

## Ethical Concerns among Health-Care Professionals regarding HIV Testing in Different Scenarios

### Certificate of Consent

I have read the foregoing information. I have had the opportunity to ask questions about it and any questions have been answered to my satisfaction. I consent voluntarily to be a participant in this study.

Name of Participant \_\_\_\_\_

Signature of Participant \_\_\_\_\_

Date \_\_\_\_\_

If any problem, please contact to Dr. Bikash Sah at +977-9852062255 or at email: [bikash.sah@bпкиhs.edu](mailto:bikash.sah@bпкиhs.edu)

**Please mark (√) whichever you think is appropriate.**

[Meaning of some words is needed to be seen before responding the questionnaire: **Voluntary**-choice without any condition; **Conditional** - choice but under a condition and the condition is mentioned within the adjacent bracket; **Mandatory** – No choice]

### Marriage:

1. Should HIV testing be done after eligible marriage age is reached?
  - a) **Yes**                      b) **No**                      c) **Can't say**
2. If your answer for 1<sup>st</sup> question is "Yes" then what should be the nature/type of testing?
  - a) **Voluntary** (On the wish of the individual)
  - b) **Conditional** (Testing can be avoided if he/she doesn't want to marry)
  - c) **Mandatory** (Have to get tested without any choice)
3. If anyone of the partner is HIV +ve, should the marriage be allowed if both agreed and gave voluntary consent for their marriage?
  - a) **Yes** in order to follow the **autonomous** decision of the individual without any precondition.
  - b) **Yes** but with pre-agreement of safe sex practice and breach of agreement will be punishable by the law. (**Justice**)
  - c) **No** in order to save the other non-infected partner from the risk of getting infected and thus increased risk to the general public. (**Beneficence**)
4. If the partners are both HIV +ve and both are consenting adults, should the marriage be allowed?
  - a) **Yes** but with pre-agreement of not conceiving a child through permanent sterilization or if have to conceive then under proper medical advice and breach of agreement will be punishable by the law. (**Justice**)
  - b) **Yes** in order to follow the **autonomous** decision of the individual without any precondition.
  - c) **No** in order to save the risk of transmission of infection to their child and hence increased risk to the general public. (**Beneficence**)
5. Should the permanent sterilization be imposed to the HIV infected couple?
  - a) **No** but with pre-agreement of safe sex practice and breach of the agreement will be punishable under law. (**Justice**)
  - b) **No** because it is the violation of **autonomous** decision of the individual.
  - c) **Yes** in order to prevent the birth of a child with risk of HIV infection (**Beneficence**)

### Pregnancy:

6. Should HIV testing of the couple be done before each pregnancy planning?
  - a) **Yes**                      b) **No**                      c) **Can't say**
7. If your answer for 6<sup>th</sup> question is "Yes" then what should be the type of testing?
  - a) **Voluntary** (On the wish of the individual)
  - b) **Conditional** (Testing can be avoided if they do not want to conceive)
  - c) **Mandatory** (Have to get tested without any choice)
8. If anyone of the couple is HIV +ve, should the pregnancy be allowed if both are agreed and gave voluntary consent for bearing a child?
  - a) **Yes** but with pre-agreement that the pregnancy should be under proper medical advice and breach of agreement will be punishable by the law. (**Justice**)
  - b) **Yes** in order to follow the **autonomous** decision of the individual without any precondition

