

Aetna breaches HIV privacy of customers in multiple states

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A group of people living with HIV are demanding the health insurer Aetna immediately stop a practice they say violates federal and state privacy laws and exposes them to potential discrimination.

Aetna recently mailed some customers instructions for filling HIV medication prescriptions. Recipients were stunned when they realized information about HIV medication was clearly visible through the window on the envelope.

The letters were sent to customers currently taking medications for HIV treatment as well as for Pre-exposure Prophylaxis (PrEP), a regimen that helps prevent a person from acquiring HIV.

Attorneys sent a demand letter today to Aetna on behalf of individuals in Arizona, California, Georgia, Illinois, New Jersey, New York, Ohio, Pennsylvania, and Washington, D.C calling for an immediate end to the letters in the current form. The demand letter also calls on Aetna to develop a plan to correct its practices and procedures.

The demand letter and a photo of the envelope are available at:
<http://bit.ly/2w5kD3w>.

Although medical advances have transformed HIV into a chronic yet manageable condition, widespread stigma still exists against people living with HIV, leading to everything from employment, housing and education discrimination to violence.

Attorneys said that individuals who contacted them reported that the Aetna letters were seen by family members, roommates and even neighbors who received the mail.

Sally Friedman, Legal Director of the Legal Action Center in New York City, and Ronda B. Goldfein, Executive Director of the AIDS Law Project of Pennsylvania, are coordinating the efforts of attorneys with eight organizations in pursuing the issue.

Friedman said “Aetna’s privacy violation devastated people whose neighbors and family learned their intimate health information. They also were shocked that their health insurer would utterly disregard their privacy rights.”

Goldfein said the Aetna letters casual disclosure of a person’s HIV status or use of HIV medication is far more than a technical violation of the law.

“It creates a tangible risk of violence, discrimination and other trauma,” she said.

The attorneys said additional legal action is under consideration.

The demand letter was sent on behalf of individuals who contacted the AIDS Law Project of Pennsylvania, (Philadelphia, PA); AIDS Legal Referral Panel (San Francisco, CA); Legal Services NYC (New York City, NY); Lambda Legal (Chicago, IL); Legal Action Center (New York City, NY); Legal Council for Health Justice (Chicago, IL); Los Angeles HIV Law & Policy Project (Los Angeles, CA); and Whitman-Walker Health (Washington, D.C.).