

## HIV: Test Results Pending, Discharge Instructions Must Stress Patient Follow Up.

The Superior Court of New Jersey, Appellate Division, has ruled that physicians and nurses have the responsibility, when a patient's HIV test has been sent to the lab, but the result is not known at the time of discharge from the hospital, to counsel the patient to follow up to obtain the test results.

When a positive HIV test comes back from the lab for a patient who has already been discharged, the patient must be contacted.

The court ruled that the HIV+ patient's spouse and as-yet-unborn child are persons who can potentially sue the patient's caregivers and the hospital for failing to carry out this important responsibility. **C.W. v. The Cooper Health System**, \_\_ A. 2d \_\_, 2006 WL 2590107 (N.J. App., August 10, 2006).