- c) **No** in order **to save** the other non-infected partner from the risk of getting infected and thus increased risk to the general public. (**Beneficence**)
9. If the partners are both HIV +ve and have agreed to have a baby, should the pregnancy be allowed?
- Yes** but with pre-agreement that the pregnancy should be under proper medical advice and breach of agreement will be punishable by the law. (**Justice**)
  - Yes** in order to follow the **autonomous** decision of the individual without any precondition.
  - No** in order to save the risk of transmission of infection to their child and hence increased risk to the general public. (**Beneficence**)
- [Note: The risk of infection is now thought to be 5–10 percent during pregnancy, 10–20 percent during labor and delivery and 10–20 percent during breast feeding.]
10. Should HIV testing of the mother be imposed during pregnancy?
- Yes** so that preventive measures can be adopted to save the baby but with governmental support for basic needs of the mother. (**Justice**)
  - Yes** so that preventive measures can be adopted to save the baby even without governmental support for basic needs of the woman. (**Beneficence**)
  - No** in order to avoid violation of **autonomous** decision of individual.
11. If your answer to 10<sup>th</sup> question is “Yes” then what should be the type of testing?
- Voluntary** (On the wish of the individual)
  - Conditional** (Testing can be avoided if she wants or has to abort the baby)
  - Mandatory** (Have to get tested without any choice)
12. Should HIV testing of the pregnant mother be done just before the delivery?
- Yes** in order to adopt the appropriate method of delivery with minimal risk of HIV transmission if mother is found to be HIV +ve but with governmental support for basic needs of the mother. (**Justice**)
  - Yes** in order to adopt the appropriate method of delivery with minimal risk of HIV transmission if mother is found to be HIV +ve even without governmental support for basic needs of the mother. (**Beneficence**)
  - No** in order to avoid violation of **autonomous** decision of individual
13. If your answer to 12<sup>th</sup> question is “Yes” then what should be the type of testing?
- Voluntary** (On the wish of the individual)
  - Conditional** (Testing can be avoided if she has to abort the baby)
  - Mandatory** (Have to get tested without any choice)
14. Should the abortion be imposed to the pregnant woman, if she is found to be HIV+ve during pregnancy and/or just before delivery?
- No** but with pre-agreement of following all the preventive measures advised by the medical personnel and breach of the agreement will be punishable under law. (**Justice**)
  - No** because it is the violation of **autonomous** decision of the individual.
  - Yes** in order to prevent the birth of a child with risk of HIV infection. (**Beneficence**)
15. Should HIV testing of the mother be imposed during Lactation?
- Yes** so that preventive measures can be adopted to save the child. (**Beneficence**)
  - No** in order to avoid violation of **autonomous** decision of individual.
  - Can't say**
16. If your answer to 15<sup>th</sup> question is “Yes” then what should be the type of testing?
- Voluntary** (On the wish of the individual)
  - Conditional** (Testing can be avoided if she agrees to avoid breastfeeding)
  - Mandatory** (Have to get tested without any choice)
17. If the mother is found to be HIV+ve, the abstinence from breastfeeding should be:
- Voluntary** (On the wish of the individual)
  - Mandatory** (No breastfeeding at any condition)
18. Should the HIV testing of a new-born be done?
- Yes**
  - No**
  - Can't say**

19. If HIV testing of a new-born is positive, should the parental HIV testing be done?

- a) Yes                      b) No                      c) Can't say

### **Health sectors:**

What should be the appropriate types of choice for HIV testing: **voluntary (choice without any condition)**, **conditional (choice but under some condition)** or **mandatory (no choice)**, in the following conditions?

20. Before entering into the employment where there is no invasive procedures like basic faculty:

- a) **Voluntary** (On the wish of the individual)  
 b) **Conditional** (Testing can be avoided if he/she decides not to join the job)  
 c) **Mandatory** (Have to get tested without any choice)

21. Before entering into the jobs related with invasive procedures like clinical doctors:

- a) **Voluntary** (On the wish of the individual)  
 b) **Conditional** (Testing can be avoided if he/she decides not to join the job)  
 c) **Mandatory** (Have to get tested without any choice)

22. New born infants:

- a) **Voluntary** (On the wish of the parents/caretakers)  
 b) **Mandatory** (Have to get tested without any choice)

23. Prisoners:

- a) **Voluntary** (On the wish of the individual)  
 b) **Mandatory** (Have to get tested without any choice)

24. Drug abusers:

- a) **Voluntary** (On the wish of the individual)  
 b) **Conditional** (Testing can be avoided if he/she agrees to quit)  
 c) **Mandatory** (Have to get tested without any choice)

