



Law Project of Pennsylvania

a non-profit, public interest law firm

## **Transgender woman living with HIV sues Philadelphia pharmacy for breach of privacy**

For immediate release

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With World AIDS Day just around the corner, the AIDS Law Project of Pennsylvania filed a lawsuit today (Nov. 25, 2019) on behalf of a transgender woman whose pharmacy exposed her HIV status and gender history to her neighbors.

As a result, she became the subject of gossip and wants to move because she no longer feels comfortable or secure in her home.

The Delaware county woman was horrified when she got home from work on Nov. 27, 2018 and saw her prescription medications from SunRay Drugs pharmacy in her apartment building's mail area. SunRay describes itself as the largest independent pharmacy organization in Philadelphia.

The pharmacy had previously left her prescriptions in brown paper bags with her name, that did not identify the sender or contents. This time they were in a white SunRay Drugs bag that clearly identified her and the medications she takes to treat HIV and as part of her gender transition regimen.

The woman had lived happily in the building for five years, but that soon changed. Neighbors who were once warm and friendly grew distant. On one occasion she overheard several neighbors in the laundry room talking about "the drag queen with AIDS." The conversation she could hear from the hallway stopped immediately when she entered the room.

In an apartment complex where she once often socialized with her neighbors, she now goes to great lengths to avoid them. The suit says she has suffered damages, including embarrassment, humiliation, frustration, anxiety, emotional distress, fear, and loss of social support.

The lawsuit, filed in the Court of Common Pleas of Philadelphia County, claims SunRay violated the woman's privacy rights and Pennsylvania's Confidentiality of HIV-Related Information Act. It seeks actual and compensatory damages.

In a related filing, the woman seeks the court's permission to pursue her claim as Jane Doe.

Adrian M. Lowe, a staff attorney at the AIDS Law Project, said some people simply would not pursue a claim if their identities were revealed in a lawsuit.

"Sadly, stigma, discrimination, and their devastating consequences still exist," he said. "For some people, the desire to protect their privacy can outweigh their desire for justice."

Jane Doe is represented by Ronda B. Goldfein and Adrian M. Lowe of the AIDS Law Project of Pennsylvania and John J. Grogan of Langer, Grogan & Diver P.C.

*World AIDS Day had been observed on Dec. 1 every year since 1988. The theme of this year's observance is "Communities make the difference."*

*The AIDS Law Project of Pennsylvania is a nonprofit, public-interest law firm providing free legal services to people living with HIV since 1988.*

*Langer, Grogan & Diver P.C. is a Philadelphia-based complex commercial litigation boutique law firm.*