

ADVISORY NO. 12.3: UNIVERSITY OF CINCINNATI
POLICY ON HIV AND AIDS

(Revision Date: May 24, 2021)

INTRODUCTION

Acquired Immune Deficiency Syndrome continues to be a cause for great concern by our society. The disease has generated significant social, economic and legal issues. Among these are education, employment-related and infection control issues that arise with faculty, employees or students who have AIDS, AIDS-like syndrome, or who test HIV antibody positive.

It must be recognized that in the case of the University of Cincinnati which is an instrument of the State, perceptions of the public about the University and the effect of University institutional policies and practices upon public perceptions must be considered in the development of these policies and procedures.

OBJECTIVE

In developing a policy concerning AIDS the University of Cincinnati seeks to optimize the following objectives:

- To protect the rights and welfare of patients, faculty, employees, students and other members of the public who have contact with the University;
- To maintain the University's ability to carry out its mission in the community;
- To maintain ethical and moral values associated with the institution and with the various professions functioning within or educated by the institution.

To meet these objectives, it is important to recognize what is known about HIV transmission. Based upon available evidence HIV infection does not spread through casual contact but rather requires intimate sexual contact, direct exchange of body fluids, sharing intravenous needles or transfusion of infected blood or blood products, and may be transmitted from an HIV positive mother to her baby. Inadvertently, health and other professionals might be exposed through needlesticks and contact with blood and body fluids.

The likelihood that more knowledge about AIDS will be acquired over time means that any policy dealing with issues related to AIDS will have to be regularly reviewed for consistency with current knowledge.

PRINCIPLES

AIDS is an infectious disease. As such and to the extent possible, the University will be guided by its existing practices and recommendations concerning infectious diseases in making decisions regarding AIDS, AIDS-like syndromes, or HIV antibody positivity.

The University can best satisfy the objective stated previously when a faculty member, employee or student who is infected with AIDS or AIDS-like syndromes or who tests HIV antibody positive, is willing to inform UC Health that he/she is infected. University policies, by their very nature, should not discourage a faculty member, employee or student from contacting the UC Health Services, private physicians, or the Office of the Senior Vice President and Provost for Health Affairs.

A faculty member, employee, or student with an infectious disease has an obligation based upon welfare of patients and fellow faculty members, employees, and students to prevent the spread of the infection.

A faculty member, employee, or student has an obligation to follow the universal blood and body precautions of the Center for Disease Control and specific Infection Control Guidelines of the institutions in which one works. These precautions protect faculty members, employees, and students

from HIV and other infections.

The University's commitment to non-discriminatory treatment will be a guide for faculty members, employees, and students identified as HIV antibody positive, or as having AIDS-like syndromes or AIDS.

DEFINITIONS

HIV Antibody Positive

A person who has serum antibody to Human Immunodeficiency Virus (HIV) as confirmed by reliable testing.

AIDS-Like Syndromes

Refers to the existence of signs or symptoms which cannot be explained other than by HIV infection.

AIDS

Acquired Immune Deficiency Syndrome as defined by the Center for Disease Control (CDC).

HIV Infection

Any of the above.

Appropriate Health Service

- UC Health, Employee Health and Wellness Clinic, 513-585-6600

POLICIES

(Applicable to All University of Cincinnati Faculty, Employees and Students)

Faculty members, employees, or students with AIDS will be dealt with in a way that is consistent with existing practices applicable to infectious diseases. A faculty member, employee, or student who suspects he/she is HIV infected is obligated to report this to the appropriate health service and to take steps to prevent spread of the infection.

A seronegative faculty member, employee or student who believes he/she is at increased risk for infection with HIV should confirm his/her status at least annually or following a known potential exposure, whether due to lifestyle or the nature of their health care practice. If he/she wishes, he/she may obtain the HIV test from the appropriate health service.

When the appropriate health service becomes aware and reasonably confirms that a faculty member, employee, or student is HIV infected, the appropriate health service is to take the following steps:

- Assess whether the faculty member, employee, or student may continue to perform his/her work and/or whether any limitations should be placed upon work responsibilities. This assessment should be based upon the faculty member, employee, or student's ability to perform the work safely and effectively. To effectively perform this function, the appropriate health service should attempt with the faculty member's, employee's, or student's permission to establish contact with his/her treating physician.
- Educate the faculty member, employee, or student about risks to himself/herself.
- Educate the faculty member, employee, or student about risks to fellow faculty members, employees, or students, members of the campus community and members of the public and about appropriate safety precautions.
- Advise the faculty member, employee, or student about appropriate medical and physical evaluation.
- Document the accomplishment of the above steps in the individual's chart in the appropriate health service.

The current recommendations of the CDC will be followed.

It should be recognized that faculty members, employees, and students have fair process procedures available to them through the University policies, collective bargaining agreements, and appropriate

federal and state laws.

An expert review panel, which will include the personal physician, a health service physician, an infectious disease physician, and when required, administrative counsel, will be available to the health services to provide assistance in the evaluation of the individual faculty member, employee, or student to determine risks to them, and/or to other faculty members, employees, or students. Unless consent for disclosure is obtained, the individual faculty member, employee, or student will not be identified.

When the faculty member, employee, or student, who is HIV infected, is not allowed or is unable to continue current job responsibilities, the responsible manager, in consultation with the appropriate health service, is required to explore accommodations in job responsibilities that reasonably can be made for the faculty member, employee, or student. Unless consent for disclosure is obtained, the diagnosis of the faculty member, employee, or student shall not be disclosed.

A faculty member, employee, or student who is HIV antibody positive or has AIDS-like syndromes or AIDS is required to have his/her health status monitored by a health service physician at appropriate intervals as determined by the appropriate health service.

The appropriate health service shall treat as confidential all information including the identity of a faculty member, employee, or student who is HIV antibody positive or has AIDS-like syndromes or AIDS. The identity of such a faculty member, employee, or student should not be disclosed to a responsible manager without the faculty member's, employee's, or student's consent. If there is no consent, the appropriate health service should only report to a responsible manager that the faculty member, employee, or student has certain job restrictions, without disclosing the diagnosis. These restrictions should only be disclosed to the responsible manager after consultation with the selected group of physicians and only when necessary for implementation of safety precautions or job restrictions; or when the faculty member, employee, or student is not likely to comply or is not complying with job restrictions, safety precautions or monitoring already in place.

SCREENING

It is not recommended that mass screening of faculty, employees and students for presence of HIV antibody be undertaken at this time. This recommendation applies to pre-employment or pre-admission screening as well as to screening during employment or during enrollment. However, it is recommended that the question of screening be regularly reviewed.

EDUCATION

At the present time, education about AIDS and how it is communicated is the best means available to prevent spread of the disease. Therefore, the University should maintain a widespread, general education program about AIDS for University faculty, employees and students. Such programs are part of comprehensive education and training concerned with HIV and bloodborne pathogens consistent with State and Federal regulations.