California Surgeon Agrees to Treat HIV-Positive Patients

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The U.S. Department of Health and Human Services (HHS) Office of Civil Rights (OCR) and the HHS Departmental Appeals Board have concluded that a California surgeon intentionally discriminated against a patient living with HIV by refusing to perform necessary back surgery, according to an HHS statement.

As a result, the surgeon's federal funding was terminated. To restore that funding, the surgeon has voluntarily entered into a Post-Termination Compliance Agreement with HHS. The agreement requires the surgeon to receive proper training on the treatment of HIV-positive patients and implementation of a nondiscrimination policy.

HHS found the surgeon's refusal to be in violation of Section 504 of the Rehabilitation Act of 1973. That section prohibits discrimination by recipients of federal financial assistance on the basis of disability, which includes HIV. OCR seeks voluntary compliance by providers when it determines there has been a violation of the law.

To read the statement, click here.

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