

**TIME OF YOUR LIFE HOLIDAY!**

**THAILAND**

Round trip air, fully-escorted, 14 nite tourist class hotel, all transfers, some meals and drinks. \$2165 ppdo  
17 departure dates to choose from.

**HAPPY HOLIDAYS TO ALL!**

Thanks to everyone for making 1990 a successful year for me. I have attempted to give our community and their friends quality products at bargain prices and will continue to do so in 1991. Please enjoy this holiday season and remember Norm and Premier Travel for all your travel needs.

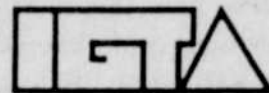
**Still RSVP Cruise space!**



656-4881  
1-800-255-5387

**Call Norm Nevers**  
travel consultant

INTERNATIONAL GAY TRAVEL ASSOCIATION



# Insurance and AIDS: what you need to know

*First of a two-part series discussing legal and practical problems in getting, keeping and collecting on insurance policies for people with HIV concerns.*

**I**f you become infected with the HIV virus, the plans and decisions you have made regarding your insurance coverage may be the most important factor in determining the level and quality of medical care you receive.

Whether you have excellent, fair, or no health insurance will have a lot to do with the amount and quality of health care you receive, and may determine whether or not you can receive the emerging (and quite expensive) drug treatments for AIDS.

Whether or not you have disability insurance, and the definitions in your policy, will determine the extent to which your income is protected during periods of AIDS-related disability.

Whether you have life insurance or mortgage insurance will effect the extent to which your surviving loved ones are provided for, including whether the balance on the house mortgage is paid off at your death.

Of course, insurance companies are afraid of the rapidly-rising costs of AIDS-related claims. At the same time you are trying to arrange your affairs to provide maximum insurance protection, the insurance companies are doing everything they can within the law (and sometimes outside the law) to limit their losses on AIDS claims.

An old adage in the insurance industry is that "you don't insure a building when it's on fire." The insurance companies believe that persons with HIV and, often, people who are members of groups at a high risk for HIV infection, are "on fire." If a company can decline coverage to such individuals, they reason, their claims will be less and their profits will be more.

Most insurance in this country is a voluntary contract between the insured and the insurance company. As such, insurance companies are often free to refuse to contract with people whom they consider to be "poor risks," or, to charge poor risks substantially higher premiums. Thus, insurance companies love to acquire and analyze information about you, to decide whether you are a good, fair or poor "risk." Some of this activity by insurers makes sense. For example, a 60-

year-old male who is overweight, a smoker, has high blood pressure and a previous heart attack is going to pay dearly for life insurance, if he can obtain it at all.

But problems exist when insurance companies, in their panic over AIDS claims expenses, use information about a group of people, rather than the individual, to deny coverage. Examples of insurance company abuses abound. An extensive Aug. 7, 1989 article in the *New York Times* catalogs the following list of insurance company abuses:

- One insurance company was found to be rejecting *all* insurance applications from San Francisco, the perceived AIDS capital of the United States.
- Denying coverage to single men, or men with jobs stereotypically associated with gay and bisexual men, such as hair dressing, designing, restaurant work and the like.
- Refusing to issue policies to single persons living within certain zip codes, believed to be centers of gay domestic life.
- Limiting health insurance benefits to \$10,000 for each AIDS case, while allowing up to \$1,000,000 for cancer, heart disease and other life-threatening illnesses.
- Asking insurance applicants about their sexual orientation, even though that violates the National Association of Insurance Commissioners Code of Ethics.
- Requiring single men without dependents, whose jobs did not entail physical exertion, to fill out a special questionnaire. Among the types of men subjected to the questionnaire were florists, interior decorators, antique dealers, jewelers, fashion workers, hair dressers and restaurant employees. (The National Gay Rights Advocates challenged that practice, noting that among the sedentary occupations not on the list was insurance underwriters.)
- Denying life insurance to individuals who designate an unrelated person as the beneficiary, apparently on the theory that this is a tip-off to a homosexual relationship.
- Canceling health insurance policies when AIDS-related claims are made, or HIV testing shows up in the medical records.
- Canceling the health insurance policies of an entire group, because one or more of the members of the group have AIDS-related claims.

• Canceling a group life insurance policy of a group thought to harbor persons at high HIV risks, such as hair salons, art groups and fashion design firms.

Many battles have been and are being fought between local and national gay rights and AIDS activist groups and the insurance companies over these practices. While our side has achieved some victories in individual cases, and developed some helpful regulations, all too often the incredibly powerful insurance industry gets its way. As one example, in every state except California, insurance companies fought for and won the legal right to test all applicants for individual health policies for AIDS. Of course, those who are found to be infected are routinely rejected, and coverage is refused. For health insurance, the obvious solution is group coverage, if that is available to you. However, even group coverage can have some problems, which will be discussed in more detail in the second article in this series.

If an insurance company has the right to require you to take an AIDS test, and that test is positive, you can be certain that you will not get coverage. If the insurance company does not have the right to make you take an HIV test, they can still use any tests you have taken to deny you coverage. Some insurance companies will even use the fact that you took an HIV test, even if the result was negative, to deny you coverage. Insurance companies share massive amounts of medical information about us through central information bureaus. It is fairly certain that an HIV test in your medical records will be spotted by an insurance company with the right to inspect your records. Therefore, sound practical advice regarding HIV testing is this: unless you and your doctor determine it is medically necessary for you to take an HIV test, you should not have an HIV test through your regular medical doctor. If you do, it is there in your medical chart, forever. Even so-called "confidential" testing results are not necessarily protected. The safest type of HIV test is *anonymous* testing. This is the testing usually offered by public health departments. In such a test, your name is never taken down. You are assigned a number, so that you can later obtain your test results.

If you must have an HIV test, but not because you are sick and your doctor needs the test results, you should definitely take advantage of the anonymous HIV testing programs. Failure to do so can have serious and irreversible consequences for your insurance status. According to Benjamin Schatz, a lawyer for the National Gay Rights Advocates, "The irony is that in seeking the test for its medical advantages, you may end up losing access to health care. It's almost like people need a Miranda warning that it can and will be used against you."

The second article in this series will discuss particular concerns of obtaining, keeping and collecting on health, disability and life insurance policies.

*The author is an attorney in private practice, and maintains his office in the Crown Plaza Building in downtown Portland.*

**CHARGE WITH PRIDE!**



**THE PRIDE FOUNDATION**

**INTRODUCING THE PRIDE FOUNDATION BANK CARD.**

TO ORDER CALL:

1-(800) 735-7287

OR WRITE: THE PRIDE FOUNDATION,  
1535 11TH AVE., SUITE 202,  
SEATTLE, WA 98122

**BLUESTONE & HOCKLEY**



For all your commercial leasing, sales, and management needs

**call Dick Levy**

Senior Sales Associate

**222-3807**

A proud member of Portland's gay community for more than 20 years.

4445 S.W. Barbur Blvd., Portland, Oregon 97201  
Res. 281-9507

**escential**

• 710 NW 23rd Ave 248-9748

• 3638 SE Hawthorne Blvd 236-7976



**GREAT GIFT IDEAS UNDER \$10**  
Over 120 Fragrances

Custom-scented Lotions and Oils, Bubble Bath & Body Shampoo  
Soaps, Cards, Gift Bags, Wrap . . . and More