

Aetna To Pay \$17 Million To Settle HIV Suit

After what is believed to be the world's largest HIV privacy data breach, Aetna Inc. agreed Jan. 16 to a \$17 million settlement in a class action lawsuit filed after a faulty mailing revealed the private medical information of thousands of its customers.

The settlement is now subject to the preliminary approval of the United States District Court for the Eastern District of Pennsylvania, where the lawsuit was filed.

In July 2017, current and former customers of Aetna, the nation's third largest health insurance company, were alarmed when they received letters with large transparent windows that accidentally revealed that the recipients were prescribed HIV medications.

Among those who got the mailing was "Andrew Beckett," a Pennsylvania resident who became the lead plaintiff in the lawsuit, using the pseudonym of the fictional lawyer with HIV played by Tom Hanks in his Academy Award-winning role the 1993 movie *Philadelphia*.

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Now We Are 30

... And We Have 30 Ways To Celebrate



Julie Graham, Brenda Goodrow, Ronda B. Goldfein and Cookie Diorio at Fergie's Pub in Philadelphia on Jan. 30, one of 30 "happenings" to celebrate the AIDS Law Project of Pennsylvania's 30th anniversary. Cookie is the impresario of *Art of the Heel*, a series of musical showcases to benefit nonprofit organizations.

Photo by Gerald Adler

While it seems like just yesterday that the AIDS Law Project celebrated its 25th Anniversary with much fanfare, we look up from our work to find ourselves smack dab in the middle of our 30th Anniversary.

That's 30 years of providing free legal assistance to people with HIV and AIDS, 30 years of fighting stigma, 30 years educating people, 30 years of countless battles to protect the rights of our clients.

To celebrate this auspicious milestone, the AIDS Law Project will participate in 30 "happenings" where we can increase awareness of our mission and accomplishments.

The highlight of the year will be our 30th Anniversary Gala cocktail party at Asian Arts Initiative, 1219 Vine St., on Oct. 11. Planning is still underway, but you can count on good drinks, great food and memorable entertainment.

Other happenings range from conferences and seminars to fundraisers to events where we can let our hair down and cut loose with our friends and supporters.

The AIDS Law Project's extended family gathered for a casually fabulous happy hour at Fergie's Pub in Center City, Philadelphia on Jan. 30, where drag songstress **Cookie Diorio** dazzled

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INSIDE

TURNING A LIFE AROUND

The problems kept piling up for a New Jersey woman – HIV, opioids, mental health issues, homelessness, jail. Then she found help. **Page 3**

2017 LEGAL SERVICES

Our annual snapshot of the legal issues we worked on and the clients we served in 2017. **Page 5**



OUR NEW PRESIDENT

Aaron Skrypski has been elected president of our board of directors, succeeding Joann Leszczynsky, who served with distinction for many years. **Page 6**

ID'S OPEN DOORS

Without a birth certificate, you can't get a government ID, so you often can't get substance abuse medication, benefits or a job. **Page 7**



FROM THE EXECUTIVE DIRECTOR

30 Years: A Mixed Blessing

This year is the AIDS Law Project of Pennsylvania's 30th anniversary.

It's hard to imagine that our founders envisioned a need for us 30 years later. With a broad mission to provide "free legal assistance to people living with HIV and AIDS and those affected by the epidemic," we were created to offer immediate help to people who were struggling to stay alive, while fear of HIV and HIV discrimination ran rampant.

We now know that we all have been affected by the epidemic and that the need for legal services for people with HIV and AIDS has not diminished, despite treatment advances. Science and medicine have greatly improved health outcomes, but stigma is still fueling the AIDS epidemic. Clients who have managed to reclaim their lives still turn to us for relief from virulent HIV discrimination.

The road to 30 has been bittersweet.

Along the journey, we have met brave clients who were willing to tell their stories, who protested when they were treated unfairly, and who wanted to protect those who came after them.

We have worked with colleagues and professional partners who knew the value of collaboration.

