U.S. District Judge's Anti-PrEP Ruling Is Unconscionable

"This ruling…underscores the need for the HIV community to play an active role in elections," states the CEO of AIDS United.

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A federal judge in Texas ruled today in favor of a lawsuit opposing the Affordable Care Act's mandate requiring health insurance companies to cover PrEP, claiming that it violates the plaintiff's religious rights.

Following the decision, Jesse Milan Jr., J.D., president and CEO of AIDS United, issued the following statement:

"United States District Judge Reed O'Connor's ruling today is an attack on the health and well-being of millions of Americans and places our efforts to end the HIV epidemic in the U.S. in jeopardy. The Affordable Care Act's preventative services requirement and the United States Preventive Services Task Force's recommendations around PrEP provision were designed to ensure that health insurance policies were driven by evidence-based best practice and public health, not prejudice and profit-seeking.

"PrEP provision is not a moral or religious issue, as the plaintiffs in Braidwood Management Inc., vs. Xavier Becerra have claimed. PrEP is a drug — and a life-saving one at that.

"Whether or not someone chooses to be on PrEP is a private health decision. Their ability to engage in care should not be jeopardized by anyone else's personal beliefs. Coming on the heels of the Supreme Court's destructive decision to overturn Roe v. Wade, this ruling is the latest in a frightening series of attacks on the bodily autonomy and health of the majority of Americans by a small minority with a flagrant agenda that is anti-science, homophobic, and misoynistic. This ruling, and the other reactionary court decisions in recent years, are not representative of the will of the people or of public health best practice, but increasingly of the religious beliefs and disparaging attitudes of regressive judges appointed to promote right wing causes and agendas. This must not continue.

"This ruling — and the possibility that the Supreme Court might ultimately agree with it — underscores the need for the HIV community to play an active role in elections. U.S. District Judge O'Connor and the justices on the Supreme Court that overturned Roe are there because the president nominates them, and senators approve them. With control of the Senate up for grabs

this November, and the next presidential election not far away, we must be vigilant and intentional about voting so the courts represent us and our constitutional views about our privacy, our health and our rights.”

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