



## Employment restrictions for healthcare workers with HIV

There is no reason why you can't become a healthcare worker if you have HIV. However, there will be some jobs that you are not able to do because there are rules about people with HIV performing certain medical procedures.

These rules are in place because of concerns about HIV transmission if an accident happens.

### What the rules say

The Department of Health says that healthcare workers are not allowed to carry out 'exposure-prone procedures' or EPPs. These are defined as:

*'...those invasive procedures where there is a risk that injury to the worker could result in the exposure of a patient's open tissue to the blood of the worker (bleed-back). These include procedures where the worker's gloved hands may be in contact with sharp instruments, needle tips, or sharp tissues inside the patient's open body cavity, wound or confined anatomical space where the fingertips may not be completely visible at all times.'*

Examples of EPPs include surgery and dentistry.

Procedures where the hands are visible outside of the body, such as taking blood, routine vaginal and rectal examinations and minor surface suturing are not classed as EPPs and therefore are not subject to restrictions.

The rules are the same in Scotland, Wales and Northern Ireland.

### How it works

All healthcare workers have to go through standard healthcare clearance when applying for a medical post or training. This involves being tested for TB, being offered a hepatitis B vaccination, and being offered tests for HIV and hepatitis C. The HIV and hepatitis C tests are not compulsory.

A positive HIV diagnosis, or declining an HIV test should not affect the employment or training of healthcare workers who will not perform EPPs.

Healthcare workers who are applying for a post or training which does involve EPPs have to go through additional healthcare clearance. This means testing negative for HIV, hepatitis B and hepatitis C.

A positive HIV diagnosis, or declining an HIV test will make that healthcare worker ineligible to perform a role or undertake training which involves EPPs.

A comprehensive list of the healthcare students and workers who have to go through additional healthcare clearance can be found here:

[http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/@dh/@en/documents/digitalasset/dh\\_074981.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_074981.pdf)

### **What this means for you**

Most healthcare jobs do not involve EPPs, therefore there are lots of different jobs that you can do. However, you are currently not able to work as a surgeon or dentist, and other roles which involve EPPs such as being a midwife or paramedic, can be more difficult to do.

You must tell occupational health if you have a health condition, such as HIV, or if you think you might have a health condition, so that they can ensure that you are doing the correct role and make sure that the workplace is one in which you can work well.

If you disclose your HIV status, or you have tested positive for HIV during healthcare clearance, you have important rights:

- You have a right to confidentiality; information about your health should only be disclosed to others with your consent. For example, if you test positive for HIV and your daily duties have to be changed, occupational health cannot tell your manager why this is without your consent.
- You have a right to reasonable adjustments; your employer should do what it can to ensure that you are able to work well in the job. For example, you might need time off for medical appointments.

You can read the Department of Health's policy on healthcare workers living with HIV here:

[http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/@dh/@en/documents/digitalasset/dh\\_4116416.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_4116416.pdf)

These policies are currently under review. If there are any changes, NAT will ensure that these are communicated here.

### **Where to go for more information**

NHS Employers - 0113 306 3000 [enquiries@nhsemployers.org](mailto:enquiries@nhsemployers.org)