We've benefited from generous funders and donors who appreciated the unique role of a law firm amidst a public health crisis.

And we have been blessed with committed staff, volunteers, interns and board members who knew that the opportunity to improve the quality of someone's life is a rare gift.

As you see from the cover story, we are planning many events to recognize our 30th anniversary. If you are part of our 30th anniversary story, and haven't been in touch with us lately, please contact our Deputy Managing Attorney Juan Baez (jbaze@aidslawpa.org). We'd love to reconnect with you.

Amid the 30th anniversary events on our calendar, we will continue to honor our original mission and promise to provide free legal services to people with HIV and AIDS, as long as necessary.

Ronda

NAVIGATING T

Bedbugs Drive Woman From Her Home

LANDLORD FORCED TO RETURN DEPOSIT

The woman had tried for months to get her landlord to send an exterminator to deal with a serious bedbug infestation.

It got so bad she decided her new grandbaby should not come to her home anymore. Because she had HIV, she was worried the baby also could be exposed by being bitten by bedbugs.

"That broke her heart," said **Jeni Wright**, the AIDS Law Project's housing attorney. "She was distraught."

The first thing Jeni did after the woman turned to her for help was assure her that bedbugs could not transmit HIV. Then she sent the landlord a demand letter seeking to remedy the intolerable living conditions.

The landlord ignored the letter.

The woman paid \$50 a month in rent, with the balance covered by a Section 8 voucher from the Philadelphia Housing Authority. For four months the woman put her portion of the rent in escrow, hoping to force the landlord to take action.

After the house failed two Section 8 inspections due to the infestation, the woman decided she'd had enough. She wanted to move out.

Jeni guided her client through the process of transferring her Section 8 voucher to a new home. She also advised her on how to improve her chances of getting her deposit back by doing things such as thoroughly cleaning the apartment and taking photos of each room to document their condition.

But once again the landlord ignored the woman. He kept the deposit and did not respond to Jeni's attempts to settle the matter out of court.

Finally, on the client's behalf, Jeni sued the landlord in small claims court to recover \$200. Just days before the hearing, the landlord relented and returned the deposit. The woman was thrilled and used some of the money to buy a gift for her new grandbaby.

"It's like a fresh start for her," Jeni said. "She's so happy."

A Daunting Task: Choosing The Right Benefits

RETIREE GUIDED THROUGH THICKET OF OPTIONS

The woman was facing some daunting decisions and didn't know what to do.

She had recently turned 62 and become eligible for Social Security Retirement benefits, in addition to the pension she had been receiving from her late husband's work.

She hoped that since she had reached the minimum retirement age there were additional

benefits that would make her life a little easier, said **Jacob M. Eden**, an AIDS Law Project attorney.

"She wasn't sure what to do," Jacob said. "She didn't know what options she had."

Jacob reviewed her eligibility and then walked his client through her options. He told her she could choose either retire-

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Up From Homelessness

WITH HER DETERMINATION AND AIDS LAW PROJECT'S SUPPORT, NEW JERSEY WOMAN TURNS HER LIFE AROUND

The woman had been living in her car in Burlington County, N.J., after the housing assistance that had allowed her to live in a motel expired.

In addition to living with HIV, she had a history of opioid dependence and numerous mental health issues.

She had applied for Social Security disability benefits on her own, but had been denied. That's when she was referred to the AIDS Law Project's Southern New Jersey office, where she met with **Charlotte Hollander**, senior staff attorney.

"She had just come out of jail," Charlotte said. "She was really struggling."

Despite her dire situation, the woman was determined to reclaim her life. As Charlotte prepared her appeal of the Social Security decision, the woman took positive steps to turn things around.

She entered a daily suboxone program, which is a medication-assisted treatment for opioid addiction. As part of the program, she also began to attend group and individual therapy.

She was diagnosed with an anxiety disorder, neuropathy, and PTSD.

She began to take her medication and secured transitional housing.

Her life began to change, but getting Social Security disability benefits was the key to ongoing stability.

