



Caps Are On

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A federal appeals panel ruled in May that when it comes to HIV-related medical costs, insurance companies are within their rights to limit coverage. While an earlier ruling found that the practice violated the Americans With Disabilities Act, the panel interpreted the ADA as prohibiting businesses from excluding people with disabilities—but not from offering them inferior services.

The issue came to the fore last year when two Chicago men with HIV sued insurance giant Mutual of Omaha for limiting their coverage to \$25,000 and \$100,000 respectively, compared to million-dollar caps on other illnesses. Mutual admitted that there is no cost justification for the limits, and the latest ruling has infuriated AIDS advocates.

“It gives the insurance industry license to cap any health problem it chooses, regardless of the real costs of care,” said Ann Fisher of the AIDS Legal Council of Chicago. Representing the men, LAMBDA Legal Defense Fund indicated that the next stop may be the Supreme Court.

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