Aetna to Pay $17M Because It Mailed Envelopes Revealing HIV Info

Many of the 12,000 clients reported significant harm—including vandalism and the loss of a home.

January 18, 2018 By Trent Straube

The insurer Aetna Inc. reached a $17 million settlement in a federal class action lawsuit involving a breach of HIV privacy. The lawsuit was filed in August 2017, after the company mailed nearly 12,000 letters last July in which clients' HIV status was visible in the large windows of the envelopes.

Those involved in the class action case will receive a base payment of either $75 or $500 and may seek additional money, according to a press release posted by The AIDS Law Project of Pennsylvania, a nonprofit firm working on the case along with the Legal Action Center and Berger & Montague, PC.

Because of that breach of privacy, some clients suffered serious consequences, Ronda B. Goldfein, of the AIDS Law Project, told CNN. "One woman had to leave her home after a relative moved out, and she could no longer afford the house without the benefit of the roommate's contribution," Goldfein said, adding that in another instance, "one person reported that after the word got out there was some homophobic vandalism to his home, and so he moved."

The Aetna case is thought to be the largest HIV data breach. It involved not just people living with HIV but individuals who were taking the HIV med Truvada as pre-exposure prophylaxis (PrEP, a daily pill to prevent getting HIV).

"HIV still has a negative stigma associated with it and I am pleased that this encouraging agreement with Aetna shows that HIV-related information warrants special care," said lead plaintiff Andrew Beckett in the press release. (His name is a pseudonym taken from the HIV-positive character played by Tom Hanks in the film Philadelphia.)

As part of the settlement, Aetna is adapting a new "best practices" policy to ensure privacy breaches don't happen again.

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