Although the woman first came to us in 2015, her hearing was not until Jan. 26 because of the huge backlog of cases in the Social Security system.

Charlotte argued that because of the woman's drug treatment and therapy, she would be off task at least 15 percent of the time and have regular absences from work. A vocational expert at the hearing testified that the kind of jobs that would be suitable for our client would not tolerate regular monthly absences.

Based on that evidence, the judge awarded the woman Social Security disability benefits. In addition to the ongoing reliable monthly income she will receive, she was awarded about two years of back benefits.

"She was extremely happy," Charlotte said. "She has hope."

Benefits

Continued from Page 2

ment benefits or widow's benefits to increase her monthly income.

The way the benefits would impact her health insurance was a key factor in the equation.

The retirement benefit would give her less monthly income than the widow's benefits, but would allow her to remain income eligible for Medical Assistance.

Jacob told her that if she accepted the smaller amount, she could switch to the larger benefit when she turned 65 and would automatically be eligible for Medicare. She wouldn't have to worry about stay-

ing income eligible to keep Medical Assistance.

If she wanted the bigger monthly benefit, she would need to find alternative health insurance.

Jacob researched the marketplace insurance options available under the Affordable Care Act. He directed her to options that would fit her medical needs and her income. With choices in hand, she selected a medium-priced insurance policy, which she will supplement with Pennsylvania's HIV drug assistance plan. At age 65, she will need to convert her insurance to Medicare.

"She is happy with her choice," Jacob said. "She has some additional income as well as health insurance that meets her needs."

Victory in Taxi Bias Complaint

Mark Seaman was returning to Philadelphia from visiting his family for Christmas in 2009. His boyfriend at the time met him at the airport and the two got into a taxi, where Mark put his arm around him and kissed his head.

The driver reacted immediately, telling the couple they "couldn't do that" in his cab, kicking them out and driving away with the cab door still open.

"It was astonishing," Mark said. "I was shocked to be treated that way."

In December 2017, Mark finally got some justice.

The Philadelphia Commission on Human Relations ruled in favor of a complaint he filed claiming that the



Mark Seaman, complainant in taxi bias case

taxi company, PHL Taxi, violated Philadelphia's Fair Practices Ordinance, which prohibits discrimination based on sexual orientation.

The commission rejected PHL Taxi's argument that as a dispatcher it is not responsible for the discriminatory conduct of its drivers.

AIDS Law Project Executive Director **Ronda B. Goldfein** and staff attorney **Jacob M. Eden** represented Mark throughout the protracted process.

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GOOD COUNSEL BY E-MAIL

Want to get the newsletter electronically? Sign up at [AIDSLawPa.org/e-newsletter](https://www.aidslawpa.org/e-newsletter).

FROM THE COVER



From left, Maggie Schepcaro, Scriabin Rimerman and Yolanda French Lollis at a Quizzo “happening” at National Mechanics in Philadelphia on Feb. 27.

30th Anniversary

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the crowd.

On Feb. 27, the AIDS Law Project hosted a Quizzo night at National Mechanics in Philadelphia. Presiding was Quizzo Judge **Yolanda French Lollis**. By day, Yolanda is the AIDS Law Project’s managing attorney. Paralegal **Maggie Schepcaro** proudly assisted her.

Next up is GayBINGO at the Gershman Y, 401 S. Broad St., on May 19. The AIDS Law Project has reserved a table. Call 215-587-9377 to reserve a seat. Tickets are \$30.

Ronda B. Goldfein will call a game, while **Messapotamia Lefae**, our data and development manager, and other staff members will be on hand. Messapotamia has been a volunteer at the event since 2010 as a Bingo Verifying Diva.

Other happenings include Philly Pride on June 10, Disability Pride on June 16, our annual Summer Movie Party in July and Outfest on Oct. 14.

And of course don’t forget the

fifth incarnation of Boo! on Oct. 26, a hugely anticipated event that has earned a spot of high honor among Philadelphia’s Halloween parties.

