Your decision to know your HIV status is very important. It means that you value your health and the health and well-being of your sexual and drug injecting partners, as well as your families. Before you undergo voluntary counseling and testing (VCT) please read through this leaflet to learn about your legal rights and responsibilities.

What do I do if I THINK my rights have been violated?

VCT SITES IN KUNMING

Yunnan CDC: No. 158 Dongsi Street, Kunming. Tel: 3611773.
Kunming CDC: No. 126 Tuqiao, Xichang Road, Kunming. Tel: 2270135 2242074.
CDC of Wuhua District: No. 15 Xinzhuantan, Xichang Road. Tel: 4140767.
CDC of Panlong District: No. 117 Tuodong Road. Tel: 3111423.
CDC of Xishan District: 14th Building, Xinkang Residential Quarter, Xianyang Road, Xishan District. Tel: 8236355.
CDC of Guandu District: No. 365 Shuangqiao Road, Guansheng, Guandu District. Tel: 7185209.
CDC of Dongchuan District: Southern Section of Bajyun Road, Dongchuan District. Tel: 2130178.
CDC of Chenggong County: No. 4 Fengfeng Road, Longchong Township, Chenggong County. Tai: 6201108.
CDC of Jinjing County: Tannin Village, Kunyang Township. Tel: 7892664.
CDC of Anning City: No. 121 Lianran Township, Anning City. Tel: 6802001.
CDC of Fumin County: No. 24 Western Ring Road, Fumin County. Tel: 8811204.
CDC of Qujuan County: No. 496 Wuxing Road, Pishan Township. Tel: 6114666.
CDC of Songming County: No. 98 Tonglin Street, Songming County. Tel: 7929014.
CDC of Xundian County: Beiying Street, Deren Township. Tel: 13888617022.
CDC of Yi County: No. 183 Yuqiao Road, Yuqiao Residential Quarter. Tel: 7520640.
Yunnan Provincial HIV/AIDS Care Center: Shian Road, Kunming. Tel: 8189832.

If you believe your rights have been violated …

Contact

Yunnan University Legal Aid Center
4th Floor, 184 Gulou Road
Kunming, Yunnan, China
Telephone: 0871-5182720
Email: yundafayuanz@yahoo.com.cn

If you believe your rights have been violated, please contact the Yunnan University Legal Aid Center at the address or telephone number above. The Legal Aid Center will provide you with free, confidential legal advice. Please keep all relevant documents as well as any other evidence for complaints and case-reporting.

USAID | Health Policy Initiative in the Greater Mekong Region and China
HPVSMR-C is funded by the U.S. Agency for International Development under Contact No. DPD-01-05-00035-00, beginning September 28, 2007. HIV-related activities of the initiative are supported by the President’s Emergency Plan for AIDS Relief. HPVSMR-C is implemented by RTI International and the Burnet Institute.

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What is VOLUNTARY Counseling and Testing?

VCT is the process by which you are provided with confidential counseling to enable you to make an informed choice about whether or not to take an HIV test to learn your HIV status. If you chose to take an HIV test, you will be provided with follow-up counseling, regardless of the result.

What are the BENEFITS of VCT?

VCT will help you identify your risks and enable you to know your HIV status. By having an HIV test, you will receive accurate and helpful information about how to prevent HIV infection for yourself, your babies, and your sexual and drug injecting partners.

VCT will enable you to learn about HIV from professionals and clarify any questions you may have. VCT will help people who are HIV-positive to access treatment and other important support services to improve their health and well being. If you are HIV-infected, you will be able to contact other people living with HIV for support and to learn about local services that can help you.

Is VCT always ‘voluntary’? The VCT process is regulated by a set of guidelines, and you may ask questions about these guidelines. As a client of a VCT service, you have both rights and responsibilities.

The decision to have an HIV test must be made by you. Generally, nobody can legally force you to undergo an HIV test in China. VCT counselors must ensure that you are provided with and understand all the necessary information before you decide to take an HIV test or not. This is the meaning of informed consent.

However, there are circumstances when you can be given an HIV test legally without your consent. This may occur during testing if you refuse to provide your blood sample, or if you are referred to a hospital or other health facility for treatment of a sexually transmitted infection (STI).

Are my HIV test results confidential? The only staff who can access your personal information are the VCT counselors, medical staff, and community follow-up workers. Legally, the VCT counselor must inform you of your test result – whether the result is negative or positive. These health professionals are responsible for safeguarding the privacy of your HIV status and any other information gained as result of the VCT process.

Generally, information cannot be shared with other people or organizations without your consent, except under special circumstances related to criminal and other public security matters.

Do I have to tell my sexual partner that I am HIV-positive? If you are HIV-positive you are legally required to inform your sexual partners about your HIV status. Different clinics have different policies about how soon you must do this. For example, in Kunming you have one month in which to inform your sexual partner that you are HIV positive. It is important to be aware that the Centers for Disease Control (CDCs) are entitled to inform your sexual partners, if you fail to do so. If you are unclear about your responsibilities in this regard, please ask your counselor.

What Can I Expect From the VCT Service?

NON-JUDGMENTAL STAFF

People who receive VCT will be treated equally regardless of their lifestyle or background.

FREE-OF-CHARGE

VCT services are free-of-charge. You do not have to pay the counselor or anyone at the clinic.

PROFESSIONAL SERVICE

You have a right to expect a professional service delivered with integrity and respect. This means that the counselor must follow the guidelines as laid down in the regulations, and all VCT centers must be approved by the local CDC.

All VCT staff have received training in how to conduct VCT, and you are entitled to know the names and positions of the staff members with whom you are dealing.

Smart Steps You Can Take NOW!

1. PRE-TEST COUNSELING

A counselor will talk to you about HIV prevention and the clinical benefits of having an HIV test.

As part of this discussion, the counselor will assess your risk of having acquired HIV infection and other sexually transmitted infections (STIs). If you decide to proceed with the HIV test, the counselor will explain to you what the test involves and how long you will have to wait for the results. You will be asked for your consent before your blood is taken for an HIV test. In some clinics, you will be given a written consent form to sign. Please note that not all clinics will give you a written form to sign. In this situation, you will be asked verbally if you consent to having your blood taken for an HIV test.

2. HIV TESTING

Testing is performed using an approved HIV test kit and testing protocols. The nurse will draw a sample of your blood to test for HIV.

3. POST-TEST COUNSELING

Will be provided to you regardless of the outcome of your HIV test.

The results will be given to you in person by a counselor. If your test result is HIV-negative, the counselor will explain what the test result means, including giving you information about the window period for the appearance of HIV-antibodies and a recommendation to re-test in case of a recent exposure; advice on methods to prevent HIV transmission and acquisition; and an assessment of whether you need a referral for a more extensive counseling session or additional prevention support, including further testing for STIs. If your test result is HIV-positive, you will be provided with support to cope with the emotional impact of the positive test result. You will be referred for an assessment of your general health and HIV treatment, care, and support needs. You will also be counseled about the prevention of HIV transmission and acquisition of HIV, and given advice and support on how to disclose your HIV status to your sexual partners.