

POLICY TITLE: HIV POLICY FOR PATIENTS AND VISITORS

Issue No.: 01

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Applicable to

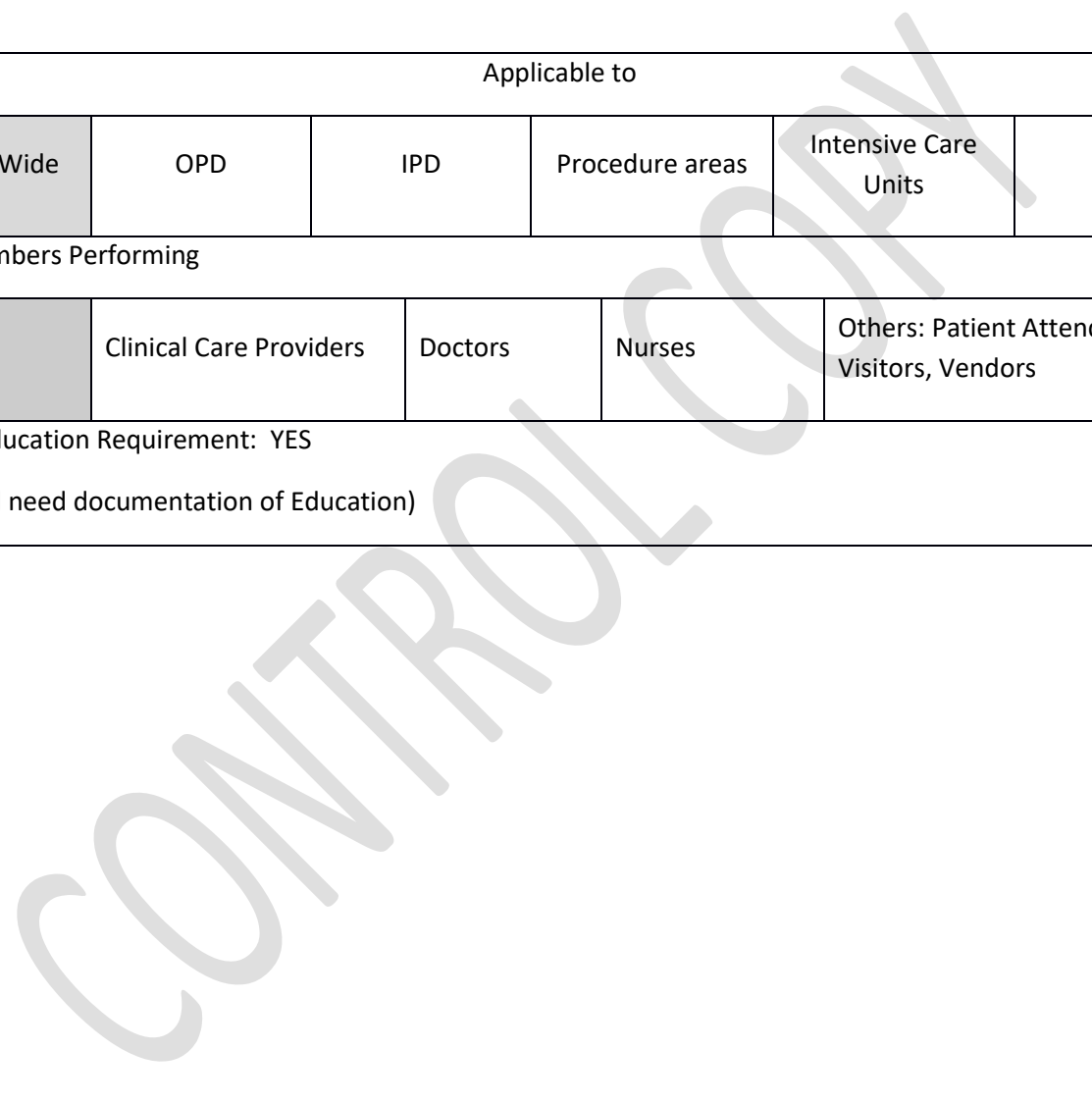
Hospital Wide	OPD	IPD	Procedure areas	Intensive Care Units	Others:
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Team Members Performing

All staff	Clinical Care Providers	Doctors	Nurses	Others: Patient Attendants, Visitors, Vendors
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Specific Education Requirement: YES

(If yes, will need documentation of Education)







Prepared by	Reviewed by	Issued By	Approved By
Assistant Manager, Quality	DMS	Unit Head Quality	Unit Head
<i>Shankar</i>	<i>Jowala</i>	<i>Anand</i>	<i>Sankar</i>

