



**As a community worker  
(i.e., shelter worker, housing  
worker, healthcare provider, etc.),  
I have a legal or ethical duty to  
disclose someone's HIV status to  
my co-workers or staff team.**



#### DISCUSSION QUESTIONS


- What are some reasons why a community worker might feel that they need to share a person's HIV status with other staff?
- What policies exist in your organization that apply to this scenario? What laws or professional guidelines exist that inform these policies and decisions?
- What are potential strategies you as an individual worker can put in place to maintain the confidentiality of the people you're working with?
- What are some potential strategies that your organization can/has put in place to ensure women's confidential health information is respected?



# MYTH


## TIPS:

When working in support roles, it is important to be thoughtful about how much information is shared amongst your staff team. On one hand, sharing information can be helpful to: a) provide optimal support; b) connect the woman with relevant health and social services; and c) build collaborative or shared care models. On the other hand, it is also important to be thoughtful about women's rights to privacy, autonomy, and to make decisions about who knows their HIV status and how this information is shared.

The *Personal Health Information Protection Act* in Ontario, human rights legislation, and professional college regulations (i.e., Ontario College of Social Workers and Social Service Workers, the College of Nurses of Ontario) are important guidelines. These guidelines outline the responsibility of community workers to protect people's private health information, the specific circumstances when someone's personal health information can be shared, what is meant by consent, and what happens if someone withdraws their consent for their private health information to be shared. Information about where to find all of these guidelines is included in the  **More Information** section.

It is important to know that disclosure of someone's HIV status is permitted only when the person gives consent or it is shared within the 'circle of care' (between people who are part of the same care team). The *Personal Health Information Protection Act* provides guidelines about the specific circumstances when someone's personal health information can be shared without their permission (e.g., for the purposes of providing or assisting in providing care). In these instances, it is important to only share the required information relevant to the situation to address the issue at hand, which might not include HIV status. Knowing how HIV is transmitted, using universal precautions, and understanding privacy and confidentiality policies can




help to reduce fears about HIV transmission or risk of HIV transmission that can sometimes lead workers to sharing information without consent. HIV cannot be passed by casual contact (e.g., sharing cutlery, toilet seats, coughing and sneezing, etc.) and HIV transmission through needle stick injuries is rare. Evidence-based training about HIV transmission can strengthen staff's awareness and confidence. Organizations can learn more about the standard measures for preventing any disease or infection and how to apply them from the Canadian Centre for Occupational Health and Safety. See the  **More Information** section for details about where to find this and other useful resources.

**If you are concerned about whether you should be sharing someone's HIV-positive status, consider:**

- Discussing your questions and concerns with the woman herself. Get a woman's input on how best to share her information to ensure they feel respected, have autonomy, and understand how their health information is shared and protected.
- Checking with your supervisor regarding organizational policies, practices, and expectations. Being familiar with these is helpful for different situations and may also create space for conversations within your staff team, looking at how policies apply in different situations.
- Contacting someone who is informed about the relevant laws and policies. For example, in Ontario you can contact the Information and Privacy Commissioner or others who are informed about the laws.



For more information on how to support women if they disclose their HIV-positive status, see the **Journey of Support** or the  **More Information** resources within this toolkit.



For more information visit **WHAI.CA**