Aaron Skrypski, the newly elected president of our board of directors, also is hard at work planning a happening through his employer. Aaron, an attorney, works for Aramark, the international food services, facilities and uniform services provider that is based in Philadelphia.

The company has a very active LGBTQ group, Aramark Pride, which will sponsor an event at the Pyramid Club, 1735 Market St., Philadelphia, on June 21.

While 30 years is an impressive run, Aaron said there is one thing foremost in his mind.

“What I find meaningful is the overwhelming number of clients we have served,” Aaron said. “I hope we can continue to serve our community for another 30 years if necessary.”

Go to www.aidslawpa.org or follow us on Facebook to learn more about our 30th Anniversary happenings.

ABOUT US

WHAT WE DO

The AIDS Law Project of Pennsylvania is a non-profit, public-interest law firm. We publish Good Counsel semiannually for our friends, volunteers and colleagues committed to protecting the rights of people with HIV/AIDS. Last year, we worked on 6,839 legal issues, nearly all from people with HIV/AIDS. We help people navigate the legal system, the welfare system, the housing system, and the worlds of public and private insurance. We provide education and training to professionals who work with people with HIV/AIDS.

WHO WE ARE

BOARD OF DIRECTORS

Aaron Skrypski, Esq. *President*
Bryn L. Michaels, Esq. *Secretary*
Avi Eden, Esq. *Treasurer*

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STAFF

Ronda B. Goldfein, Esq. *Executive Director*
Yolanda French Lollis, Esq. *Managing Attorney*
Juan M. Baez, Esq. *Deputy Managing Attorney*
Charlotte Hollander, Esq. *Senior Staff Attorney*

Jacob M. Eden, Esq. *Scriabin Rimerman, CPA*
Messapotamia Lefae *Maggie Schepcaro*
Adrian M. Lowe, Esq. *Arlene Vasquez*
John C. Marrero *Jeni Wright, Esq.*

Sarah Schalman-Bergen, Esq. *Of Counsel*
Blair C. Dickerson, J.D. *Volunteer Attorney*

Mark Spencer *Editor/Writer*
Paul Spencer *Newsletter Designer*

WHERE WE ARE

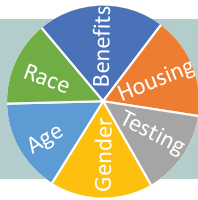
1211 Chestnut Street, Suite 600, Philadelphia, PA 19107
709 Haddonfield-Berlin Road, Voorhees, NJ 08043
Telephone: 215-587-9377 Fax: 215-587-9902

On the web: www.aidslawpa.org
On Facebook: [AIDS Law Project of Pennsylvania](https://www.facebook.com/AIDSLawProjectofPennsylvania)
On Twitter: [@AIDSLawPa](https://twitter.com/AIDSLawPa)

HOW TO HELP

Remember us at workplace giving time. When you donor-designate in your workplace giving campaign, remember your neighbors served by the AIDS Law Project of Pennsylvania.