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AMENDMENT SHEET

Sl. No	Amendment Period	Details of the amendment	Reasons	Signature of the preparatory authority	Signature of the approval authority





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1. Objective

CK Birla Hospitals, CMRI (“Organization”) recognizes the global impact of HIV (Human Immunodeficiency Viruses) /AIDS (Acquired Immune Deficiency Syndrome) and is committed to maintaining a safe, inclusive, respectful and equitable healthcare establishment, for both patients, visitors, vendors and/or their authorized personnel in adherence to the provisions of The Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 read with The Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome(Prevention and Control) Rules, 2017, Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome Policy for Establishments, 2022 and/or any State Rules, Policies, judgments, etc. as may be applicable.

The Hospital ensures that no patient or visitor, is discriminated based on his/her HIV status. This policy recognizes and re-affirms the constitutional, statutory and human rights of people infected with and affected by HIV and AIDS.

The Organization promotes awareness and education programs to reduce stigma and encourage responsible practices, supports preventive measures to minimize transmission risks, and provides confidential healthcare support, including counselling and treatment for those affected.

This policy reflects our commitment to dignity, equity, and compassionate care.





2. Scope

This policy is applicable to:

1. Patients (IPD, OPD, Emergency)
2. Visitors / Attendants
3. Vendors / Outsourced Staff

3. Key Principles

- **Non-Discrimination** - The Organization will not discriminate against any person, perceived as having, living with, or otherwise affected by HIV/AIDS.
- No denial of Admission, Treatment, Surgical Procedures, Diagnostic Services, OPD Consultations.

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4. HIV Testing, Confidentiality and Disclosure





HIV-related information means any information relating to the HIV status of a person and includes:

- (a) information relating to the undertaking given for performing the HIV test or result of an HIV test;
- (b) information relating to the care, support or treatment of that person;
- (c) information which may identify that person; and
- (d) any other information concerning that person, which is collected, received, accessed or recorded in connection with an HIV test, HIV treatment or HIV-related research or the HIV status of that person.

- The Organization encourages voluntary, confidential HIV testing and counseling.
- HIV/AIDS will be treated confidentially as medical conditions, in accordance with applicable laws.
- The Organization will not force any person to share her/his/their status or any other HIV related information, except by an order of the court that the disclosure of such information is necessary in the interest of justice for the determination of issues in the matter before it.
- Informed consent shall be obtained prior testing for HIV / AIDS infections. Mandatory pre and post test counselling to be conducted as per NACO guidelines.
- Universal Precautions - All patients shall be treated with standard infection control precautions.
- Right to Dignity and Privacy - Information concerning a patient’s HIV/AIDS status is confidential and privileged communication, therefore shall not be disclosed without the written informed consent of the individual, except as permitted under applicable law. The informed consent can be taken from the person/s themselves or through their representatives as applicable.
- Any unauthorized disclosure of HIV/AIDS status shall be treated as serious misconduct and may lead to disciplinary and/or legal action.
- Medical records related to HIV/AIDS shall be maintained separately in a secured manner.
- HIV/AIDS records shall not be labelled, tagged, or marked in any manner that may lead to identification, stigma, or discrimination.

There are exceptions where informed consent for disclosure of HIV-related information is not required,-

- (1) In case the disclosure is made by a healthcare provider to another healthcare provider who is involved in the care, treatment or counselling of such person.
- (2) By an order of a court that the disclosure of such information is necessary.

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(3) In suits or legal proceedings between persons, where the disclosure of such information is necessary and authorized legally.

(4) In relation to statistical information that could not be expected to lead to the identification of that person.

(5) For screening purposes in any licensed blood bank.

(6) Officers of the Central Government or the State Government or State AIDS Control Society of the concerned State Government for the purposes of monitoring, evaluation or supervision.

Disclosure may be allowed to a partner / spouse at significant risk only after counselling the patient encouraging self-disclosure following the due process as per the act. In case of disclosure of status to partner of HIV positive person, no healthcare provider, except a physician or a HIV counsellor, shall disclose the HIV positive status of a person to their partner in person and after appropriate counselling. This kind of disclosure can be made if:





(1) The healthcare provider believes that the partner is at the significant risk of transmission of HIV from such a person.

(2) The HIV-positive person has been counselled to inform the partner.

(3) The healthcare provider is satisfied that the HIV positive person will not inform the partner.

(4) The healthcare provider has informed the HIV positive person of the intention to disclose the HIV positive status to the partner.

