

January 8, 2025

NOTICE OF PROPOSED RULEMAKING

Chapter 511-5-4 “Serological Testing for Pregnant Women”

The Department of Public Health proposes revisions to the rules located in Chapter 511-5-4, “Serological Testing for Pregnant Women” pursuant to its authority under Georgia Code Sections Code sections 31-2A-6, 31-12-3, 31-17-4.

The purpose of the proposed rulemaking is to clarify that syphilis and HIV testing of pregnant women in the third trimester should occur at 28-32 weeks gestation; and to require syphilis and HIV testing for all pregnant women at delivery, regardless of whether they were tested prenatally or in the third trimester.

The proposed rules are posted on the Department's website <http://dph.georgia.gov/regulationsrule-making>. Interested persons may submit comments on these proposed revisions in writing addressed to:

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Written comments must be submitted on or before January 31, 2025. Oral comments may be presented online or via phone at a public meeting scheduled for 1:30 PM on Thursday, January 30, 2025. To join the public meeting:

- To join by computer:
[https://gapublichealth.webex.com/gapublichealth/j.php](https://gapublichealth.webex.com/gapublichealth/j.php?MTID=mbfb00508ffb0458f251ec6a395207a23)
[MTID=mbfb00508ffb0458f251ec6a395207a23](https://gapublichealth.webex.com/gapublichealth/j.php?MTID=mbfb00508ffb0458f251ec6a395207a23)
- To join by phone:
+1-415-655-0001

Access code:
2530 029 2434

The Commissioner of Public Health will consider the proposed rules for adoption on or about February 7, 2025, to become effective on or about March 10, 2025.



Nirouz Elhammali
Deputy General Counsel
Georgia Department of Public Health

**RULES OF THE
DEPARTMENT OF PUBLIC HEALTH**

**CHAPTER 511-5
HEALTH PROMOTION**

**511-5-4
SEROLOGICAL TESTING FOR PREGNANT WOMEN**

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Rule 511-5-4-.01 Purpose

The purpose of this Rule is to detect the presence of certain infectious diseases in a pregnant or postpartum woman and provide appropriate treatment for the woman and baby.

Authority: O.C.G.A. §§ 31-2A-6, 31-12-3, 31-17-4.

Rule 511-5-4-.02 Definitions

Unless a different meaning is required by the context, the following terms as used in these Rules shall have the meaning hereinafter respectively ascribed to same:

- (a) "Standard serologic test for syphilis" means a test designed to detect evidence of syphilis.
- (b) "Standard serologic test for hepatitis B" means a test designed to detect evidence of hepatitis B surface antigen (HBsAg).
- (c) "Standard serologic test for hepatitis C" means a test designed to detect evidence of hepatitis C. This definition includes an HCV-antibody test with reflect HCV RNA polymerase chain reaction (PCR) test.
- (d) "Standard serologic test for HIV" means a test designed to detect evidence of HIV.
- (e) "Department" means the Georgia Department of Public Health.

Authority: O.C.G.A. §§ 31-2A-6, 31-12-3, 31-17-4.

Rule 511-5-4-.03 Provisions

- (1) Unless the patient declines screening, every pregnant woman shall have a blood specimen taken as prescribed herein for a standard serologic test for syphilis, a standard serologic test for HIV, a standard serologic test for hepatitis B and a standard serologic test for hepatitis C.
- (2) Every health care provider in this state providing prenatal care to a pregnant woman, or delivering or attending a woman just delivered, shall take or cause to be taken a venous blood specimen for submission to a clinical laboratory for a standard serologic test for syphilis, a standard serologic test for HIV, a standard serologic test for hepatitis B and a standard serologic test for hepatitis C, as follows:

(a) At the initial visit to the health care provider for prenatal care, a standard serologic test for:

1. Syphilis;
2. HIV;
3. Hepatitis B; and
4. Hepatitis C.

(b) In the third trimester ~~in the following circumstances:~~

1. A standard serologic test for syphilis, as required in O.C.G.A. Section 31-17-4.2. The specimen shall be taken ~~early during the third trimester, ideally~~ at 28-32 weeks of gestation;
2. A standard serologic test for HIV, as required in O.C.G.A. Section 31-17-4.2. The specimen shall be taken at 28-32 weeks of gestation; and
3. A standard serologic test for hepatitis C if the woman has known or potential exposures to hepatitis C.

(c) As soon as possible upon admission to the hospital or birth facility for delivery:

1. A standard serologic test for syphilis, ~~for women not tested prenatally, who deliver a stillborn infant, are at high risk for syphilis, or as long as Georgia is classified by the Centers for Disease Control and Prevention as a state with high syphilis morbidity. In accordance with O.C.G.A. Section 31-17-4.2, if a syphilis test was conducted in the third trimester, and the woman does not disclose activities posing a risk for syphilis infection more recently, this test is not required;~~
2. A standard serologic test for HIV, ~~for women not tested prenatally and for women at increased risk for HIV infection who were not tested in the third trimester. In accordance with O.C.G.A. Section 31-17-4.2, if an HIV test was conducted in the third trimester, and the woman does not disclose activities posing a risk for HIV infection more recently, this test is not required;~~
3. A standard serologic test for Hepatitis B, for women not tested prenatally, with signs or symptoms of hepatitis, or at high risk for hepatitis B; and
4. A standard serologic test for Hepatitis C, for women not tested prenatally.

(3) Patients shall be notified of all tests to be conducted and shall have the opportunity to refuse the test.

Authority: O.C.G.A. §§ 31-2A-6, 31-12-3, 31-17-4.