep C, a doctor will monitor your health and liver regularly.
- Even if you don't have hep C, you should see a doctor on a regular basis.

❑ Learn about hep C treatment.

- Hep C can be cured.
- With the medications available today, the length of hep C treatment is shorter now, more successful and has fewer side effects.
- Not everyone needs hep C treatment.
- You have time. Talk with your doctor and your family before making a decision about treatment.

❑ Find out more about hep C.

- When you take the second test and know for sure, let's talk again.

Take the second test. Know for sure.

**You had a rapid hepatitis C antibody test:
Your result is non-reactive/antibody negative.**

This means:

- You are probably not infected with hep C.
- Your non-reactive test result does not protect you from getting hep C in the future.

What to do next:

❑ If you engaged in risky behavior in the last 6 months:

- Get tested again in a few months.
- It can take up to 6 months for your body to produce enough antibodies to be measured by the test.
- **Hep C is spread by contact with infected blood.** You are at risk for hep C if you had contact with infected blood within the past 6 months (shared injection equipment, had rough, unprotected sex, etc.)

❑ Stay negative. Be safe.

- Don't share.
- Do not share needles, or any other injection equipment (cotton, cooker, etc.) or anything, including razors or other personal care items that may have blood on them.
- Think before you ink.
- Do not get tattoos, piercings or body art from places such as jails, on the street, or in someone's home. Instead, get them from a licensed artist.

❑ Make healthy choices.

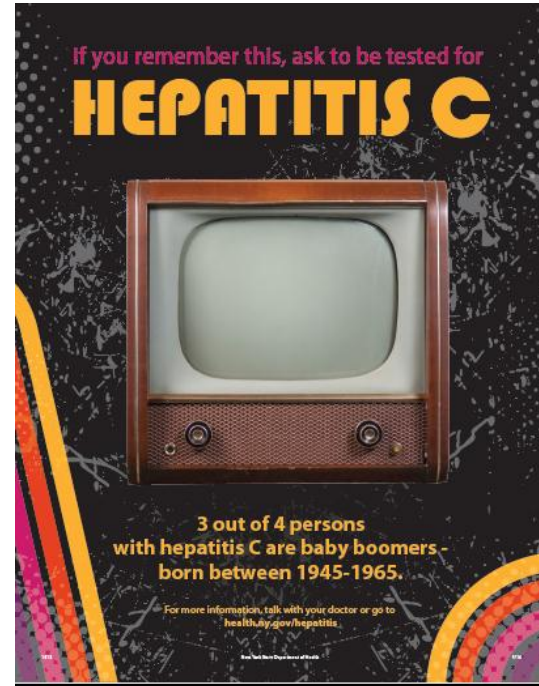
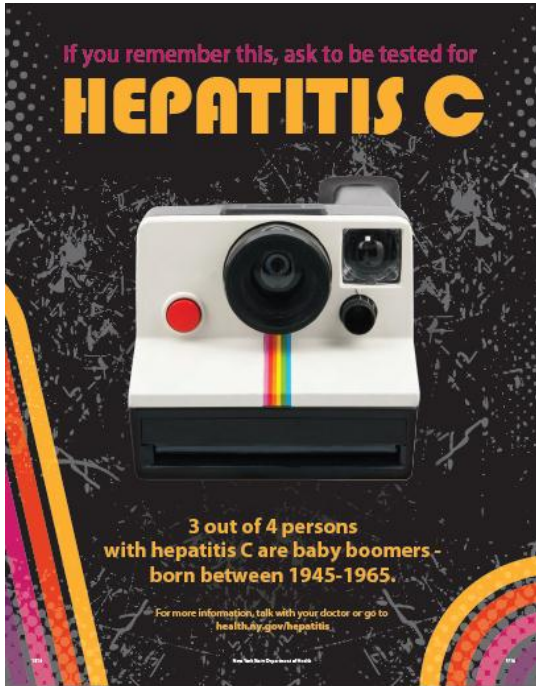
- Make sure you are vaccinated against hepatitis A and B.
- Eat healthy (limit sugar, salt and fat), exercise and get enough rest.
- Practice safer sex by getting tested and treated for any STDs and HIV, and using condoms or other barriers (dental dams, gloves).
- Even if you don't have hep C, you should see a doctor on a regular basis.

❑ Find out more about hep C.

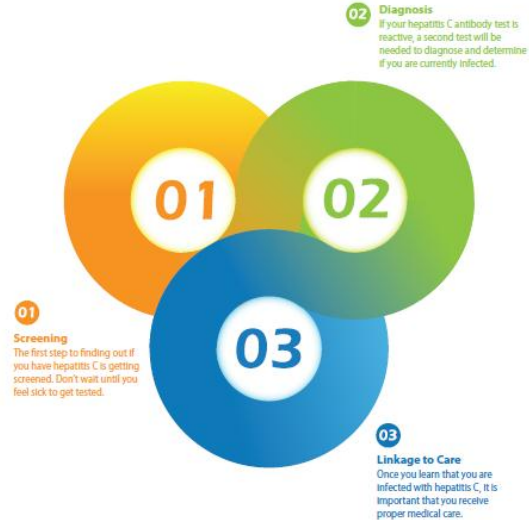
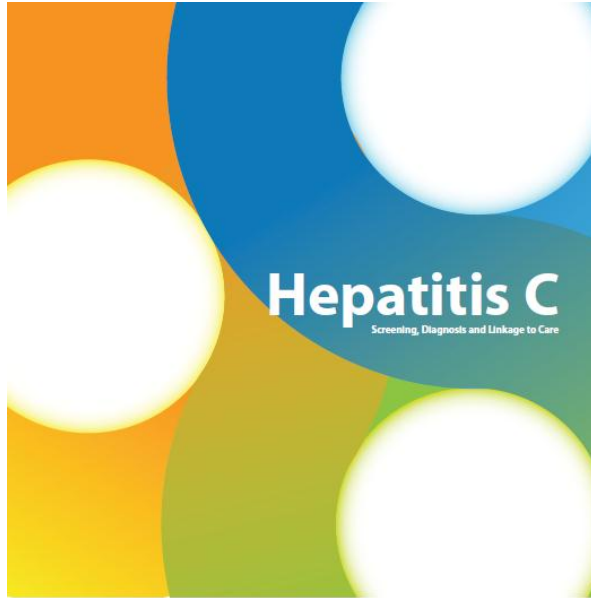
Stay Negative. Be Safe.



HCV Testing Law Posters



Hepatitis C: Screening, Diagnosis and Linkage to Care Booklet



How to order

- http://www.health.ny.gov/forms/order_form_s/hepatitis_education.pdf

Additional questions?

hepatabc@health.ny.gov

Contact

- Megan Haseltine
 - AIDS Institute
 - HCV Screening Program Coordinator- NYC area
 - 212-417-4524
 - Megan.haseltine@health.ny.gov
- Colleen Flanigan
 - AIDS Institute
 - Director, Viral Hepatitis Section
 - 518-486-6806
 - Colleen.flanigan@health.ny.gov