



Department of Health

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TO: Sexual Health Providers, Family Planning Providers, Pharmacists, Hospitals, Emergency Rooms, Community Health Centers, Urgent Care, College Health Centers, Local Health Departments, Community Based Organizations, Internal Medicine, Obstetrics and Gynecology, Pediatric, Adolescent Medicine, Family Medicine, Infectious Disease, and Primary Care Providers

FROM: New York State Department of Health (NYSDOH), AIDS Institute (AI), Office of Sexual Health & Epidemiology (OSHE), Office of the Medical Director (OMD)

SUBJECT: Interim Guidance for Public Health Law §2308 to require additional third trimester syphilis screening for pregnant persons: Chapter 57 of the Laws of 2023

DATE: July 10, 2023

Dear Colleagues,

Amendments to Public Health Law §2308 made by Sections 4 and 5 of Part AA of Chapter 57 of the Laws of 2023 will go into effect May 3, 2024, requiring a syphilis test during the third trimester of pregnancy in addition to syphilis testing at the time of first examination. Prior to this change, syphilis testing was required at the time of first examination and again at delivery (as per 10 NYCRR section 69-2.2). This letter offers interim guidance on syphilis testing during pregnancy in light of this change in the law. Additionally, although this law does not go into effect until May of 2024, clinicians are encouraged to begin this additional screening as soon as possible.

The interim guidance below provides further details on the timing of third trimester syphilis screening, the types of serologic testing approved, recommended treatment regimens, partner management strategies, and reporting requirements. Though the law expansion effectively requires at least three syphilis screens during pregnancy, additional screening may be warranted; more frequent screening during pregnancy is best made through shared clinical decision-making between the patient and provider. Clinical consultation for providers is available through the Sexual Health Center of Excellence at: 1-866-637-2342.

INTERIM GUIDANCE ON THIRD TRIMESTER SYPHILIS SCREENING

Timing of third trimester screening

For individuals who screen negative at their first exam, this third trimester screen will ensure adequate time for persons who seroconvert during their pregnancy to be appropriately treated prior to delivery.

To meet this screening requirement, pregnant persons should be tested for syphilis at 28 weeks of pregnancy, or as soon thereafter as reasonably possible, but no later than at 32 weeks of pregnancy.

It is strongly recommended that the third trimester screening for syphilis be coupled with the [recommended third trimester screening for HIV](#).

Syphilis screening during pregnancy

Standard serologic screening for syphilis during pregnancy includes both the [traditional](#) (beginning with a quantitative nontreponemal test) and [reverse screening algorithms](#) (beginning with a treponemal antibody test).

For additional diagnostic considerations, please see the [STI Treatment Guidelines, 2021](#) from the Centers for Disease Control and Prevention (CDC).

Recommended treatment regimens

Pregnant persons should be treated with the recommended regimen per their specific stage of infection with Penicillin G. For more information, please see the [STI Treatment Guidelines, 2021](#).

For clinical questions regarding syphilis staging, patient and infant treatment, partner treatment, and recommended clinical follow up for pregnant persons with syphilis in New York State, clinical providers can call 1-866-637-2342 and will receive a return call promptly.

Partner management

Partner services are available as needed to support the management of sex partner(s) during pregnancy. For more information, please refer to [Accessing Partner Services](#).

However, it should be noted that this screening requirement is not waived for persons reporting only one sexual partner, as transmission is still possible. A non-judgmental approach to this sexual health conversation is necessary. For more information, please refer to Syphilis, Management of Sex Partners in the [STI Treatment Guidelines, 2021](#).

Reporting Requirements

For all New York State jurisdictions, physicians are required by law to:

- Report cases to the local health officer (NYS Public Health Law, Article 21, Title 1, Section 2101; NYS Codes, Rules and Regulations, Title 10, Chapter 1, Part 2, Section 2.10), and
- Cooperate with state and local health officials' efforts to determine the source and control the spread of sexually transmitted infections (NYS Codes, Rules and Regulations, Title 10, Chapter 1, Part 2, Section 2.6).

For questions or inquiries on syphilis screening during pregnancy, please contact the NYSDOH Office of Sexual Health and Epidemiology (OSHE) at stdc@health.ny.gov.

Sincerely,

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