

## US, China announce changes to restrictions on HIV-positive visitors

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Both the United States and China have announced possible changes to existing restrictions on HIV-positive visitors. The US proposals still require positive visitors to disclose their status, and adhere to conditions to obtain entry for up to 30 days, whereas China says it will remove all restrictions on HIV-positive visitors.

“China has decided to change its immigration laws, scrapping travel restrictions,” Michel Kazatchkine, executive director of the Global Fund told a news conference, also attended by China’s Vice Minister of Health, Huang Jiefu. “The new law, which hopefully will be passed in the coming months, will be in line with the global conventions, which recognise that travel restrictions for HIV-positive people do not have any public health value,” said Kazatchkine.

Minister Jiefu added that China is committed to changing their HIV-positive visitor policy, but that “modifying laws and regulations is quite a complicated process and it takes some time.”

The US Department of Homeland Security (DHS) published proposals to create a categorical waiver of the current HIV restriction on non-immigrant visas. The proposals call for a “more streamlined process” of issuing waivers to HIV-positive people. The individual, however, must still declare their HIV status to officials and apply for a visa in person at a US consulate or embassy several months before their trip. Rather, the process cuts out the “additional step of seeking review by DHS prior to granting of the non-immigrant visa.”

HIV-positive people are still not entitled to remain for longer than 30 days. They must also agree not to apply for any extension, or permanent residence, if they enter the US on this visa.

The proposals suggest that HIV-positive visitors may be allowed to enter the US for up to 30 days in any twelve months under certain conditions:

- that they know their status and declare this to the consulate or embassy; ! apply for a business or tourist visa in person;
- are not “currently exhibiting symptoms indicative of an active, contagious infection associated with acquired immune deficiency syndrome;”
- are “aware of, [have] been counselled on, and understand the severity, and the communicability” of HIV;
- and provide assurance that they will “comply with medical advice against engaging in behaviour that would risk transmitting the infection to others;”
- have access to “as medically appropriate, an adequate supply of [antiretroviral](#) [1]A medication or other substance which is active against retroviruses such as HIV. drugs for the anticipated stay in the US and possess sufficient assets, such as insurance that is accepted in the US, to cover any medical care that the applicant may require in the event of illness.”

Until the proposals have been finalised, the current ban still applies with a caseby- case exemption requiring DHS approval.

- [Travel and immigration](#)
- [travelling with HIV](#)

### Links:

[1] <http://www.napwa.org.au/glossary/term/122>