

Peel HIV/AIDS Network

serving Mississauga, Brampton and Caledon

PHAN Board Position Statement

Topic:	HIV Disclosure
Responsible:	Board of Directors
Approved By:	Board of Directors
Effective Date:	March 22, 2016
Supersedes:	NEW
Authorizing Signature:	

Statement of Commitment

HIV disclosure policies create consistency and clarity for clients and communities and will help to ensure that ASOs provide appropriate referrals, information and support for PHAs. Peel HIV/AIDS Network is committed to upholding the right to self-determined HIV disclosure throughout its programs and services and to ongoing improvements in our programs and services to ensure they remain responsive.

Context/Background

Disclosure of HIV status is a life-long and complex process that changes and evolves over time. Peel HIV/AIDS Network believes that disclosure of HIV status is the right of individuals living with HIV and PHAN will not pressure PHAs to do so.

HIV disclosure situations can include disclosure to friends, family, service providers, employers, immediate community (e.g. geographic, cultural, religious), sexual partners and/or the public at large. Peel HIV/AIDS Network staff will refer to and/or partner with other service systems where specific knowledge is required (e.g. housing, or family support). All disclosure situations can have some level of legal implication. As a result, it is appropriate to provide referral information to the HIV & AIDS Legal Clinic Ontario (HALCO).

Specific circumstances such as changes in health, relationships, employment, broader determinants of health as well as increased or diminished personal capacity all contribute to disclosure decisions. HIV disclosure happens in the context of life in broader society. In Canada, decisions are affected by the variable prevalence rates in different communities, by pervasive stigma based on HIV status, race, sex, gender and sexual orientation, as well as by the common discomfort that many experience in discussing disease, mortality and multiple forms of shame.

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Current Canadian criminal law means there is an additional legal context that can significantly affect HIV disclosure decisions, particularly in relation to sexual partners. Additionally, Ontario public health law can affect HIV disclosure by granting to health authorities the power to protect the public's health, and by placing a duty on some persons (doctors, nurses, teachers, or lab technicians) to report known and suspected cases of infection with transmissible diseases, including HIV and many sexually transmitted illnesses (STIs). At the same time, significant biomedical advancements are changing the disclosure discussion at personal, community, healthcare and public levels.

Peel HIV/AIDS Network acknowledges that in an environment where clients feel ready and/or safe to disclose, that process can be empowering and positively affect a person's life. Conversely, where clients aren't ready or don't feel safe to disclose, pressure to do so is unhelpful and can even at times be harmful to the individual. Peel HIV/AIDS Network is committed to stable, principled, responsive programming that supports disclosure based on policy and practice regardless of staffing and programming changes.

Principles

Peel HIV/AIDS Network upholds the following core principles as they apply to a PHA's HIV disclosure decisions and actions:

- The **client's choice and right to self-determination** is the foundation of our response;
- Each client and their **circumstances are different** and will be treated as such;
- PHAs will experience a **non-judgemental** staff response to the expression of their needs and choices;
- Being careful not to push clients to make disclosures, **we will inform clients of our programming** related to HIV disclosure decision-making, instead of passively waiting for clients to raise the issue.
- **Referrals to and partnerships with other services** are critical to providing effective support;
- **Inclusivity of perspectives**, opinions and diversity of interests will inform all responses;
- **GIPA/MEPA** will be reflected in HIV disclosure policies, practices and programming.

Ethical decision-making standards and tools will be employed in HIV disclosure situations where the rights and interests of two or more people are in conflict, or where an HIV disclosure situation presents two or more competing values or principles – and where operational policy is incapable of providing sufficient guidance.