

Answering Reply

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PEH/mm/janisch4

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Dear Mr Janisch

HCV look-back

I have been asked by Angela Robinson to obtain your view about the following situation:

During the course of the HCV look-back, we (Consultants at the transfusion centres) on occasions receive a view from a general practitioner that, in the GP's opinion, a patient is unsuitable for notification and counselling on the possibility of HCV transmission from blood transfusion. In some cases, this is because of dementia, general medical condition, (terminal malignancy) or that the patient would be emotionally unable to cope with the information.

In these cases, I generally discuss the matter with the GP and note that we have agreed that the patient should not be notified and counselled. The question has now been asked, "from a medico-legal point of view should the patient's next of kin be informed?"

The initial reaction of Dr. Robinson and others is that it should not be necessary to inform the next of kin, but we would be grateful for a medico-legal view. I assume that this would come under our "duty of care" to the patient.

Dr. Robinson is hoping that she can raise this matter, together with your advice, at the next MSBT meeting on 13th October.

Yours sincerely

Dr P E Hewitt
Acting Medical Director