



NEW SOUTH WALES NURSES AND MIDWIVES' ASSOCIATION
AUSTRALIAN NURSING AND MIDWIFERY FEDERATION NEW SOUTH WALES BRANCH



POLICY ON HIV/AIDS AND OTHER BLOOD BORNE VIRUSES

Re-Endorsed by Annual Conference 2020

NSW Nurses and Midwives' Association
50 O'Dea Avenue Waterloo NSW 2017

P 02 8595 1234 (metro) • 1300 367 962 (regional)

www.nswnma.asn.au

Policy on HIV/AIDS and Other Blood Borne Viruses

THE NSW NURSES AND MIDWIVES' ASSOCIATION RECOGNISES THAT:

- Nurses, midwives and other health care workers are at risk from Hepatitis B (HBV), Hepatitis C (HCV), Human Immunodeficiency Virus (HIV) in the workplace.
- The optimal approach to minimising occupational transmission of blood borne viruses is a proactive one that focuses on prevention of transmission.
- Use of safe equipment and compliance with standard precautions and safe sharps and waste handling practices provides the most effective means of reducing the risk of transmission of blood borne viruses.
- Negative HBV, HCV and HIV antibody results may not mean the person tested is not infectious. Standard precautions should be followed with all patients, regardless of Blood Borne Virus (BBV) status.
- No assumptions can be made about the infectious status of any person.
- Unwarranted testing for blood borne viruses is expensive in terms of financial and human resources and may divert resources from more effective use. Additionally, it is also a human rights issue and goes against medical ethics, best practice and evidence around BBVs.
- Knowledge of infection status does not prevent accidental occupational exposure.
- Testing may lead to discrimination against those who test positive.
- All persons have the right to receive health care regardless of health status or perceived health status.
- All nurses, midwives and other health care providers have the right to equitable employment conditions regardless of health status or perceived health status.

THE NSW NURSES AND MIDWIVES' ASSOCIATION ADOPTS THE POLICY THAT:

1. Infection control policies and protocols will consider HBV, HCV, HIV and other blood borne viruses.



2. All health facilities must purchase and make available safe equipment and adopt and enforce, through the provision of appropriate education, policies and resources, safe handling of blood and body substances practices, through the application of standard and transmission-based precautions. Standard and transmission-based precautions constitute best practice in infection control.
3. Employers will actively involve nurses and midwives in the development of infection control policies and effective mechanisms to ensure policy implementation.
4. Employers will provide the necessary resources to enable staff to implement legislation, policies and procedures for effective infection control. Cost cutting measures which inhibit or prevent the use of standard precautions will not be accepted. Nurses and midwives will refer problems with policy implementation to the employer.
5. Health care practices will be based on scientific knowledge about disease transmission and levels of risk.
6. Nurses and midwives have a duty of care toward persons with blood borne viruses. Knowledge of a person's HIV, HBV or HCV status should not adversely influence the quality of care delivered.
7. Reluctance to provide care to persons with blood borne viruses after the nurse or midwife has had appropriate education and/or counselling is not justified.
8. Nurses and midwives in providing care, will promote an environment in which the values, customs and spiritual beliefs of the individual are respected.
9. Nurses and midwives will hold in confidence personal information and use judgement in sharing that information.
10. Nurses and midwives will support the right of the individual to make an informed choice about HIV testing. Mandatory testing of persons requiring care or of nurses and midwives providing care is opposed.
11. Nurses and midwives will refuse to assist with HIV testing in the instance of such testing being knowingly conducted without the informed consent of the person, or by testing being established as a condition for health care delivery.
12. Employers will provide information and education on HIV/AIDS and other blood borne viruses which will include:
 - 12.1 the rights of persons who test positive to blood borne viruses;
 - 12.2 the rights and responsibilities of health care professionals;
 - 12.3 technical/clinical aspects of the disease process;



- 12.4 identification of occupation hazards;
 - 12.5 risk assessment of occupational exposures;
 - 12.6 psychosocial, legal and ethical aspects of HIV/AIDS and other blood borne viruses from a service user and service provider perspective;
 - 12.7 precautions to minimise the risk of exposure;
 - 12.8 current management of exposures to blood borne viruses;
 - 12.9 maintenance of current knowledge base.
13. Nurses and midwives will not be discriminated against on the grounds of:
- 13.1 participating in or being perceived to participate in personal risk behaviours; or
 - 13.2 having a positive antibody or antigen test for HIV, HBV or HCV.
14. Each workplace must have documented policies in regard to occupational exposure to blood or body substances, which provide for:
- 14.1 a skilled person to perform an immediate risk assessment and recommend risk control strategies;
 - 14.2 risk assessment to encompass the risk of the exposure versus the potential risks and benefits of post-exposure prophylaxis;
 - 14.3 relief from duty for the staff member concerned;
 - 14.4 timely access to appropriate medication for prophylactic treatment;
 - 14.5 baseline testing and follow up for the staff member, with the right to refuse such testing;
 - 14.6 health care provider of choice for the staff member;
 - 14.7 a mechanism to evaluate the exposure incident in order to prevent recurrence;
 - 14.8 preservation of the rights of all those involved in the exposure incident; and
 - 14.9 pre- and post-test counselling by accredited or adequately skilled staff as medical management and regular monitoring by an experienced HIV clinician for the nurse electing to take post-exposure prophylaxis;
 - 14.10 medical management and regular monitoring by an experienced HIV clinician for the nurse or midwife electing to take antiretroviral prophylaxis;



- 14.11 access to supportive counselling for the exposed worker.
15. When a nurse or midwife agrees to testing following occupational exposure there must be the assurance that:
- 15.1 the health record of the employee shall be confidential with access restricted to staff directly involved in care;
- 15.2 notification of status will be given in person to the nurse and the employer will not be notified without the written consent of the nurse or midwife.
16. Nurses and midwives who are living with HIV have the right to continue in their employment if their health status permits this. There is no legal responsibility for a nurse or midwife to disclose their HIV status to an employer.
17. HIV/AIDS, HCV and HBV are industrial diseases for nurses, midwives and other health care workers. This has the effect, in terms of burden of proof, that the employer must bring evidence that HIV was not contracted during employment.
18. Nurses and midwives suffering adverse events following administration of post-exposure prophylaxis, who subsequently require time off work are covered under SafeWork NSW.

NOTES

This policy should be read in conjunction with:

- 1 NSW Health Infection Prevention and Control Policy PD2017_013,
https://www1.health.nsw.gov.au/pds/Pages/doc.aspx?dn=PD2017_013
- 2 NSW Health Management of health care workers with a blood borne virus and those doing exposure prone procedures Policy, PD2019_026
https://www1.health.nsw.gov.au/pds/ActivePDSDocuments/PD2019_026.pdf
- 3 Communicable Diseases Network Australia – Australian National Guidelines for the management of healthcare workers living with blood borne viruses and healthcare workers who perform exposure prone procedures at risk of exposure to blood borne viruses,
[https://www1.health.gov.au/internet/main/publishing.nsf/Content/36D4D796D31081EBCA257BF0001DE6B7/\\$File/nat-guidelines-work-bbv-Oct2019.pdf](https://www1.health.gov.au/internet/main/publishing.nsf/Content/36D4D796D31081EBCA257BF0001DE6B7/$File/nat-guidelines-work-bbv-Oct2019.pdf)