



EMBARGOED
2.00pm January 10th 1991

GENERAL MEDICAL COUNCIL

Statement on AIDS and HIV

The Council remains committed to the guidance it issued to doctors in 1988 about ethical problems concerned with HIV infection and AIDS. The statement issued today by the Royal College of Surgeons of England is broadly consistent with the Council's guidelines.

There may be concern over the College's recommendation that when a member of the operating team is injured during an operation, the surgeon has the right to test the patient in a high risk group for HIV without their consent. This could be interpreted as meaning that a surgeon may **routinely** test patients without their consent in the event of any or all needlestick or sharps injuries.

The GMC's guidance states clearly that **"only in the most exceptional circumstances, where a test is imperative in order to secure the safety of persons other than the patient, and where it is not possible for the prior consent of the patient to be obtained, can testing without explicit consent be justified"**. This makes it quite plain that whilst the Council recognises that there will be times when it is permissible to test without consent, it does not give the go ahead to do so as a routine, automatic reaction to injury during an operation.

A doctor must think most carefully, on every occasion, about the necessity of testing without consent before deciding to proceed, and do so in the full knowledge that he or she will have to justify their actions if a complaint is lodged with the Council, or in the event of legal action being taken.