Vote YES on House Bill 4314 (Feigenholtz)  
Protect the Privacy of Students with HIV

FACT SHEET

House Bill 4314 repeals a section of the Illinois Communicable Disease Prevention Act (410 ILCS 315/2a)—approved by the legislature in 1987—which requires the Illinois Department of Public Health or local health departments to report the name of an HIV-positive child to the principal of the child’s school. The principal, in turn, may notify the child’s teachers, the school nurse, and others in the school.

- In 1987, fear—not medical science—drew the school principal notification law. Proponents feared routine school activities could trigger HIV transmission; today, we know that is not the case.

- Since 1994, Illinois law has required school personal to take simple universal precautions to prevent the spread of any blood-borne diseases among students, precautions more than sufficient to prevent HIV transmission.

- In 2008, with an increasing epidemic of HIV among teens, fear that a student’s HIV status will be disclosed to principals and others at school deters teens from being tested for HIV and risks further spread of the disease.

- Illinois is one of only five states that mandate disclosure of the pupil’s HIV status to any school official\(^1\), and Illinois alone mandates disclosure to the school principal.

- Inadvertent disclosure of the child’s HIV-positive status could lead to legal action against the school. The Illinois AIDS Confidentiality Act (410 ILCS 305/) prohibits disclosure or re-disclosure of an individual’s HIV status, and violations are punishable by fines of up to $10,000.


\(^1\)Other states are Missouri, Oklahoma, South Carolina, and Nevada.