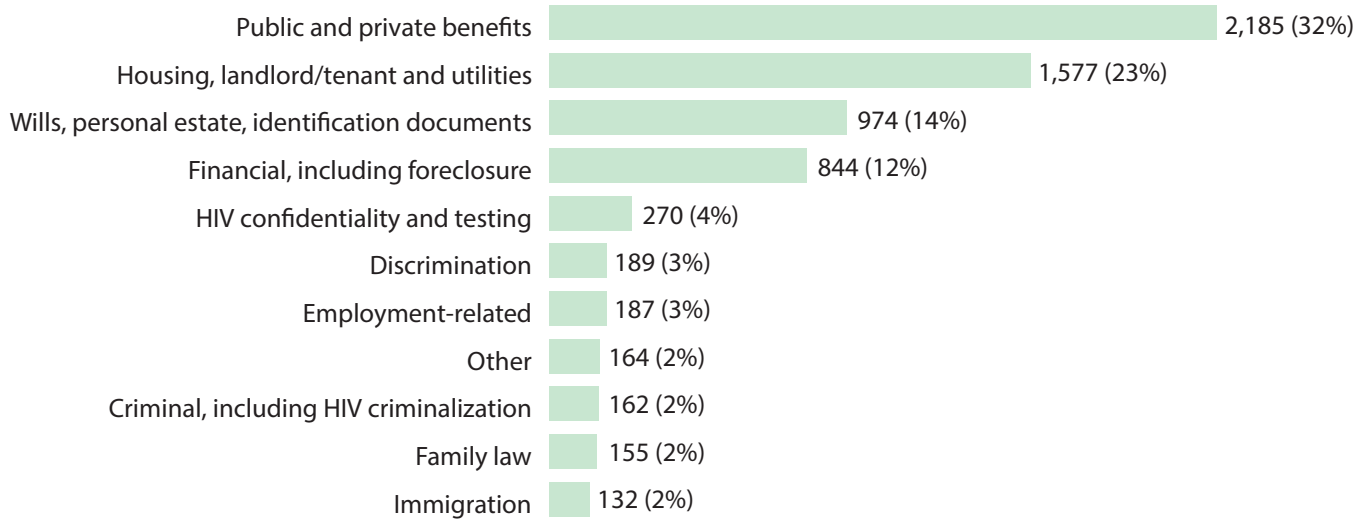
United Way of SE PA: Specific Care Option #09067
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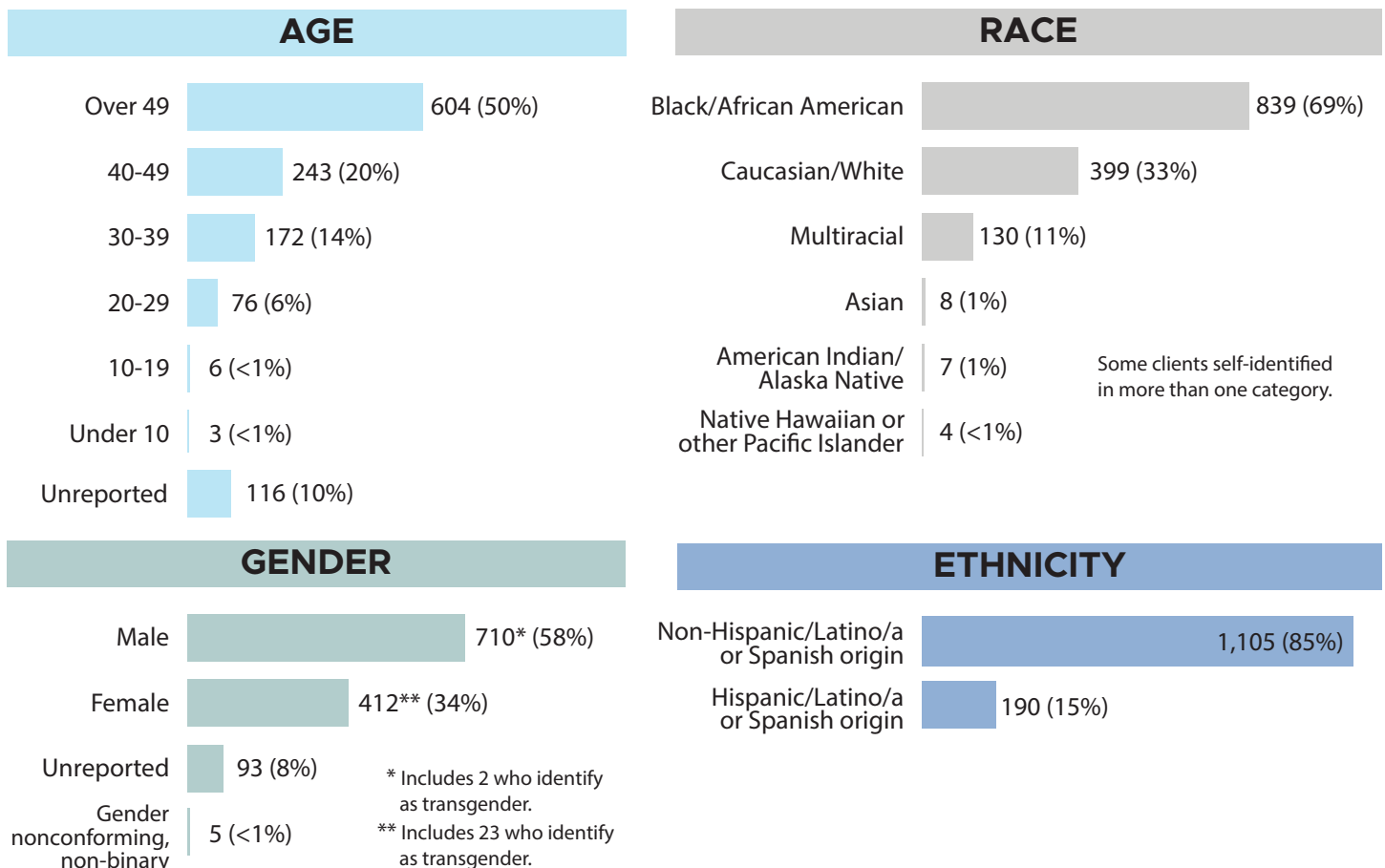
LEGAL SERVICES IN 2017

