Penn. Coroner’s Medical Practice Sued for Alleged HIV Discrimination

December 3, 2014

A federal lawsuit alleges that the medical practice of Lancaster County, Pennsylvania, coroner Stephen Diamantoni, MD, refused to treat a patient and his family because the patient has HIV, Lancaster Online reports.

The AIDS Law Project of Pennsylvania filed the lawsuit on World AIDS Day, December 1, on behalf of the patient and his family. The case is referred to as “Husband, Wife and Daughter Jones.” Pseudonyms are used because the daughter is a minor whose identity is protected by law.

Diamantoni did not personally treat Jones. According to the lawsuit, the family moved to Lancaster County in 2013 and Jones was seen at the medical practice in June, July and August of that year but didn’t have blood drawn. During an October visit, the lawsuit alleges, Jones did have blood drawn. When he returned for results he was given a letter saying that the practice could no longer see him and his family because he “had left a large amount of blood all over the sink, walls and floor” of the office’s bathroom. The letter continued: “We feel since you are knowledgeable of your diagnosis that this behavior is inappropriate…this dismissal stands for all members of your family as well.”

“The law is clear: You can’t refuse to treat a person simply because he or she has a disability—in this case, HIV,” Sarah R. Schalman-Bergen, an attorney at Berger & Montague and co-counsel in this case, said in a press release.

The lawsuit maintains that Jones did not leave blood in the bathroom and that the story is a pretext for denying care to a person with HIV.

Diamantoni told the Lancaster Online that the allegations are without merit and that his practice has cared for HIV-positive people since it opened in 1985.

Visit the AIDS Law Project of Pennsylvania’s website to read the press release and a copy of the complaint.

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