

Intervention for Migrant Workers with HIV/AIDS After Arriving in Taiwan – Q&A

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I. The Taiwan Government's Policy on HIV infected Migrant Workers Entering Taiwan

Q1: After the migrant worker starts working in Taiwan, can the employer or agency request him/her to get tested for HIV or provide the HIV test results?

A1: No.

To respect the human rights of people living with HIV (PLHIV) and comply with the international trend, the HIV Infection Control and Patient Rights Protection Act was amended on February 4th, 2015. The regulation stipulating that foreigners staying in Taiwan for more than three months must be subjected to HIV testing was struck out.

If migrant workers still have concerns or are at risk of HIV infection, they may choose to get tested for HIV via multiple accessible testing services, such as HIV self-testing services, HIV anonymous testing services, and seeking medical attention or health examination to get HIV testing services.

The HIV test results should be confidential and only be provided to the person being tested. When recruiting or hiring migrant workers, if the employers request the private information of the employee and which is not required for employment, such as HIV test results, the employers will violate Article 5 of the Employment Service Act and be fined between NT\$60,000 and NT\$300,000. In addition, the employer's migrant worker hiring application will not be approved, and their recruitment permit and/or their employment permit will be revoked.

Furthermore, if an employer commissions a human resources agency to request migrant workers to provide HIV test results and other private information not required for employment, it shall be dealt with by law.

Q2: If the migrant worker has received a diagnosis of HIV infection after he or she starts working in Taiwan, will he/she be deported?

A2: The HIV Infection Control and Patient Rights Protection Act were amended on February 4th, 2015, canceling restrictions on HIV-positive foreigners entering, stopping, and residing in the country. Therefore, migrant workers will not be deported solely on the basis of the diagnosis of HIV infection.

Q3: What is the cost of HIV treatment in Taiwan for a migrant worker with HIV infection?

A3: The treatment cost for people living with HIV (PLHIV) is approximately NT\$200,000 (about US\$7,000) each year. Hence we advise migrant workers to get tested for HIV in his/her home country before arriving in Taiwan to know his/her HIV status and health conditions. If they are infected with HIV, they should first remain in his/her home country to receive treatment. Those who still wish to work in Taiwan may purchase medical insurance first to cover the cost of HIV treatment and prevent financial burden.

Q4: Do migrant workers infected with HIV receive HIV treatment-related subsidies in Taiwan?

A4: The Taiwan government does not offer foreigners HIV treatment subsidies for the first 2 years. However, those who have records of paid medication in Taiwan and join Taiwan's national health insurance after 2 years of medication in Taiwan will be able to apply for the subsidies in accordance with the payment regulations of the National Health Insurance Administration (NHI). For further details, please contact the NHI consultation service hotline 0800-030-598. Additionally, if those who need help to get HIV medication from abroad, please contact the Taiwan Lourdes Association (02-23711406) or the Persons with HIV/AIDS Rights Advocacy Association of Taiwan (PRAA) (02-25561383).

Q5: If migrant workers are infected with HIV, can their employers deport them or terminate their employment permits?

A5: No.

In accordance with Article 4 of the HIV Infection Control and Patient Rights Protection Act, "their right to work shall be protected; there shall be no discrimination or any other unfair treatment".

If migrant workers who have received a diagnosis of HIV infection in Taiwan, it is recommended to actively receive treatment to stabilize their condition of HIV infection and maintain their health status. If a migrant worker wishes to return to home country, the agency or employer should help with the necessary procedures for the verification of the termination of the employment contract. If the migrant worker wishes to stay and work in Taiwan, after an agreement is reached with the employer, he/she may apply for a new employer who is willing to hire him/her. In addition, if no employer

wishes to hire migrant workers after the contract period has expired, the original employer must make arrangements for the migrant worker to leave Taiwan. If an employment dispute has occurred with the employer and The Ministry of Labor(MOL) placement regulations have been met, the migrant worker can be approved for placement after the local government has determined that the employer is unable to provide adequate care.

Q6: If a migrant worker with HIV/AIDS is discriminated against or treated unfairly at work, what steps can be taken?

A6: Please contact the Ministry of Labor's 1955 labor inquiry and complaint hotline (services are available in Chinese, English, Vietnamese, Indonesian, and Thai languages) or the local labor affairs authorities, or visit the Workforce Development Agency, Ministry of Labor's "Foreign National Labor Rights Portal" (<https://gov.tw/gwj>) to search for related information.

II. Professional Medical Resources and Consultation Services Available for Helping Migrant Workers living with HIV in Taiwan

Q7: What happens after the migrant worker has received a diagnosis of HIV infection?

A7: HIV infection is a notifiable communicable disease in Taiwan. When the migrant worker has been confirmed to be infected with HIV, the medical institution needs to report to the health authorities, which will, in turn, contact the patient to offer related health care and consultation services. Therefore, there is no need to be overly concerned. For medical attention-related problems, please contact local health departments (or call the Taiwan Centers for Disease Control's toll-free 1922 epidemic prevention hotline for inquiries.).

Q8: What is a designated HIV medical institution? How do I locate the nearest designated HIV medical institution?

A8: Designated HIV medical institutions are established by the Taiwan Centers for Disease Control (Taiwan CDC) to provide HIV testing and consultation services, and HIV treatment and medical care services. If you need to find one near you, please search on Taiwan CDC's official website (<https://gov.tw/srb>).

Q9: Are designated HIV medical institutions in Taiwan only open to Taiwanese citizens?

