Indiana State Law Requires Physicians and Advanced Practice Nurses Order an HIV Test on All Pregnant Women
Unless the Woman Refuses

You have the Right to Refuse

What is AIDS?
Acquired Immune Deficiency Syndrome is a serious infectious disease caused by a virus. This virus is called Human Immunodeficiency virus (HIV). HIV can attack the body’s immune system, which fights infection and allows us to survive in a world filled with many kinds of germs.

How does one get AIDS?
HIV is acquired by exposure to blood or bodily fluids from a person infected with the virus. The most common sources:

1. Sexual contact with an infected person, including genital to genital contact, mouth to genital contact, and rectum to genital contact;
2. Transfusion of blood product infected with the AIDS virus;
3. Exposure to needles contaminated with blood, needles used for IV drug use or needles used for tattooing or other skin scarring techniques;
4. From an infected mother to her fetus or infant; and
5. From an infected mother to her infant while breast-feeding.

What happens once someone gets the AIDS virus?
When a person gets the AIDS virus, their immune system tries to fight the infection. Usually within 3 months, but sometimes as long as 2 years later, the body develops antibodies to the AIDS virus. These antibodies attack the multiplying AIDS virus and help to keep the immune system from being destroyed. The presence of these antibodies is detected by a blood test. This is the basis for the AIDS test.

Most people affected with the AIDS virus show no signs of illness. They have the virus, but their immune system has kept it from taking over. Such people are said to have HIV seropositivity. They are not sick but they could pass the virus on to others through sexual or blood contacts. Anyone with seropositivity should be under a doctor’s care.

Some people who have HIV begin to have recurrent infections due to the weakening of their immune system. As a result, that person has difficulty fighting off ordinary infections such as colds and fungal infections. Such people are said to have symptomatic HIV status. This is a very serious development and requires close medical supervision and treatment. Some people who have symptomatic HIV status eventually lose all ability to fight off infection and are very susceptible to lethal diseases. Such people are said to have fully-developed AIDS, which is considered a fatal disease.

Are there ways to avoid the AIDS virus?
The best way to reduce the risk of infection to the AIDS virus is to avoid contact with contaminated needles, blood or bodily fluid with other persons and to avoid sexual contact except in the framework of ‘safe sex’. ‘Safe sex’ means sex with one partner who does not have contact with other partners and who does not have contact
with contaminated needles, blood or bodily contact with other persons and who doesn’t have the AIDS virus. The increased number of partners you or your partners have, or have had, will create a greater risk for acquiring the disease. The use of latex condoms does reduce the risk associated with sexual contact but does not completely eliminate it.

What are the risks to my pregnancy if I have HIV or AIDS?
The virus can cross the placenta and enter the baby’s blood stream. It is estimated that women who have the HIV virus have a 25-30% chance the baby will acquire the HIV virus without treatment. During pregnancy, the immune system is somewhat suppressed and other viral infections are known to develop more rapidly during pregnancy. It is important to note that when mothers are treated during the pregnancy, the risk of the neonate becoming infected with the HIV virus is significantly reduced to less than 8%.

What is HIV testing?
An HIV test can determine if you have developed antibodies to the AIDS virus, but does not test for the actual AIDS virus. A single negative test doesn’t guarantee that you do not have the HIV virus. If you are at risk, consider repeating the test in 3-6 months. A single positive test doesn’t mean you have been infected with the AIDS virus. If your initial test is positive, further testing will be done. A confirmed positive test means that the virus is present but does not mean that you have AIDS. The chance of a false positive test is less than 1 in 100,000 persons tested.

What about confidentiality regarding testing results?
Through certain legal safeguards, the State has attempted to maintain confidentiality regarding results of the AIDS test. AIDS must be reported to the Health Department. It is also recognized that there is a duty to warn a sexual partner that may take precedence of a patient’s right to privacy. If a partner has any reason to suspect exposure to the HIV virus, counseling can be obtained and an informed decision made whether to have testing done. Anonymous testing is available: however, if treatment is initiated, reporting is required.

I have read and understand this information and have had an opportunity to ask questions. I am aware of the risks HIV might have on my pregnancy and have freely chosen to take the following action:

- I have chosen to have my blood drawn to screen for the HIV virus.
- I decline testing.

Mother’s signature                  Date

Nurse Midwife’s Signature            Date

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