

24.000 STATEMENT OF POLICY AND PROCEDURES ON AIDS

A. Purpose

This establishes the policy of the Trial Court regarding employees who have Acquired Immune Deficiency Syndrome (AIDS) or who are infected with human immunodeficiency virus (HIV), the virus which causes AIDS and AIDS Related Complex (ARC). It also discusses issues relating to persons with AIDS who appear in court as parties, witnesses, or jurors or who otherwise come into contact with Trial Court employees.

B. Policy

The Trial Court recognizes that employees with disabling or potentially life-threatening illnesses including, but not limited to, cancer, heart diseases, and AIDS may wish to continue to work. As long as employees are able to meet acceptable performance standards, and medical evidence indicates that their working is not a threat to themselves or others, employees shall be assured of continued employment. Federal and State laws which prohibit discrimination on the basis of handicap now recognize AIDS/HIV as a handicap covered by those laws. Under the laws protecting disabled individuals, persons with AIDS/HIV may not be discriminated against on the basis of their handicap, and, if it becomes necessary, reasonable accommodations must be made to enable qualified individuals to continue to work.

It is the policy of the Trial Court to protect the right to continued employment of employees who have AIDS/HIV.

It is the policy of the Trial Court to protect the right to continued receipt of court services by citizens of the Commonwealth diagnosed with AIDS/HIV using the court system.

The Trial Court also recognizes the importance of providing not only an objectively safe environment for all employees and the public, but also an environment where employees and the public need not fear for their health and safety.

C. Teaching the Facts - Educational and Resources

1. Basic Facts Concerning Transmission of AIDS

Acquired Immune Deficiency Syndrome, AIDS, is caused by the human immunodeficiency virus, HIV, that attacks the immune system and damages its ability to fight off disease.

Medical studies show that HIV is transmitted almost exclusively through the sharing of drug injection equipment, through sexual intercourse with an infected partner, or from infected mother to fetus or newborn. HIV is caught through high risk behavior, not by being in a high risk group. In other words, it isn't who you are, it's what you do that matters.

The current medical knowledge is that the virus that causes AIDS cannot be spread through the kind of casual contact that occurs in the courthouse or courtroom setting. There is no evidence that the virus is spread through biting or touching, coughing, sneezing, sharing of towels, glasses or utensils, using the same toilet facilities or other forms of normal daily activity.

2. Training and Resources

At the present, the most effective way to contain the spread of HIV and to counteract unreasonable fear of the virus is through regular and accurate education programs. The Trial Court, through the AIDS Committee, will keep informed of the latest research on the transmission of the virus, establish contacts with the local medical experts and disseminate key findings to employees as they become available.

A number of AIDS hotlines exist to answer ongoing questions about AIDS. The following hotlines can be used by employees seeking additional information or specific answers:

AIDS HOTLINE (800) 235-2331 (toll free)
NATIONAL AIDS HOTLINE (800) 232-4636 (toll free)
NATIONAL INSTITUTE ON DRUG ABUSE (800) 662-HELP

In addition to consulting with their personal physicians, employees with AIDS/HIV and other life-threatening illnesses may seek assistance through the Employee Assistance Program, established community support groups, or the Department of Public Health for referral for medical treatment, counseling services, or social services.

D. Confidentiality

A person's health condition is personal and confidential. Precautions should be taken to protect such information in order to prevent any instances of disclosure that may invade the privacy of an individual. Disclosure of confidential information concerning an employee or

other person may be a violation of the State privacy law.

E. Employee's Obligations

There has been no scientific evidence that AIDS/HIV can be transmitted by casual contact. Fear of AIDS does not relieve any employee of the obligation to perform his/her work duties.

F. General Precautions

Public health authorities agree that it is unnecessary to train employees to wear gowns, gloves and masks for all contact with persons known or suspected of being infected with AIDS/HIV. Such precautions are not normally needed and may encourage the incorrect view that AIDS can be transmitted by casual contact. On the other hand, insufficient caution is ill advised and undermines the important message that everyone must be careful about certain behaviors and exposures. Policy and procedural responses to AIDS should be commensurate with the level of risk present. The following responses to AIDS-related law enforcement concerns have been developed by medical experts (see attached chart):

Issue/Concern	Education and Action Messages
Human Bites	Since it is the person who bites who usually comes into contact with the blood of the person who is bitten, the danger of infection to the person who is bitten is extremely remote. Viral transmission through saliva is highly unlikely. If bitten by anyone, allow the wound to bleed, wash the area thoroughly and seek medical attention. No cases of transmission have been documented.
Spitting	Viral transmission through saliva is highly unlikely. No cases of transmission have been documented.
Urine/feces	The HIV virus is isolated in only very low concentrations in urine and feces. No cases of transmission have been documented.
Cuts/puncture wounds	Use caution in handling sharp objects and searching areas hidden from view; needle stick studies show risk of infection is very low.
CPR/first aid	To eliminate the already minimal risk associated with CPR, use masks/airways; avoid blood-to-blood contact by keeping open wounds covered and wearing gloves when in contact with bleeding wounds. No cases of transmission have been documented.
Casual contact or body fluids	No cases of AIDS or AIDS virus infection have been attributed to casual contact.
Any contact with	Wear gloves if contact with blood or body fluids is considered likely. If contact occurs, wash thoroughly with soap and water; clean up spills with one part household bleach and nine parts water.
Contact with dried blood	No cases of infection have been traced to exposure to dried blood. The drying process itself appears to inactivate the virus. Despite low risk, however, caution dictates wearing gloves if exposure to dried blood particles is likely. Spills of blood and bodily fluids should be cleaned up promptly with a solution of household bleach or any disinfectant.