

KNOW YOUR RIGHTS: HIV & COVID-19

Updated: April 27, 2020

DOES MY HIV DIAGNOSIS MEAN I AM MORE LIKELY TO GET COVID-19?

No. Based on what we know right now, an HIV diagnosis by itself does not increase your risk of getting COVID-19! If you have a suppressed viral load and normal CD4 count it is unlikely your HIV increase your risk at all.²

BUT people who have a weakened immune system – a non-suppressed viral load and CD4 count below 200 – may be at an increased risk.³

AND, all people living with HIV should take the same precautions everyone is taking right now in order to protect themselves and others, including others living with HIV who may have a compromised immune system.

IF I HAVE HIV AND GET COVID-19, WILL IT BE WORSE FOR ME?

There is no data that people with a suppressed viral load and normal CD4 count are at greater risk of severe COVID-19.

BUT, there are still unanswered questions about COVID-19 because it is so new. People with non-suppressed viral load and CD4 count below 200 may be at greater risk of complications and should take extra care of themselves.

If you are experiencing symptoms, talk to a doctor. If you were recently diagnosed with COVID-19, be sure to follow your doctor's instructions. In either case, keep taking your HIV meds. And remember that over 98% of people recover from COVID-19.⁴ Call upon your support network to help ensure you are one of them.

I'VE HEARD THERE AREN'T ENOUGH VENTILATORS FOR PEOPLE WHO NEED THEM. WILL MY HIV DIAGNOSIS AFFECT WHETHER I WILL GET THE CARE I NEED?

No, having HIV should not affect whether you get medical care, even if there are not enough ventilators for everyone who needs one. Federal law prohibits doctors from denying care to people just because they have HIV.

BUT, if you think you have been or might be denied care because of your HIV, let us know. That is disability discrimination, and we can help you. Ask someone to reach out to Lambda Legal by visiting lambdalegal.org/helpdesk.

HOW CAN I MAKE SURE I GET THE CARE I NEED IF I GO TO THE HOSPITAL FOR COVID-19?

Make sure friends and family members – preferably people who know you are living with HIV – know where you are going. Designate at least one person to call you and the hospital regularly to check on your status.

If you are in a “hotspot” where you know resources are limited, you should ask how close the hospital is to rationing ventilators. If they don't have enough to go around, be sure to tell the doctors and nurses that you know your rights that your HIV status should not affect their decisions when rationing care.

If you think you might not get the care you need because of rationing, ask someone to contact Lambda Legal at lambdalegal.org/helpdesk. Lambda attorneys will help find out if you are getting the care you need and could potentially go to court to protect you if necessary.

WE'RE HERE TO HELP.

We hope rationing of care never takes place in the United States – and many people are working to prevent it. But if it does, we are here to make sure rationing decisions don't discriminate against people living with HIV.

These are scary times, and we don't want to make them any scarier – but knowing your rights might save your life. Lambda Legal and The AIDS Institute are here to help everyone living with HIV.

1. Dept. of Health and Human Services, *Interim Guidance for COVID-19 and Persons with HIV*, available at <https://bit.ly/2yjjXMU> (last updated March 20, 2020).
2. *Id.*
3. *Id.*
4. The fatality rate is uncertain, but the World Health Organization (WHO) estimated that 3.4% of reported cases of COVID-19 had resulted in death. World Health Organization, *WHO Director-General's Opening Remarks at the Media Briefing on COVID-19 (March 3, 2020)*, available at <https://bit.ly/2yhshMm>.