



**MEMORANDUM IN SUPPORT  
A8534 (Simone)**

Gay Men's Health Crisis, Inc. (GMHC), the world's first and leading provider of HIV and AIDS prevention, care, and advocacy, strongly supports the passage of A8534 (Simone): the New York State Equal Insurance Act 2.0. This bill builds upon previous progress by expanding insurance protections to prohibit discrimination against individuals who have tested positive for HIV in underwriting decisions for life, accident, or health insurance coverage.

Despite major advances in HIV prevention and treatment, discriminatory insurance practices continue to threaten the well-being and financial security of people living with HIV. An individual with HIV who is adherent to effective antiretroviral therapy (ART) can live a long, healthy life with a concurrent inability to sexually transmit the virus to others—a heavily-researched fact endorsed by the Centers for Disease Control and Prevention (CDC).<sup>1</sup> However, people living with HIV still face denials of life or disability insurance coverage solely based on their diagnosis, even when their health outcomes are equivalent to individuals without HIV.<sup>2</sup>

In 2018, the New York State Department of Financial Services (DFS) issued Circular Letter No. 8, directing insurers not to unfairly discriminate against applicants based on the use of HIV prevention strategies such as PrEP<sup>3</sup>; in 2024, the Legislature passed and enacted A8834 (Weprin)/S8144A (Breslin), codifying those protections for individuals prescribed PrEP. The Equal Insurance Act 2.0 continues this trajectory by affirming the rights of people living with HIV to be evaluated for insurance based on individual medical risk—not outdated stigma or bias.

As an organization serving LGBTQIA+ and HIV/AIDS-affected populations, GMHC recognizes the necessity of equal insurance access for long-term physical and financial health. Discrimination in insurance coverage endangers lives while reinforcing the harmful notion that individuals with HIV are less deserving of financial protection. This bill will help dismantle systemic barriers to equity and move New York closer to ending the HIV epidemic. As such, GMHC strongly supports and recommends the passage of A8534 (Simone) to further equal insurance for all New Yorkers.

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<sup>1</sup> Centers for Disease Control and Prevention. (2021, December). *HIV treatment as prevention*. U.S. Department of Health and Human Services. <https://www.cdc.gov/hiv/risk/art/index.html>

<sup>2</sup> Killelea, A., et al. (2021, June 17). *The PrEP access landscape in the United States: Addressing cost barriers and promoting equity*. Health Affairs Forefront. <https://www.healthaffairs.org/doi/10.1377/forefront.20210617.681049/>

<sup>3</sup> New York State Department of Financial Services. (2018). *Circular Letter No. 8 (2018): Guidance regarding the use of HIV prevention strategies in underwriting for life, disability income, and long-term care insurance*. [https://www.dfs.ny.gov/industry\\_guidance/circular\\_letters/cl2018\\_08](https://www.dfs.ny.gov/industry_guidance/circular_letters/cl2018_08)