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CIGNA Discriminates Against HIV/AIDS Patients in Violation of the Affordable Care Act, Says Consumer Watchdog

By a News Reporter-Staff News Editor at Insurance Weekly News -- CIGNA, one of the nation's largest health insurers, is discriminating against patients with HIV/AIDS and attempting to circumvent the central reform of the Affordable Care Act, according to a national class action lawsuit filed late yesterday.

The lawsuit, JOHN DOE v. CIGNA was brought by a Ft. Lauderdale resident.

The so-called "guaranteed issue" provision of the ACA ensures access to health insurance for all patients regardless of their health condition. However, according to the lawsuit CIGNA is discouraging patients with HIV/AIDS from enrolling in or remaining enrolled in CIGNA health plans by forcing them to obtain their medications by mail-order and risk their health and privacy.

The lawsuit was filed by Whatley Kallas, LLP, Consumer Watchdog--a non-profit consumer group, and Podhurst Orseck P.A. located in Miami, Florida.

Whatley Kallas, LLP and Consumer Watchdog have settled two similar suits against United Healthcare and Anthem Blue Cross. Under those settlements, HIV/AIDS patients have a right to opt-out of the mail-order program.

"What's the good of an insurance policy if you can't get the medications you need to stay alive when you need them or are forced to risk your health and privacy to use it?," said Consumer Watchdog Lead Staff Attorney Jerry Flanagan.

Download the lawsuit, which was filed in Florida federal court here:

http://www.consumerwatchdog.org/resources/doevcigna_healthlifeinsurancecocomplaint.pdf

"Patients should have a choice about how they obtain their life-saving medications and CIGNA should do the right thing and follow the lead of other health plans that have now provided that choice," said Edith Kallas of Whatley Kallas LLP.

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