Public Health or Slippery Slope?

May 30, 2012 By Sean Strub

When I was invited to contribute an article about ethical issues concerning “treatment as prevention” for the Canadian HIV/AIDS Legal Network’s HIV/AIDS Policy and Law Review, I turned to James Krellenstein for assistance. James is a young activist I met several years ago when I spoke at Simon’s Rock at Bard College and he was of immeasurable help in preparing the article.

What we’ve written is likely to displease some readers. We believe public health departments in New York and San Francisco have overstepped ethical boundaries in advocating anti-retroviral treatment for those for whom treatment has not been proven to provide a net benefit.

We support treatment choice for everyone with HIV, but implying that the benefits have been proven to outweigh the harms for those with higher CD4 cell counts is wrong. Public health departments that imply or state otherwise sacrifice the health of the individual in favor of a public health strategy that may or may not ultimately prove effective in slowing transmission of HIV.

HIV prevention is important, but it is not the only value to be considered. This isn’t the first time public health policies have compromised patient autonomy and the rights of individuals to be fully informed about medical treatments and procedures. But the relative silence and lack of protest from medical ethicists, policy leaders and AIDS activists is discouraging and concerning.

I look forward to hearing your thoughts on the issue.

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