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HEADLINE: Discrimination Born of Fear

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BODY:
In Virginia a man with AIDS is told to apply for food stamps through the mail. Nobody in the welfare office wants to sit down and talk with him. Television crews in New York and Washington refuse to film AIDS victims, and an Indiana judge had charges dropped against an alleged bicycle thief rather than expose the court and sheriff's personnel to a man with AIDS.

Such tales of fear and discrimination are common throughout the country as the AIDS epidemic grows and the hysteria and misconceptions that accompany the disease become more apparent.

"We have had cases where dying people were denied permission to have visitors in the hospital," says Timothy Sweeney, executive director of the Lambda Legal Defense Fund, a New York civil liberties organization that has published a legal guide to help people battle AIDS-related discrimination. "The housing and employment discrimination has already been clear," he says, citing firings of AIDS victims and denial of housing to members of AIDS risk groups.

As the number of reported AIDS cases mounts, numerous institutions -- including insurance companies, health organizations, funeral homes and police departments -- are considering new policies because of the disease.

The insurance industry has become particularly concerned about AIDS, primarily because most of its victims are young men -- who generally have a low mortality rate and are traditionally counted on to make few insurance claims -- and because the disease is ruinously expensive to treat. While costs vary widely from city to city, the Centers for Disease Control estimates that AIDS treatment costs range from $40,000 to $140,000 per patient. Sixty percent of all life insurance policies are purchased by men in the 20- to 46-year-old range, according to the American Council of Life Insurance.

"The industry is trying to figure out what to do right now," says Robert Bier, a spokesman for ACLI. "Obviously, the disease has some frightening implications for us."

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With billions of dollars at stake, life insurers and health carriers are looking at imposing higher premiums on single men, and in some cases are considering requiring potential clients to have their blood screened for the presence of antibodies to the virus that causes AIDS.

"But if we used the blood test we could run right into some antidiscrimination laws," he says. "If the trends continue, insurers will feel a lot of pressure to change their practices." The major change would be to deny insurance coverage to those most at risk, which -- some activists fear -- may include single males with a history of veneral disease.

Only two states, Wisconsin and California, have specific laws that would prevent insurance companies from imposing the test. But gay leaders and civil liberties activists worry that companies in other states will require prospective applicants to submit to the test.

"What do you do, test every single male in a metropolitan area for the antibody?" asks a legislative aide to the House Energy and Commerce subcommittee on health and the environment. "Are you going to deny insurance based on a positive test?"

Recently, the medical director of Midland Mutual Life Insurance Co. in Ohio wrote to the state health department suggesting that "known or suspected homosexual males" should be denied health and life insurance.

"We are very troubled by the trends," said Lou Fabro of Nationwide Insurance Co. "But we are not sure what can be done right now. You certainly don't go around asking people who apply for insurance what their sexual preference is."

Gay rights activists point to a New York state law that prohibits insurance companies from asking women whether or not their mother ever used DES, a synthetic estrogen that was commonly used in the 1950s in the mistaken belief that it prevented miscarriages. The drug now has been associated with increased rates of cancer among women.

In effect, the New York law is a social policy that prevents companies from discriminating against women for physical defects that they may have as a result of DES, and may set a precedent for the illegality of discriminating against homosexuals as a result of AIDS.

The disease also has created new markets and new needs. "We have sold thousands of protective kits," said Harold Haabestad, president of Hydrol Chemicals, which offers protective apparel for employes of funeral homes, hospitals and other institutions where AIDS is a continuing concern.

The kit consists of a rubber safety mask, gloves and a bonded rubber safety apron to wear over clothes. There also are special disposable glasses with side shields and a hood. The kit costs $15.95.

"It is not only for AIDS, but that is clearly why most people are buying the kit," said Haabestad, who noted that sales are rising almost in proportion to the increase in cases.

In many cities instances of discrimination -- both against victims of the disease and against people who are at the highest risk -- have been countered with attempts by elected officials to protect civil rights. The Los Angeles City Council has adopted a resolution banning discrimination against AIDS victims. Some other cities are considering similar rules.

But so far, fear has had the upper hand. Most AIDS victims do not have strong political clout. So when they are evicted from their apartments or fired from their jobs, they often have nowhere to turn. Legal remedies are costly and lengthy. Many who sue are dead before their cases go to court.

"It's a constant battle," said Richard Dunne, executive director of Gay Men's Health Crisis, one of the nation's leading organizations devoted to counseling and treating AIDS victims. "Even for the healthiest person, job discrimination or unfair housing policies can be very tough to fight. Insurance is very complex.

"For someone who is deathly ill, these problems sometimes seem unsurmountable. And unfortunately, they often are."