



Women living with HIV are required to disclose their HIV-positive status when they access community supports (i.e., women's shelter, healthcare, social support organizations or faith-based groups.).



DISCUSSION QUESTIONS

- Which laws may create this perception?
- Why might a woman living with HIV be under this impression?
- Why might a woman living with HIV choose to disclose or not disclose their HIV-positive status? What might be some risks and benefits of disclosing one's HIV status in these scenarios?
- What policies exist in your organization or in your professional sector that should be considered here?



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TIPS:

People living with HIV are not legally obligated to disclose their HIV status when accessing community supports from any type of worker including social workers, outreach and harm reduction workers, workers at women's shelters, or organizers of faith-based groups. It is up to each individual to decide if they want to disclose, and whether sharing this information will be a benefit or risk for them. The only exception is the expectation that people living with HIV disclose their HIV status when accessing HIV-specific supports for which only people living with HIV are eligible.

People living with HIV are legally obligated to disclose their HIV status to sexual partners in specific circumstances; however, these disclosure obligations do not apply when people are accessing community programs. For various reasons, these laws can be confusing and lead to misperceptions. For more information about the legal requirements related to sex and the criminal law, see the [🔍 More Information](#) section.

Women may be under the impression that they are required to tell other people about their HIV status.

For example:

- HIV status may be included as a question on an intake form or survey they are asked to complete when they arrive at an organization and they indicate "yes" on the form.
- Some shelters require women to hand in their medications to staff when they arrive, which means staff will automatically be aware of their HIV status.
- Others in the community may give the impression (or believe) that this is required.

These circumstances can be confusing and may signal to women that they are obligated to disclose, even if they are not legally obligated to do so. As community workers, it




can be helpful to explain why these types of questions are being asked, how the information will be protected, and that it is okay not to answer, depending on the context. Women may choose to disclose their HIV status to community workers for a variety of reasons. For example, they may trust and feel supported by a community worker, want someone to speak with, or be looking for HIV-specific health and social services. Knowing about someone's HIV status is an opportunity to talk about how it may impact various aspects of their life, how to support them, and how to facilitate access to additional relevant health and social supports if appropriate.

Women living with HIV may also choose to not disclose their HIV-positive status to community workers for a variety of reasons. They may not trust the staff or organization, or be fearful of the risk of criminalization related to HIV. They may not be aware of if or how their personal health information will be protected by the organization. They may have had past experiences that were negative when they disclosed their HIV status. They may have experienced stigma and discrimination, or observed someone else being treated this way. They may also fear violence from their family or in the community if their HIV status was to become known.

There are helpful policies to inform how information about someone's HIV status should be treated. Helpful places to look include your workplace policies about confidentiality, any relevant professional Codes of Ethics and Standards of Practice, as well as the Personal Health Information Protection Act.



For more information on how to support women with HIV disclosure see the **Journey of Support** section in this toolkit. For helpful guidelines and regulations, see the  **More Information** section within this toolkit.



For more information visit **WHAI.CA**