

EVERY CHILD IN SOUTH AFRICA HAS THE RIGHT TO RECEIVE HIV TESTING

WHO CAN GIVE CONSENT TO HAVE A CHILD TESTED FOR HIV?

- ◆ By South African law, children 12 and over do not need parental consent to be tested for HIV.
- ◆ Children younger than 12 do need consent to be tested.
- ◆ Any parent or caregiver can bring a child for testing—including foster parents, guardians, and those who have implied or expressed parental consent.
- ◆ A caregiver does not need to present documents to prove they are the caregiver, but he/she should be a:
 - Foster parent;
 - Person who cares for the child with the implied or expressed consent of a parent or guardian;
 - Person who cares for the child while the child is in safe care; or
 - Child at the head of a child-headed household.
- ◆ Legally, a caregiver can consent to a child's HIV test.



WHAT TYPE OF TEST IS USED FOR CHILDREN?

- ◆ From 6 weeks to 18 months: send a blood sample or a dried blood spot on filter paper to the lab for PCR testing.
- ◆ 18 months and older: Test the child using a rapid HIV antibody test.

WHY IS IT IMPORTANT TO TEST CHILDREN FOR HIV?

- ◆ More than 250,000 South African children are infected, but less than 10% of children born to infected mothers are tested in the first 2 months of life.
- ◆ Without diagnosis and treatment, 50% die before their second birthday.
- ◆ Starting ART in infants as soon as possible after diagnosis drastically reduces death.
- ◆ Children with no symptoms of HIV can also be HIV positive.



WHEN CAN CHILDREN BE TESTED FOR HIV?

- ◆ Children of HIV-infected parents or parents of unknown status should be tested as early as possible, ideally at their first contact with a health worker during postnatal care.

WHERE CAN CHILDREN BE TESTED FOR HIV?

- ◆ Any facility that provides voluntary counselling and testing.

If your patients have additional questions about pediatric HIV and testing their child, they can call the South African Toll-Free AIDS number 0800 012 322.

Guidelines on HIV Testing and Treatment of Children, Abandoned Children, and Children Without Legal Guardians Children's Act No 38 of 2005 Chapter 7. Part 3 (Subject to section 132)

HIV-testing

- 130.
- (1) Subject to section 132, no child may be tested for HIV except when:
 - (a) it is in the best interests of the child and consent has been given in terms of subsection (2); [...].
 - (2) Consent for a HIV-test on a child may be given by:
 - (a) the child, if the child is—
 - (i) 12 years of age or older; or
 - (ii) under the age of 12 years and is of sufficient maturity to understand the benefits, risks and social implications of such a test;
 - (b) the parent or care-giver, if the child is under the age of 12 years and is not of sufficient maturity to understand the benefits, risks and social implications of such a test; [...].

Counseling before and after HIV-testing

- 132.
- (1) A child may be tested for HIV only after proper counseling, by an appropriately trained person, of—
 - (a) the child, if the child is of sufficient maturity to understand the benefits, risks and social implications of such a test; and
 - (b) the child's parent or care-giver, if the parent or care-giver has knowledge of the test.
 - (2) Post-test counselling must be provided by an appropriately trained person to:
 - (a) the child, if the child is of sufficient maturity to understand the implications of the result; and
 - (b) the child's parent or care-giver, if the parent or care-giver has knowledge of the test.

Confidentiality of information on HIV/AIDS status of children

133.
[...]
- (2) Consent to disclose the fact that a child is HIV-positive may be given by:
 - (a) the child, if the child is—
 - (i) 12 years of age or older; or
 - (ii) under the age of 12 years and is of sufficient maturity to understand the benefits, risks and social implications of such a disclosure;
 - (3) the parent or care-giver, if the child is under the age of 12 years and is not of sufficient maturity to understand the benefits, risks and social implications of such a disclosure; [...].

Care-givers

"Care-giver" means any person other than a parent or guardian, who factually cares for a child and includes—

- a) a foster parent;
- b) a person who cares for a child with the implied or express consent of a parent or guardian of the child;
- c) a person who cares for a child whilst the child is in temporary safe care; [...]
- g) the child at the head of a child-headed household; [...].