

## Item 3.2

### HIV Testing

#### Consent and Counselling

#### ASISA INFORMED CONSENT DOCUMENT FOR HIV TESTING

YOU MUST READ THIS BEFORE THE TEST IS DONE. IF YOU HAVE ANY PROBLEMS UNDERSTANDING THIS, ASK THE NURSE OR LABORATORY ASSISTANT OR DOCTOR TO EXPLAIN IT TO YOU

#### NOTE TO THE PERSON PERFORMING THE TEST

Some clients may not be able to read the document below, as a result of blindness, illiteracy or some other reason. You are obliged to ensure that under these circumstances, the client has received the document and consents to the test.

#### INTRODUCTION

This document contains the information that you are entitled to, before agreeing to be tested for HIV antibodies. The HIV antibody test (sometimes called an "AIDS test") is a test that will tell you whether or not you have been infected with HIV, "the AIDS virus". Below we set out your rights with respect to this test, information about HIV and AIDS, and the AIDS test, and why the insurance company wants to test you for HIV antibodies.

WHAT ARE MY RIGHTS? You have the following rights:

1. Not to be tested for the AIDS virus without your free and informed consent.
2. To be given all relevant information on the harms, risks and benefits of taking, or not taking, the AIDS test.
3. To refuse to take the test. If you do this, your application for insurance may be denied.

You may however wish to consider other alternatives such as special life products offered by some companies, endowment or other pure financial products. Consult your financial advisor.

4. To receive pre-test counselling which is private and confidential, and which will inform you more about the test and its implications before you give consent. Should you in any way be unfamiliar with the issues involved, you are strongly advised to seek pre-test counselling. You are also within your rights to waive the personal pre-test counselling.

5. To have your test result treated confidentially. An abnormal test result will be made available to your doctor and this test result will also be stored on the Life Offices' Association's central database in an encoded form. This information can only be accessed by other insurance companies with your consent. You also have the right to access this information to check that it is correct.

6. To post-test counselling if the test is positive, at the expense of ABC.

WHY DO LIFE INSURANCE COMPANIES TEST FOR THE AIDS VIRUS? Underwriting is the basis of assurance to ensure that each applicant pays a premium appropriate to the risk. The insurance company requires information from the applicant to help it assess the risk of granting the insurance and to establish an appropriate premium. Insurance companies screen applicants for serious diseases or habits that may affect their state of health. This may be done through questionnaires, medical examinations and other tests including a test for the AIDS virus.

IS THE TEST ALWAYS CORRECT? CAN THERE BE MISTAKES? Even though the tests are very accurate, and are performed by registered laboratories they must be regarded as screening tests only and not diagnostic. If

your test result shows that you may be infected with the AIDS virus, you can have this confirmed by having further tests done.

As with any biological test, a false positive result may occur in a small number of cases, i.e. the test shows positive when the person is not infected with the virus. This is not the fault of the laboratory or the insurance company, but the true HIV status of the person can be ascertained by doing further tests. The insurance companies and laboratories follow a strict protocol to eliminate potential mistakes. In order to minimize false positive results second and/or third line tests are performed on all first-line positive results.

**WHAT DOES IT MEAN IF THE TEST IS NEGATIVE?** If your test result is negative, it means that you are not currently infected, but it does not mean that you may not become infected in the future. There is a period of one to six weeks after the infection before an HIV test will be positive.

Your risk of becoming infected is increased if you have more than one sexual partner or if you engage in unprotected sex. It is also important to get prompt treatment for other sexually transmitted diseases, e.g. syphilis and gonorrhoea that make you more susceptible to the AIDS virus.

**WHAT DOES IT MEAN IF THE TEST IS POSITIVE?** If your test result is positive, it means that you may be infected with the AIDS virus and your application for insurance will be declined. All existing cover will remain valid unless periodical retesting for the AIDS virus is required. As from 1 January 2005 insurance companies may no longer have AIDS exclusion clauses on new business. Some insurance policies that were taken out before 1 January 2005 may have an AIDS exclusion clause. This means that if you develop any AIDS related illness, a claim will not be paid.

Existing policies that do not have an AIDS exclusion clause will not be invalidated as a result of the test results being positive. The implications of a positive test should be discussed with your doctor. It is shown that there was a false positive result, the company will reconsider a further application for insurance.

**NOTIFICATION OF RESULTS** If your test result is negative: Cover will be granted if all other requirements have been met.

If your test is positive: A trained person should discuss the information with you so that you can understand clearly what the test result means.

Consequently it is of the utmost importance that you think carefully about the doctor who should receive the results. You will be advised to contact this doctor.

Please note that if you receive a letter to contact the nominated doctor, that this does not automatically mean that the AIDS test result is positive, as many other medical impairments may lead to the refusal of the insurance application. The doctor will be fully informed and will inform you accordingly.