



Going Viral: How to Prepare as HIV Surges Through a Small Community in Indiana

For the first time since the 1980s, small town America is making headlines over a recent outbreak of Human Immunodeficiency Virus (HIV). Indiana's Governor has declared a public health state of emergency as health officials have confirmed 80 new cases of HIV in a week in the town of Austin – all seemingly related to illicit drug use. In a town with only one doctor, and in an area with few other medical resources, the state is scrambling to triage and contain the outbreak.

As state officials work to establish "pop-up HIV clinics", the worry in the Indiana community is that many patients will not seek or be able to afford testing or treatment. With such a surge in new HIV cases, the potential spread of the virus, known to cause Acquired Immune Deficiency Syndrome (AIDS), is expected to get worse before it gets better. The Centers for Disease Control (CDC) has been called in to help and the lasting effects of the virus also have the potential to bleed into other areas of the state and the country.

With the Ebola epidemic fresh in the minds of American health workers, hospitals and clinics have been challenged recently to review infectious disease protocols and ensure that employees are well educated and trained on hospital and patient safety measures. However, as the media attention turns away from Ebola, providers may not be as motivated to stay vigilant with infectious disease control policy assessments.

It is important to remember that infectious disease risks, like HIV, are ever present in the healthcare delivery system. Most state public health laws require physicians and hospitals to report known or suspected cases of infectious diseases to state public health officials for contact investigation and treatment. Therefore, hospitals should continue to review infectious disease policies and procedures and ensure that they comply with best practices and state law. However, because many patients cannot afford treatment or are fearful of what a positive test will mean for them, patients may be reluctant to come for testing. In this regard, hospitals and physicians must be willing to provide community outreach and education for patients and encourage diligent testing and monitoring for any potential infectious diseases.

It is also important for hospitals to remember that employee safety is of the utmost importance and cross infections for healthcare workers is always a risk. Thus, providers should understand what laws apply to patients infected with HIV and other infectious diseases, including deemed consent laws and patient privacy laws. As mentioned above, these laws also intersect with healthcare providers' obligations to disclose certain information to public health officials.

If you have questions about duties and obligations with regard to infectious disease reporting, or if you would like assistance reviewing your current infection control measures, please contact Thomas E. Miller at (866) 967-9604 or by email at tmiller@hdjn.com. Additional information about Hancock, Daniel, Johnson & Nagle, P.C. is available on the firm's website at www.hdjn.com.

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