

Policy SL-SH-PO3 Policy and Guidelines on Human Immunodeficiency Virus Infections (HIV) and Acquired Immune Deficiency Syndrome (AIDS)

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I. Policy

Purpose:

The University of Texas at Arlington (UTA) recognizes human immunodeficiency virus (HIV) as a serious public health concern and is committed to promoting an informed and educated response to issues and questions concerning associated health concerns caused by HIV and the associated Acquired Immune Deficiency Syndrome (AIDS). This policy provides a framework for managing risks associated with HIV and AIDS in compliance with state laws and in the context of the medical, educational, legal, administrative, and ethical issues involved.

University Commitment

The University will manage its administrative operations with respect to individuals with a diagnosis of HIV or AIDS in the following manner.

- Admissions: The existence of HIV infection will not be considered in admission decisions.
- Employment: The existence of HIV infection will not be used to determine suitability of applicants for employment by the University. An employee with an HIV diagnosis will remain employed as long as he or she is able to perform the essential functions of the job and is able to meet the job performance standards.
- Facilities Access: A person with an HIV diagnosis will not be denied access to any University facility based on HIV status.

- Residential Housing: The University residential housing staff will not exclude students with an HIV diagnosis from University housing and will not inform other students, or employees without a need to know, that a person with an HIV diagnosis lives in University housing.
- Class Attendance: A student with an HIV diagnosis will be allowed to attend all classes without restrictions, as long as the student is physically and mentally able to participate and perform assigned work and poses no health risk to others.

Risk Management and Safety

The University will manage the risk and safety issues associated with HIV and AIDS in the following areas.

- Health Care Workers and Health Professions: The University establishes appropriate guidelines for its health care workers and students in the health professions concerning the prevention of transmission of bloodborne pathogens, which includes HIV, among others. Training requirements are detailed in [UTA's Exposure Control Plan for Bloodborne Pathogens](#).
- Laboratory Courses: Department managers/heads of departments offering lab courses or operating labs where possible risk of exposure to material that has potential for transmitting HIV must follow written lab safety protocol using standard precautions for handling such material per [UTA's Exposure Control Plan for Bloodborne Pathogens](#) and [UTA's Biosafety Manual](#).

Education

- Education on HIV Prevention Provided to Students: The University will routinely offer education to students based on HIV education and prevention programs. These programs will be developed in conjunction with federal and state health agencies and other health authorities and will be tailored to students' cultural, educational, language, and developmental needs. UTA Health Services will provide information to students pertaining to HIV risk on a variety of related topics. UTA Health Services will also make referrals for anonymous HIV counseling and testing services.
- Education of Students Entering Health Professions: Each college or school offering medical, dental, nursing, pharmacy, allied health, counseling, social work, or similar degree programs must ensure its program curricula contains information about:
 - methods of transmission and prevention of HIV
 - federal and state laws, rules, and regulations concerning HIV and AIDS

- the physical, emotional, and psychological stress associated with the care of people living with HIV and AIDS.
- Education of Employees Where Risk of Exposure to HIV May Be Part of Their Employment Duties: Managers/supervisors of departments requiring employees to perform employment duties where risk of exposure to HIV is possible must provide training to those employees about HIV transmission specific to their employment duties. This training must include methods to minimize or eliminate the risk by following standard precautions including engineering controls, administrative controls, and personal protective equipment used to minimize or eliminate risk of exposure. The University's [Exposure Control Plan for Bloodborne Pathogens](#) includes information specific to HIV and standard precautions.

Confidentiality of Records

Except where release is required or authorized by law, information concerning the HIV or AIDS status of students, employees, or patients, and any portion of a medical record will be kept confidential and will not be released without written consent. Information concerning HIV or AIDS status held in non-medical records will be limited to that which is necessary to determine reasonable accommodations, if applicable, or to investigate an occupational exposure. Non-medical records containing personal health information (PHI) will follow privacy standards established by federal and state law.

Other Issues Related to HIV

HIV Testing and Bloodborne Pathogens Post-exposure Testing: In the event of a work-related bloodborne pathogens exposure, the employee should follow the [Employee Blood and Body Fluid Exposure Guidelines](#). Students who incur a potential exposure incident should refer to the [Student Blood and Body Fluid Exposure Guidelines](#) for information on post-exposure testing and treatment available.

Unemployment Compensation Benefits: When applicable, the University will inform employees that state law provides that an individual will be disqualified for unemployment compensation benefits if the Texas Workforce Commission finds the employee left work voluntarily rather than provide services included within the course and scope of employment to an individual infected with a communicable disease, including HIV. This disqualification applies if the University provided facilities, equipment, training, and supplies necessary to take reasonable precautions against infection.

Health Benefits: No University student or employee will be subjected to impermissible discrimination under a health benefits plan endorsed by the University based on a positive HIV test result.

II. Definitions

Human Immunodeficiency Virus (HIV): The virus that can lead to AIDS, a sexually transmitted infection. It can also be contracted by contact with infected blood, or from mother to child during pregnancy, childbirth, or breast-feeding. Within this policy, "HIV infection" denotes the total spectrum of the disease, from HIV seropositive but asymptomatic infection to fully developed AIDS.

Acquired Immunodeficiency Syndrome (AIDS): A chronic, potentially life-threatening condition caused by the HIV infection. By damaging the immune system, HIV interferes with the body's ability to fight off infections and disease.

Bloodborne Pathogens Exposure Control Plan: A written control plan providing direction on the elimination or minimization of exposure to bloodborne pathogens, including HIV, in occupational and educational settings in accordance with the Texas Health and Safety Code, Sec. 81.304, and with guidance from the OSHA Standard 29 CFR 1910.1030, Occupational Exposure to Bloodborne Pathogens. The UTA Exposure Control Plan for Bloodborne Pathogens can be reviewed at this link: <http://www.uta.edu/campus-ops/ehs/biological/docs/BBP-exposure-control-plan.pdf>

III. Relevant Federal and State Statutes

[Occupational Safety and Health Standards, CFR 1910.1030](#) - Bloodborne Pathogens

[Texas Administrative Code, Title 25, Chapter 96](#) - Bloodborne Pathogens Control

[Texas Education Code, Section 51.919](#) - HIV and AIDS Policy

IV. Relevant UT System and UTA Policies, Procedures, and Forms

N/A

V. Who Should Know

This policy applies to all University employees and students.

VI. UTA Officer(s) Responsible for Policy

Campus Administration and Operations, Environmental Health & Safety Office

VII. Dates Approved or Amended

March 20, 2020

VIII. Contact Information

All questions and comments regarding this policy should be directed to the Environmental Health & Safety Office, 817-272-2185, ehsafety@uta.edu.