Confidentiality of data related to HIV - The Organization has adopted strict measures and data security policies to protect the identities and personal information of HIV positive persons, from unauthorized or unwanted disclosure. The Organization also train and sensitize on concepts of consent, disclosure and confidentiality related to HIV and AIDS and discourage engagement in activities which breach confidentiality.

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5. Guidelines for Visitors / Attendants:

Access and movement

- Visitors / Attendants shall not be restricted or segregated on the basis of HIV / AIDS status alone.

Non-Discrimination

- No denial of :
 - ❖ Entry (Within policy norms)
 - ❖ Waiting care access
 - ❖ Support to the patients
- Staff shall not enquire about or disclose HIV status to visitors / attendants unless clinically essentials and consented.

Confidentiality

- HIV / AIDS status of patients must not be disclosed to visitors / attendants without explicit patient consent except where permitted by law.

6. Guidelines for Vendors / Outsourced Staff:

Non discrimination in Employment




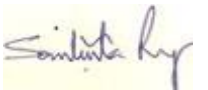
- No discrimination in:
 - ❖ Hiring
 - ❖ Deployment / role allocation
 - ❖ Continuation / termination of service
- HIV / AIDS testing shall not be mandatory as a condition for employment or contract.

Confidentiality

- Any health information (if disclosed voluntarily) must be treated as strictly confidential.
- Supervisor/Contractors are prohibited from sharing HIV status of any staff.

7. Promoting a Safe Environment

- Maintain confidentiality and uphold dignity.

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- Training, awareness, and education on infection control measures will be provided.
- The Organization will ensure provision of appropriate equipment and materials to minimize risks.

8. Education and Awareness

- The Organization is committed to raising awareness and educating people about HIV/AIDS to reduce stigma and misconceptions.
- Education shall be provided on safety practices.
- A copy of this Policy will be made available on the website(s) for awareness and compliance.

9. Access to Treatment and Care

- Any Patient or visitor with HIV/AIDS shall be provided with access to best possible care and treatment within the ambit of the organization’s healthcare facilities.
- The Organization does not accept responsibility for patients, visitors, vendors and their authorized personnel, who decline treatment or fail to comply with prescribed care.

10. Implementation

The implementation of this policy will be adapted to comply with local laws and regulatory requirements.





A copy of this Policy will be made available on the website for awareness and compliance.

11. Redressal Mechanism

Any Person including patients, visitors, vendors and their authorized personnel may report HIV-related discrimination or breach of confidentiality to the Unit Medical Administration Head who shall act as the Complaint Officer in appropriate format (Appendix A). Complaints may be written in electronic form to a dedicated email ID that will be available in the website of the respective establishment.

All complaints shall be investigated promptly and with confidentiality. The complaint has to be made within three months from the date that the person making the complaint became aware of the alleged violation of the Act in the establishment. If the complaints officer is satisfied of circumstances that prevented the complainant from making the complaint within the stipulated period, extension of another three months should be granted.

Every complaint would be made to the Complaints Officer in writing in appropriate format. The Complaints Officer on receipt of a complaint should provide an acknowledgment to the complainant and record the complaint in electronic form. The time of the complaint and the action taken on the complaint should also be recorded.

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The Complaints Officer should arrive at a decision of the complaint promptly. The Complaints Officer, if satisfied that a violation of the Act has taken place as alleged in the complaint, should firstly, direct the establishment to take measures to rectify the violation; secondly, counsel the person who has committed the violation and require such person to undergo training in relation to HIV and AIDS, provisions of the Act, rules, guidelines and aspects of stigma and discrimination. Upon subsequent violation of the Act by the same person, the Complaints Officer may recommend the establishment to take disciplinary action in accordance with the law.

Informing the complainant- The Complaints Officer should inform the complainant of the action taken in relation to the complaint and of the complainant’s right to approach the Ombudsman or to any other appropriate legal recourse in case the complainant is dissatisfied with the action taken.

The Complaints Officer shall ensure that the complaint, its nature and number and the action taken are reported to the appropriate authority under the Central Government (Deputy Director General, Information Education and Communication or Director Administration, National AIDS Control Organisation) every six months. In case there are no complaints in last six months, submission of a ‘nil report’ is not a compulsion.

12. FORMAT FOR LODGING COMPLAINT:

APPENDIX A

Form for making Complaint to Complaints Officer

1. Date of Incident _____
2. Place of Incident _____
3. Description of incident _____
4. Person/ institution responsible for the incident _____

Signature/ Thumb Impression of Complainant*Name:

Date:

Mobile No./email/Fax/Address:

For Official Use only:

Complaint Number:

**Where the complaint is received orally or telephonically and reduced to writing by the Complaints Officer, the Complaints Officer shall sign and date the Form.*

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