

## BUTLER COUNTY CHILDREN SERVICES

POLICY NO.: 4.25	SUBJECT: <b>AIDS TESTING OF CHILDREN IN CUSTODY</b>
	EFFECTIVE DATE: 9/30/02
	REVISION DATE: 10/25/05
	REVIEW DATE: 10/25/05, 1/23/07, 4/08

**PURPOSE:**

To make explicit the Butler County Children Services policy regarding children in the agency's custody infected with or directly affected by HIV, the Human Immunodeficiency Virus, and/or AIDS, the Auto Immune Deficiency Syndrome, and/or ARC (AIDS-Related Complex).

**POLICY:**

4.25 Butler County Children Services with either temporary or permanent custody of a child may, as the child's legal guardian, give informed consent to have the child tested for HIV antibodies.

Children are generally at low risk for HIV, barring the presence of high-risk behaviors. Therefore, it is inappropriate to test all children brought into substitute care. Children are to be tested only after informed consent by the BCCS Administrator or their designee in consultation with a physician.

**PROCEDURE:**

The decision to test will be made on consideration as to whether:

1. The child has had intimate sexual contact with a person believed to have AIDS, be infected with HIV, or believed to engage in high-risk behavior. This does not mean all child victims of sexual assault but only those assaulted by a person likely to be infected.
2. The child is known to have shared needles used to inject intravenous drugs.
3. The mother of the infant or child is confirmed to be HIV positive or have AIDS.
4. The child is displaying symptoms consistent with HIV infection or AIDS.
5. Upon the request of the child or parent/adult guardian.

BCCS can only release HIV test results if the BCCS Executive Director determines that it is in the tested child's best interest to do so or unless it does so pursuant to a common pleas court order pursuant to R.C. 3701.243(C).

Therefore when permission for the release is granted by the Director, the agency will not place a child known to have the HIV infection or AIDS without prior notification to the substitute care provider. If a child has not been tested, but is believed to be at risk, that will be communicated to the substitute caregiver.

Substitute care providers shall be given information regarding the nature of a child's illness, the extent of a child's disability, the capability of a child to understand and cope with his/her illness, the protocol for safely managing the care of the child and the medical prognosis.

Substitute care providers may not disclose the child's HIV status to any person, agency, or institution not authorized to receive such information by the Butler County Children Services. The substitute care provider should discuss and recommend to the agency any other parties who may have a need to know.

Approval Date: 5/1/08

A handwritten signature in black ink that reads "Michael A. Fox". The signature is written in a cursive style with a large, stylized 'M' and 'F'.

Michael A. Fox, Executive Director