



Rule Change on CDC List of Communicable Diseases of Public Health Significance

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Effective January 4, 2010, the U.S. Department of Health and Human Services, Center for Disease Control and Prevention (HHS/CDC) is removing HIV from the list of communicable diseases of public health significance and references to HIV from the scope of medical examinations for foreign nationals.

Until the rule goes into effect, non-citizens who are HIV-positive cannot be admitted into the U.S. unless the U.S. Department of Homeland Security (DHS) grants a waiver. Once the rule goes into effect on January 4, 2010, HIV infection will no longer be defined as a communicable disease of public health significance, immigrant visa applicants who are required to undergo a medical screening exam will no longer be tested for HIV, a waiver for entry into the U.S. will no longer be necessary, and HIV-positive visa applicants will not be found ineligible for visas under Section 212(a)(1)(A)(i) of the Immigration and Nationality Act (INA). Although foreign nationals with HIV who apply for visas will no longer be ineligible under INA Section 212(a)(1)(A)(i), they still must overcome the public charge under INA Section 212(a)(4) by demonstrating to the consular officers that they will have the means of support in the U.S. and that they will not need to seek public financial assistance. Please visit [CDC's Web site](#) for more information.