Mom May Lose Custody of Kids Because Her Partner Has HIV

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KWCH12 reports on the child custody case in Kansas.

Donna Branom shares joint custody of her two children, ages 8 and 16, with their father, her ex-husband. Today, she's engaged to Henry Calderon Jr., who is HIV positive and has an undetectable viral load. When Branom's ex-husband discovered this fact, he went to court to keep the children away from their mother and Calderon, reports KWCH12 in Wichita, Kansas.

Branom, who can't afford an attorney, represented herself in the case. After she showed up for one of her court dates on the wrong day, the judge entered the outcome as a default.

Despite a letter from the children's doctor regarding HIV risk, the court ordered Calderon to have no contact with the children and said Branom could only have supervised visits with them. The court order read in part: "[T]he Court finds that there is a risk of exposure of the children to HIV thru accidental contact with the individual that makes it not in their best interest to have contact with him."

Calderon's HIV specialist, Donna Sweet, MD, told the news station that the court order was discriminatory. "This is not spread by saliva, it's not spread by eating utensils, or by contact, hugging or kissing," she said. "It's spread by sex or exposure to blood--and that blood has to be intravenous as in injection drug users or needle sharing."

Another hearing is scheduled for July 6.

UPDATE: The court ruled that Branom may now see her children. For more details, see the July 13 article "Mom Wins Custody of Kids in HIV-Related Court Battle."

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