Canadian HIV Law Confusing for Health Care Providers

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The ambiguity of the HIV disclosure law in Canada is causing confusion, according to a new study of health care providers and people with HIV published in *Social Science & Medicine* and reported by aidsmap. A 1998 Canada Supreme Court decision obligates people with HIV to disclose their status before engaging in sexual contact that poses a "significant risk" of transmitting the virus. However, "significant risk" has come under increased scrutiny after several high-profile HIV-related prosecutions in which the virus was not transmitted. The study revealed that legal uncertainty about which sexual acts pose "significant risk" is resulting in health care providers often giving contradictory counseling advice. Since medical records could be used in criminal proceedings, the law impedes open discussion of HIV risk-taking. In addition, people with HIV fear the difficulties of proving disclosure or of disproving false allegations of nondisclosure.

To read the aidsmap article, click here.

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