

Professional Conduct

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NURSING ADMIN
GSH



Professional
Conduct and
Registration
Division

*ALL TRAINED STAFF
MUST READ*

PC/87/02

AIDS - Testing, Treatment and Care

The decision taken at the British Medical Association's annual representative meeting (on 2 July 1987) in favour of testing for AIDS at the discretion of the doctor and without necessarily seeking the consent of patients has greatly increased the flow of questions on AIDS/HIV related issues to the United Kingdom Central Council for Nursing, Midwifery and Health Visiting (the registration and regulatory body for nurses, midwives and health visitors).

On the specific issue of the taking of blood for testing without consent, the Council has advised nurses, midwives and health visitors on its professional register who have approached it, and now advises all its practitioners that they expose themselves to the possibility of civil action for damages or criminal charges of assault if they personally take the blood specimens, and of aiding and abetting such an assault if they knowingly collude with a doctor in obtaining such specimens. Additionally those actions, like that of being party to any statements aimed at leading patients to believe that blood specimens taken for AIDS testing were for some other purpose, expose nurses, midwives and health visitors to the possibility of complaints to their registration body alleging misconduct which would put their registration status and right to practise at risk.

In respect of other aspects of the treatment and care of patients known to be or suspected of being infected with the AIDS virus, the UKCC reminds those on its register that the first 2 clauses in its Code of Professional Conduct state:-

'Each registered nurse, midwife and health visitor is accountable for his or her practice and, in the exercise of professional accountability shall:-

Act always in such a way as to promote and safeguard the well being and interests of patients/clients;

and

Ensure that no action or omission on his/her part of within his/her sphere of influence is detrimental to the condition or safety of patients/clients'.

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for Nursing,
Midwifery and
Health Visiting
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It is important that nurses, midwives and health visitors note:-

- a) that these clauses of the Code of Professional Conduct for the Nurse, Midwife and Health Visitor are a major part of the backcloth against which allegations of misconduct are judged;
and
- b) that these words are not a formula for being selective about the categories of patient for whom he or she will care.

Questions arising from this circular should be directed to the Director for Professional Conduct.

RHP/CS

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