A9: There are currently a number of HIV/AIDS-designated medical

facilities (<https://gov.tw/srb>) nationwide in Taiwan to provide PLHIV with necessary medical services regardless of nationality. However, The Taiwan government does not subsidize foreigners' HIV medical expenses during the first 2 years of medication in Taiwan. As for medical expenses after 2 years of medication in Taiwan, subsidies will be provided in accordance with NHI's payment regulations after joining Taiwan's national health insurance.

Q10: What other resources and channels are available to offer assistance?

A10: In addition to the aforementioned designated HIV medical institutions and local health departments, NGOs also offer assistance resources, such as the Taiwan AIDS Foundation, Taiwan Lourdes Association, Persons with HIV/AIDS Rights Advocacy Association of Taiwan (PRAA). The list of these institutions, departments, and NGOs is available on the website below: <https://gov.tw/XGP>. They also offer services including HIV health education and promotion, HIV testing and counseling services, etc. Furthermore, LGBTI+ community health center also provide LGBTI+ friendly health services and medical consultations. You may seek assistance at the nearest location. For more HIV/AIDS-related information, please browse the Taiwan CDC's official website or call 1922 hotline.

Q11: Does the Taiwan CDC have a toll-free hotline?

A11: Please call the 1922 Disease Reporting and Consultation Hotline, the Taiwan CDC 24-hour toll-free hotline, if you have any infectious disease-related questions.

III. Health Education Information for HIV Infection (Please find Taiwan CDC's official website for detail information: <https://gov.tw/B67>)

Q12: What is "HIV infection"?

A12: HIV (human immunodeficiency virus) is a virus that attacks the body's immune system. Upon HIV infection, there are typically no noticeable symptoms, but the virus is already contagious. HIV infection status can only be confirmed via testing procedures. HIV will continue to destroy the immune system if the infected person is not diagnosed and treated promptly, resulting in low immunity, susceptibility to opportunistic infections, and other symptoms of AIDS (also known as Acquired Immunodeficiency Syndrome),

which may even lead to death.

Q13: What are the routes of HIV transmission?

A13: HIV is transmitted through blood and body fluids. Since HIV has very specific routes of transmission, you do not have to worry about being infected by your friends or classmates through normal interactions. The transmission routes of HIV are:

- (1) Engaging in unsafe sex (without using a condom correctly and water-based lubricant throughout sex).
- (2) Infection through blood: Sharing needles (including needle head, syringe, and diluent) or sharp objects such as a razor or toothbrush.
- (3) Mother-to-child transmission: HIV-infected mothers can transmit HIV to their newborns directly during pregnancy, delivery, or breastfeeding if not diagnosed or treated in a timely manner.

Q14: What should you do after receiving a diagnosis of HIV infection?

A14: Presently, effective antiviral medications have been developed. Despite the fact that HIV infections cannot be cured, early treatment, continuous and regular medication can effectively control the amount of HIV virus in the body, preserve health and quality of life, and reduce the risk of HIV transmission. Therefore, there is no need to be overly panic if you are informed that you have HIV infection. Individuals infected with HIV who take the initiative to receive early treatment and consistently take medication can enjoy the same quality of life as those who are not infected.

Q15: Does PLHIV necessitate special life planning?

A15: It is recommended that PLHIV actively undergo treatment, take their medications on time, and maintain immunity in order to work and live as normally as possible. Additionally, HIV is transmitted through body fluids and blood exchange; saliva, sweat, urine, and feces do not cause HIV infection. Therefore, embracing, shaking hands, holding hands, dining together, using the telephone, sharing a bathroom, swimming, and insect bites do not transmit HIV.

Q16: What should you do in the event of a possible HIV exposure (such as being pricked by a needle)?

A16: Under such circumstances, call the CDC's 1922 Toll-free hotline to inquire about the level of infection risk if you are unsure. Visit an HIV-designated hospital or clinics for medical care within 72 hours

of exposure so that a physician can assess whether preventive medication is necessary and determine the nature of the exposure.

Q17: What are the available HIV testing and consultation services and related resources in Taiwan?

A17: The available HIV testing and consultation services and related resources are listed as follows:

- (1) HIV self-testing services: HIV self-test is a fast and safe way to manage your health, it can be used at home or in a private location. With an HIV self-test, you can get your test results within 20 minutes. You can buy HIV self-test kits at Taiwan CDC's collaborative service sites, vending machines or online, please visit Taiwan CDC's HIV self-testing website (<https://hiva.cdc.gov.tw/Selftest/>) to find service sites near you to get HIV self-test and consultation services.
- (2) Anonymous HIV testing services: Taiwan CDC collaborates with more than 82 hospitals and clinics to offer free and quick anonymous HIV testing services. You can assess your risk of HIV infection by using the HIV anonymous consultation website (<http://hiva.cdc.gov.tw/>) and schedule a testing and consultation services.
- (3) Various local health departments, LGBTI+ health centers, and NGOs (such as Taiwan AIDS Foundation, Taiwan Lourdes Association, etc.) also provide friendly HIV testing and consultation services.
- (4) When seeking medical attention, it is possible that physicians or medical personnel may assist in scheduling HIV testing for those at risk of HIV infection, such as patients with sexually transmitted diseases, drug addicts, etc. Also, an HIV test can be added to health examination at your own expense.

Q18: How often should you be getting tested for HIV?

A18: Knowing your HIV status with HIV testing gives you powerful information to keep you healthy.

- (1) Ones with sexual experience, it is recommended to get tested for HIV at least once.
- (2) For persons have engaged in unsafe sex – regardless of who their

partner is, including a regular intimate partner – it is recommended to get tested for HIV at least once a year.

- (3) For persons at high risk for HIV infection (such as sharing needles, multiple sexual partners, drug use, and patients with STD, etc.), it is recommended to get tested for HIV every three to six months.