Last year, 1,220 people contacted the AIDS Law Project of Pennsylvania and its program, the AIDS Law Project of Southern New Jersey, seeking assistance on a total of 6,839 legal issues. Nearly all requests came from people living with HIV and AIDS. The following charts provide additional information on the types of legal issues we worked on and the clients who requested assistance.

Legal Issues Worked On by Type



Clients by Age, Gender, Race and Ethnicity



INSIDE THE AIDS LAW PROJECT



Meet the New Board President

Aaron Skrypski has been elected president of our board of directors. He was previously vice president of the board and succeeds **Joann Leszczynsky**, who served with distinction for many years.

Aaron's association with the AIDS Law Project dates back to his days as a summer legal intern for us in 2007. He received his J.D., cum laude, from Cornell Law School in 2008.

He is associate vice president and assistant general counsel at Philadelphia-based Aramark, where he manages all aspects of the legal representation for Aramark's higher education line business.

He is admitted to practice in Pennsylvania and before the U.S. District Court for the Eastern District of Pennsylvania.

We are pleased that we will continue to benefit from Joann's insights as she stays on the board of directors.

Conference Offers Chance To Share Ideas

Three staff members of the AIDS Law Project staff participated in the HIV Law & Practice Conference held Feb. 22 and 23 in New Orleans.

The event, sponsored by the American Bar Association AIDS Coordinating Committee, is held biannually and brings together HIV law practitioners and policy advocates to examine cutting-edge issues, share practice strategies, and build bonds as advocates.

Ronda B. Goldfein, executive director of the AIDS Law Project, was honored as one of five people to receive the Alexander D. Forger Award for Excellence in HIV Legal Services and Advocacy.

The AIDS Law Project as an organization received the award in 2014.

Ronda also was on a panel that discussed HIV privacy and discrimination.

Staff Attorney **Jeni Wright** was on a panel that addressed housing discrimination and legal measures to fight it.

"It was great to connect with other housing advocates from around the country and hear how they help their clients secure safe and affordable housing," Jeni said.

Staff Attorney **Jacob M. Eden** participated in a panel discussion on HIV and medical-legal partnerships.



Ronda B. Goldfein, right



Jeni Wright, left



Jacob M. Eden, right

BRIEFLY NOTED

John C. Marrero has joined the AIDS Law Project as a housing paralegal and the Prevention Point liaison. John grew up in New Jersey and recently moved



to the Philadelphia area. He worked for the AIDS Activities Coordinating Office of the Philadelphia Department of Health, continuing work he did for the North Jersey Community Research Initiative and the

National HIV Behavioral Surveillance project. He speaks English and Spanish, and loves to cook and travel.

