



Department of Health

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Executive Deputy Commissioner

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Dear Colleague:

The purpose of this letter is to inform you of important updates to New York State clinical practice recommendations and legislation regarding post-exposure prophylaxis (PEP) after a possible exposure to HIV.

New Clinical Guideline

The newly published clinical guideline, [PEP to Prevent HIV Infection](#), was developed with the goals of: reinforcing that HIV exposure is an emergency that requires rapid response, with immediate administration of the first dose of PEP medications; assisting clinicians in recognizing and addressing challenges to successful completion of a PEP regimen; detailing the baseline testing, monitoring, and follow-up that should accompany prescription of a 28-day course of PEP; and assisting clinicians in managing potential concurrent exposures to hepatitis B virus and hepatitis C virus.

Important updates include:

- **One guideline with standardized recommendations for all exposure types:** This new guideline addresses management of four types of HIV exposure (occupational, non-occupational, sexual assault, and in children) in one document, with a unified approach to the recommendations for all exposure types and differences between exposure scenarios highlighted throughout.
- **PEP immediately or within 72 hours of an exposure:** Although the Medical Care Criteria [Committee](#) now recommends that PEP must be initiated within 72 hours of an exposure (rather than the previous constriction of 36 hours), the committee continues to emphasize that exposure to HIV is an emergency, and the first dose of PEP medication should be administered immediately — ideally within two hours and no later than 72 hours post-exposure. Because the efficacy of PEP in preventing an established HIV infection diminishes rapidly, initiation as soon as possible after exposure is best.
- **Provision of PEP medications:** The committee now recommends provision of the full course of PEP medications whenever possible. If the full course of medications cannot be provided, then at least a 7-day starter pack should be provided to all patients in need of PEP.
- **PEP for sexual assault patients:** This edition reflects the NYS law that took effect on June 15, 2020, which mandates that clinicians provide a 7-day starter pack of PEP medications to sexual assault patients who are ≥ 18 years old and the full, 28-day course of PEP medications to those who are < 18 years old.

New Legislation

Changes in Public Health Law section 2805-i and Executive Law section 631 went into effect June 15, 2020, impacting hospital requirements for the treatment of survivors of sexual assault. See the June 9, 2020 letter: [Sexual Assault Law effective 6/15, Including Updated HIV PEP Guidance](#). Please note that

these changes include an updated Office of Victim Services (OVS) reimbursement structure for HIV PEP and Sexual Assault Forensic Exams.

Ongoing Requirement to Arrange Follow-Up Care

With the changes in [Public Health Law section 2805-j](#) and Executive Law section 631 described above, a requirement from the previous version of the law remains: *“With the consent of the victim of a sexual assault, the hospital emergency room department shall provide or arrange for an appointment for medical follow-up related to HIV post-exposure prophylaxis and other care as appropriate”* For more information, please see [Requirements Regarding Emergency Services for Victims of Sexual Offense](#).

Thank you for your prompt attention to these updates. Preventing new HIV infections is crucial to the success of [New York State’s Ending the Epidemic Initiative](#), which envisions a future where new HIV infections are rare.

Sincerely,

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AIDS Institute
New York State Department of Health

Lyn C. Stevens, MS, NP, ACRN
Deputy Director, Office of the Medical Director
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Clinical Resources

- **Expert consultation for New York State clinicians:** Call the Clinical Education Initiative (CEI) Line to speak with an experienced HIV care provider.

Call 1-888-637-2342, and press “1” for HIV PEP. The CEI Line is available 24/7 for questions regarding HIV PEP.
- **Clinical Training on PEP:** www.ceitraining.org
- **PEP Payment Options Sheets:**
 - [Payment options for Adolescents and Adults following Sexual Assault](#)
 - [Payment Options for Adolescents and Adults for Post-Exposure Prophylaxis for All Other Non-Occupational Exposures](#)
- **Figure:** [Occupational HIV Exposure: Post-Exposure Prophylaxis and Exposure Management When Reported Within 72 Hours \[PDF\]](#)
- **Figure:** [Non-Occupational HIV Exposure: Post-Exposure Prophylaxis and Exposure Management When Reported Within 72 Hours \[PDF\]](#)
- **Figure:** [Sexual Assault HIV Exposure: Post-Exposure Prophylaxis and Exposure Management When Reported Within 72 Hours \[PDF\]](#)