

TIPS TO ENSURE SUCCESS MAINTAINING CONFIDENTIALITY OF HIV/AIDS -RELATED INFORMATION

An ounce of prevention is better than a pound of cure – organize your agency to properly handle HIV and AIDS -related information, NOW! Having a procedure to deal with sensitive and confidential information will help you avoid wrongful disclosures and other related problems when handling HIV -related information.

CREATE A PROCEDURE:

Create a procedure for dealing with HIV or AIDS -related information in your agency. It can be incorporated into the procedures used for handling medical information and other confidential matters.

Ensure the staff knows there is a special procedure for handling and storing HIV and AIDS -related information. Designate certain key employees to respond to staff questions about the procedure.

If yours is a large agency consider creating a committee to develop and coordinate your agency's HIV and AIDS policy. To ensure the policy is fully understood and adhered to throughout the agency, staff the committee with employees from all levels of the agency.

Monitor your procedures to see they meet its goal. Revise it if needed.

EDUCATE YOUR STAFF:

Organize training for employees handling HIV -related information and ensure the training is regularly updated to reflect changes in the law.

Prevent HIV gossip: remind employees what the law says about HIV and AIDS confidentiality, and let them know they could find themselves facing a lawsuit for wrongfully disclosing someone's HIV or AIDS status.

Explain to your employees how HIV is transmitted and why it is virtually impossible to contract the virus in the ordinary course of a days work. Once people understand how the disease is transmitted, they are less likely to fear the individuals who have it. Education helps reduce the stigma of the disease and lessen discrimination against HIV -positive people.

CONSULT WITH YOUR ORGANIZATION'S ATTORNEY:

Because a breach of an individuals' confidential medical information can have significant legal consequences consult with your agency's attorney to ensure that your policies and procedures comply with all applicable laws.

Finally, some common pitfalls for organizations handling HIV/AIDS information to avoid:

1. Do not give family members or friends of HIV -positive clients any medical information about the client without the express written consent of the client, no matter how nice the family member is or how knowledgeable they appear.
2. Train your receptionist not to confirm inquiries as to whether an individual is receiving help, support, treatment, from your organization; such confirmations often inadvertently confirms an individuals HIV status.
3. Ensure that clients do not see other client's names on files or other papers left on desks.
4. Use caution publishing photos from volunteer recognition parties and other such events – are those photos identifying people in the picture as being HIV -positive?

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Every effort has been made to ensure the information contained in the material is current. However, the law does change and general information contained within may become dated. You should seek the advice of legal counsel for specific situations and advice to the “then existing” status of the law. *This document was updated in July 2003.*

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