FAREWELL: **Jade E. McKnight** has left the AIDS Law Project to work for Health Federation of Philadelphia on a city-wide Hepatitis C elimination project. She will be based at Prevention Point, where she previously acted as a liaison for the AIDS Law Project. We thank her for her fine work and wish her well in her new endeavor.

THANK YOU: Intern **Caroline McDonough** assisted with intake and helped clients on a range of issues including housing, discrimination, estate document execution, debt negotiations, and disability appeal. Caroline also did legal research on issues our clients face as people living with HIV and assisted in the preparation of medical and estate planning documents. She is a third-year student at Drexel University, Thomas R. Kline School of Law.

THANK YOU: Former intern **Alex Grayson** helped the AIDS Law Project increase its exposure on the internet by creating and posting a Wikipedia page for the organization. The entry spreads the word about the AIDS Law Project with sections on its background, history, significant cases and awards and honors.

AWARDED: The AIDS Law Project and the From All Walks of Life Committee were recently honored with the AIDS Fund's Founders' Award at Black-Tie GayBINGO. The From All Walks of Life Fund supports the most vulnerable people living with HIV through financial assistance grants during times of crisis.

THE AIDS LAW PROJECT AT WORK

Birth Certificates, IDs Open Doors

The AIDS Law Project has partnered with Prevention Point Philadelphia since 2015, holding twice-weekly office hours at its headquarters in Philadelphia's Kensington neighborhood, where clients can get free legal help with a variety of issues.

Prevention Point is Philadelphia's only legal syringe exchange. It serves a population that can be difficult to reach and is dedicated to reducing the harm associated with substance use and sex industry work, such as HIV, by promoting health, empowerment and safety.

One of our initiatives at Prevention Point may seem mundane to some, but is a crucial step to helping people rebuild their lives. Clients without birth certificates can't get government

issued identification.

John Marrero, an AIDS Law Project paralegal, said that without identification people often can't get medication-assisted substance abuse treatment, apply for benefits or even get a job.

From July 1, 2016 to June 30, 2017 we worked on 111 intakes for 105 clients. Of those clients, 67 of them needed identification documents.

Getting a birth certificate can take up to six weeks. The AIDS Law Project is trying to streamline the process by doing things such as hand-delivering applications, when possible rather than submitting them by mail.

"Once clients get a birth certificate and identification, other doors open for them," John said.

Aetna

Continued from Page 1

The AIDS Law Project of Pennsylvania, the **Legal Action Center** and **Berger & Montague, P.C.** filed the lawsuit in August 2017. The plaintiffs included people taking medication to treat HIV as well as people who, like Beckett, take PrEP, a pre-exposure prophylactic that prevents HIV.

"HIV still has a negative stigma associated with it, and I am pleased that this encouraging agreement with Aetna shows that HIV-related information warrants special care," Beckett said.

Aetna improperly sent to its legal counsel and a mail vendor the names of 13,487 customers who had been prescribed HIV medications, papers filed in support of the settlement allege. Of those, 11,875 people received the

large-windowed envelopes revealing confidential HIV-related information, according to the papers.

Aetna has agreed to pay \$17,161,200 to resolve the claims. All Settlement Class Members will automatically receive a Base Payment of either \$75 to those whose health information was allegedly improperly disclosed by Aetna to its legal counsel and mail vendor, or at least \$500 (inclusive of the \$75 payment above) to those who received the large-windowed envelope.

Plaintiffs in the lawsuit also may seek additional monetary relief of up to \$20,000 by documenting financial or non-financial harm.

The settlement includes the implementation by Aetna of a new "best practices" policy to prevent similar incidents from occurring in the future, and provides for attorneys' fees and expenses.

Taxi

Continued from Page 3

"The AIDS Law Project represented Mark because we believe fighting discrimination in the LGBT community is essential to protecting the rights of people living with HIV," Ronda said.