25. Female sex workers:

- a) **Voluntary** (On the wish of the individual)  
 b) **Conditional** (Testing can be avoided if she agrees to quit)  
 c) **Mandatory** (Have to get tested without any choice)

26. Homosexual:

- a) **Voluntary** (On the wish of the individual)  
 b) **Conditional** (Testing can be avoided if he/she agrees to quit it)  
 c) **Mandatory** (Have to get tested without any choice)

27. For the patients needing only **noninvasive** procedures:

- a) **Voluntary** (On the wish of the individual)  
 b) **Conditional** (Testing can be avoided if he/she quits the procedure)  
 c) **Mandatory** (Have to get tested without any choice)

28. For the patients needing **invasive** procedures:

- a) **Voluntary** (On the wish of the individual)  
 b) **Conditional** (Testing can be avoided if he/she quits the procedure)  
 c) **Mandatory** (Have to get tested without any choice)

29. Before blood, tissue or organ transplantation:

- a) **Voluntary** (On the wish of the individual)  
 b) **Conditional** (Testing can be avoided if transplantation is not needed)  
 c) **Mandatory** (Have to get tested without any choice)

### **Duty towards the third party:**

30. If any patient is found to be HIV positive in your clinic, what do you think will be the most appropriate to do for the safety of patient's relatives?

- a) Advice patient to inform his/her spouse or family members on their own and if the patient doesn't accept the advice then we should breach the professional secrecy. (**Justice**)  
 b) Maintain professional secrecy at all the times. (**Autonomy**)  
 c) Without informed consent of the patient, inform to the spouse or family member. (**Beneficence**)

31. If any patient is found to be HIV positive in your clinic, what do you think will be the most appropriate to do for the safety of patient's colleague?
- Advise patient to inform his/her colleague on their own and if the patient doesn't accept the advice then we should breach the professional secrecy. **(Justice)**
  - Maintain professional secrecy at all the times. **(Autonomy)**
  - Without informed consent of the patient, inform to the employer. **(Beneficence)**
32. If any employee of non-invasive job is found to be HIV+ve, what, in your opinion, will be appropriate course of action?
- He/she should be allowed to continue his/her job as long as his/her health is stable. **(autonomy)**
  - He/she should discontinue his/her job with basic support from the government as may be required. **(Justice)**
  - He/she should discontinue his/her job even without any available support. **(Beneficence)**
33. If any employee of invasive job is found to be HIV+ve, what, in your opinion, will be appropriate course of action?
- He/she should be allowed to continue his/her job as long as his/her health is stable.
  - He/she should discontinue his/her job with basic support from the government as may be required.
  - He/she should discontinue his/her job even without any available support.
  - He/she should change his/her job to the non-invasive job and continue as long as his/her health is stable.
34. Should the health workers, who are at high risk, get privilege over other profession?
- Yes**
  - No**
  - Can't say**

**If special privilege has to be given to health worker who has HIV/AIDS, which of the following privileges should be given to them till their health is stable?**

35. Confidentiality should be maintained  
[a) **Yes**      b) **No**      c) **Can't say**]
36. Should let them to continue their invasive procedures as long as their health is stable  
[a) **Yes**      b) **No**      c) **Can't say**]
37. Should let them to continue only non-invasive procedure as long as their health is stable.  
[a) **Yes**      b) **No**      c) **Can't say**]
38. Periodic HIV testing should be done on voluntary basis  
[a) **Yes**      b) **No**      c) **Can't say**]
39. There should be pre-employment HIV testing on voluntary basis  
[a) **Yes**      b) **No**      c) **Can't say**]
40. What is your opinion on type of HIV testing of all Nepalese immigrants?
- Voluntary basis** (On the wish of the individual)
  - Mandatory basis** (Have to get tested without any choice)
  - No need for such testing**

*[Nepalese Acts for Maintaining Gender Equality- 2006, provides that whoever commits rape having the knowledge that he has been infected by HIV shall be liable to a punishment of imprisonment of one year in addition to penalties imposed for committing rape]*

41. Does this punishment justify the severity of crime?
- Yes**
  - No**
  - Can't say**