

March 21, 1989

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copy*

Dear Dr. Bob,

I just read your article in the SGN about the importance of knowing one's serostatus. I have been wanting to be tested for a while, but my big fear is insurance. I am currently not covered by a medical plan. With all the stories of insurance companies' persecution and avoidance of people with AIDS, I've found myself paralyzed -- I really fear having any indication of my being gay on any medical / insurance forms, thinking that if at any point I developed AIDS I would be dropped as a policy holder. I am self-employed, so I don't have access to a group plan through work. Are there any insurance companies to be trusted?

I really would appreciate any help and/or referrals you could give me.

Thank you,

Concerned

March 22, 1989

Dear Concerned,

I'm glad that you're concerned about your health and are considering the value of testing for HIV antibodies with appropriate counseling. Knowing your test results can be important to your health care. As I've pointed out in this column before, deciding to be tested is a serious and complicated personal decision. That's why it is so important to seek testing only in places where knowledgeable counseling is also provided, such as the AIDS Prevention Project or the Seattle Gay Clinic.

You are wise to consider the effects of testing on insurance eligibility and medical records before deciding to be tested. I'm not an expert on insurance, so I've had an insurance agent from the community who is familiar with these issues review the following comments for accuracy.

The general rule with insurance: Buy it before you need it; with medical insurance, buy it before you are tested. If you have been tested and are positive, do not despair. A special medical insurance program is available to Washington state residents who do not qualify for standard medical insurance (more about that later).

If you work for a large employer (usually 15 or more employees) that provides medical insurance as an employee benefit, you should not have any problem; just sign up. The enrollment form may ask for your birthdate, gender, social security number, and a question about smoking and alcohol consumption. Beyond that, it should be a routine process without health questions. One caution: practically every medical policy restricts coverage for pre-existing medical conditions for six to twelve months (each plan is unique) after which full coverage applies.

Small groups (usually fewer than 15 employees) and all individual medical plans will ask new applicants to complete a health statement and questionnaire. All forms include at least one AIDS-related question.

Read every question carefully. Give only the information requested. Do not volunteer information. If you do not understand the question, ask for clarification. Be truthful.

Is HIV testing required as part of a medical insurance application? Most medical insurance companies in Washington do not test (remember we are talking medical insurance here, not life or disability insurance for which different rules

may apply). The medical insurer will rely on the information you furnish on the application. If you encounter an exception to this, apply to another company.

A suggestion: use the resources of our community for help. Talk with an insurance agent listed in the GSBA Guide. A community based insurance agent will be sensitive to you and your needs. The agent understands the system. He cannot change the rules, but he will help you through the hurdles.

My agent friends want you to be aware of one point before you make the first call. An agent is legally bound to disclose any relevant information you provide to the insurance company. Circumvent this problem by making two phone calls to the agent. In the first, use your first name only. Ask all your questions and respond truthfully to the agent's questions (remember, he wants to help you). Make a second call to order an application at which point you can give your full name, address and whatever else is required.

What if you test positive? For Washington state residents--Good News! Medical insurance is available through the Washington State Health Insurance Pool (WSHIP). This plan provides medical insurance to individuals who are unable to obtain insurance from a standard insurance company. You must first apply to a standard insurer, obtain a declination letter, then apply to WSHIP. Like all insurance policies, this plan has a waiting period for pre-existing conditions - six months. The sooner you begin the application process, the sooner you will be eligible for benefits. This plan is for people with health problems, but the premium cannot exceed 150% of the standard premium for healthy persons. Once you meet the requirements, the policy is guaranteed to be issued. You cannot be declined for medical reasons and the policy cannot be cancelled for medical reasons.

If you decide to have an HIV test before you buy medical insurance, you can protect your privacy by testing anonymously. When you test anonymously, the clinic will not ask for your name. Instead, they will use a special code to identify you and your blood specimen. Anonymous testing and counseling is available at all health department clinics (including the AIDS Prevention Project), at the Seattle Gay Clinic, and at some private clinics. However, if you have had an HIV test done anonymously, it would be untruthful if later you denied that fact on an application for insurance. A false statement on an application can invalidate the policy. But remember: (1) large group health insurance policies do not generally ask about your medical history or HIV testing, and (2) truly anonymous testing does not involve any records with your real name. Since individuals who test positive can obtain insurance through the

Washington State Health Insurance Pool, making a false statement appears to entail unnecessary risk.

As for medical records, it is important that your doctor know if you are at risk for HIV infection, and especially if you have tested HIV positive. That information can affect many health care decisions about the best medicines and follow-up for you. Your doctor has an ethical and legal obligation to keep a record of that kind of important information. If you ask, some doctors are willing to take special confidentiality measures with information about your sexual orientation and HIV test results.

In general, once you are insured, your medical insurance company has access to your complete medical record in order to determine claims. Depending on the provisions of your policy, the insurance company may limit the amount that will be paid for expenses related to any conditions (including HIV infection) that were present before you applied (the pre-existing condition limitation discussed earlier). However, once you are insured, the company will generally pay for treating conditions that show up after you bought the policy. This is another good reason for buying medical insurance as early as possible, but especially before testing for HIV.

All policies are different when it comes to these issues, so it's important to shop around. Write a list of your concerns and use our community's insurance resources for help.

So, to summarize:

- 1) Buy medical insurance as early as you can, certainly before testing.
- 2) Consider testing anonymously.
- 3) Use the insurance resources within the community for help
- 4) Tell your health care provider about your risks for HIV infection, and discuss confidentiality of medical records
- 5) Even if you test positive, you can get health insurance through the Washington State Health Insurance Pool, but it will cost more.

Remember: you do have options, and you can take care of both your health needs and your medical insurance needs.

Yours truly,

Dr. Bob