The commission ordered the company to instruct its drivers not to discriminate, educate its employees and drivers on the Fair Practices

Ordinance, pay attorney's fees and pay Mark \$500.

In appreciation of the work of the AIDS Law Project, in April Mark sponsored a GoFundMe drive on behalf of the organization.

In his appeal to his family and friends, Mark said "These hardworking social justice seekers will fight for as long as it takes to right the wrongs of discrimination and they need our contributions to carry on."

TRAINING IN 2017

The AIDS Law Project offered many opportunities to learn about AIDS and the law in 2017. Here's a snapshot.

Who Attended

245 community members
100 undergraduate students
115 HIV test counselors
67 health care providers
80 law students
40 case managers
25 webinar participants

Off-site Locations

Drexel University Thomas R. Kline School of Law
Pennsylvania Convention Center
Temple University
Temple University Beasley School of Law
Bethlehem, Harrisburg, Lehigh Valley and State College, PA
San Diego, CA
Webinar

Most-Requested Topics

AIDS Law Project legal services
Discrimination
HIV confidentiality
HIV criminalization
HIV-related legal issues
Prison and HIV
Public benefits

Sponsors

AIDS Education Training Center
AIDS Activities Coordinating Office, Philadelphia Department of Health
AIDS Net
ASC at St. Luke's Hospital
Bethlehem Health Bureau
Beyond the Walls Prison Healthcare and Reentry Summit, Philadelphia
FIGHT
COMHAR
Drexel University Thomas R. Kline School of Law
Faith Leaders and Community Summit, Philadelphia
FIGHT
Latino AIDS Commission
Lehigh Valley Health Network
LGBT Center of Central Pennsylvania
MidAtlantic AIDS Education and Training Center
Novus
Temple University
Temple University Beasley School of Law
The Health Federation of Philadelphia
ViiV Healthcare



OUR FUNDERS AND DONORS

Gifts received October 1, 2017 through March 31, 2018

Major Funders, Grants and Contracts

The Barra Foundation
 Broadway Cares/Equity Fights AIDS
 Center for Health Law Policy and Innovation of Harvard University
 Health Federation of Philadelphia
 Independence Foundation
 MAC AIDS Fund
 New Jersey Interest on Lawyers' Trust Accounts (IOLTA)
 Pennsylvania Interest on Lawyers' Trust Accounts (IOLTA)
 Philadelphia Bar Foundation
 Philadelphia Department of Public Health, AIDS Activities Coordinating Office (AACO)
 The Philadelphia Foundation
 Philly AIDS Thrift Prevention Point Philadelphia

Gifts of \$10,000 or more

Kline & Specter

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Stephen Carlino & Dennis Fee
 Avi Eden

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 Pew Charitable Trusts
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 United Way of SEPA
 United Way of Tri-State

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 Ronda B. Goldfein
 Christopher Huhn
 Christina Kallas
 Matthew Kristinus
 Karen Ryzinski

Gifts were made in memory of:

Ed Bomba
 Vincent Dulin
 Robert Franco
 Robert Hanrahan
 Bernice Kosansky
 Jonathan Lax
 John David Morgan
 Alice Marie Odon

Gifts in Kind

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 Evan Thornburg
 RJ Thornburg
 Sean Cassidy
 Warren Muller
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 Brian Sanders' JUNK
 Brian Sanders
 Jessica Daley
 Julia Higdon
 Teddy Fatscher
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 Gregory Montagnino
 Heath Allen
 Irene Silver from Party Rental, Ltd.
 Jeannie Brooks
 Jonathan Agudelo
 Kartik Zutshi Photography
 Lucha Cartel
 Lynn Buono & Skip Schwartzman of Feast Your Eyes
 Michelle Leff of 12th Street Catering
 Miss Finesse Ross
 Moore Brothers Wine Co.
 National Mechanics
 Original XIII Ciderworks
 Patsy Ratchett
 Sonja Bontrager
 Steven McManus
 The Tot Cart
 Tony Violence
 Victory Brewing Company
 Whipped Bakeshop