After Legal Settlement, Texas Surgeon Won’t Deny Positive Patients Treatment

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After denying knee injury surgery to an HIV-positive patient—who later complained to authorities—an Austin-based orthopedic surgeon has promised not to refuse to treat patients living with the virus, modernhealthcare.com reports. The surgeon has entered a settlement agreement with the U.S. Department of Health & Human Services Office of Civil Rights (OCR).

According to the article, the doctor denied the positive patient surgery in 1999 out of fear of contracting the virus, saying that the procedure, a bone-tendon-bone reconstruction, “showers the operating room with small particles of bone and blood,” according to OCR’s letter of finding. The surgeon then referred the patient to another doctor more than 200 miles away. However, a medical epidemiologist from the Centers from Disease Control and Prevention told the OCR that universal precautions would have protected the surgeon from infection.

As part of the settlement, the surgeon’s practice must undergo training on current HIV treatment protocol and create an updated nondiscrimination policy and procedures.

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