



## **HIV and life insurance**

### A consumer guide for gay men

June 2008

---

The insurance industry Statement of Best Practice on HIV and Insurance, produced by the ABI, affects the way in which gay men are treated when applying for some types of insurance.

In the past, many gay men applying for life insurance felt they had been treated unfairly. This was mainly due to the practice of asking about sexuality on application forms for life insurance, critical illness cover and income protection insurance.

ABI guidance ended this practice and other intrusive personal questions. It also addressed the common misconception that simply taking an HIV test would have a detrimental impact on insurance applications made by gay men. Gay men are able to obtain reasonable levels of insurance without HIV testing.

You need to answer all the questions in the application carefully, accurately and to the best of your knowledge and belief, or your policy may not pay out. Further information is in the ABI Statement of Best Practice on HIV and Insurance – see [www.abi.org.uk](http://www.abi.org.uk).

This guidance was updated to acknowledge the implementation of the Civil Partnership Act 2004.

### **Assessing HIV risk**

All life and protection insurance applicants are asked a general HIV risk question. The question is:

“Within the last five years have you been exposed to the risk of HIV infection?”

Many insurers also ask separate questions on unsafe sex, injecting drug use, blood transfusions, therapeutic injections or surgery undertaken in some countries outside the EU. Almost all insurers ask separately about travel and residence abroad.

Insurers sometimes include examples of increased risk of HIV in their question:

“This can be caught through unsafe sex, injecting drug use, or blood transfusions or surgery undertaken outside the EU.”

#### **INDEX**

[Assessing HIV risk](#)

[Civil partnerships](#)

[Negative and positive HIV tests](#)

[Sexually transmitted infections](#)

[What GPs should and should not disclose](#)

Some insurers explain unsafe/safe sex but the explanation must be related to individual behaviour, for example, having unprotected casual sex, not to a person's sexuality. It is no longer acceptable to ask if an applicant is gay and insurers will not ask questions about your sexuality. Even if you inadvertently disclose such information, it will not be used in assessing your application. Instead, HIV risk questions ask about your personal behaviour. While many people are not clear about what constitutes safe sexual behaviour, most people are aware of what is unsafe sexual behaviour.

## Occupation and house co-purchasing

In the past, life insurance underwriters may have used certain information contained on an application form to speculate about HIV exposure. Answers to questions about occupation and house co-purchasing were occasionally used in assessing HIV risk.

An individual's occupation is no longer used to indicate HIV risk. If asked, you should still disclose your occupation because some occupations carry greater risk of accidents at work than others, but in doing so you can be sure that it will not be used to assess HIV risk.

Insurers are required to consider each application for insurance on a case-by-case basis, based solely on the best, most relevant evidence available. Insurers will not request information that is unnecessary or irrelevant to the risk being insured.

## Civil partnerships

Most insurers see no need to differentiate between customers in civil partnerships and married couples. The level at which an HIV test is requested should now be at an equal level between the two risk groups.

However, the level at which a HIV test is requested differs between insurers. For this reason you might choose to seek impartial financial advice before deciding which insurer to purchase life insurance from.

## Negative and positive HIV tests

Applicants will not be penalised by insurers if they have taken an HIV test. You do not need to declare 'negative' HIV test results.

On all applications for life insurance, critical illness cover and income protection insurance, you will be asked if you have tested positive for HIV. If the answer is 'yes', you must say so. The wording that appears on application forms is:

"Have you ever tested positive for HIV, hepatitis B or C, or are you awaiting the results of such a test? If the result is negative, the fact of having an HIV test will not, of itself, have any effect on your acceptance terms for insurance."

## INDEX

[Assessing HIV risk](#)

[Civil partnerships](#)

[Negative and positive HIV tests](#)

[Sexually transmitted infections](#)

[What GPs should and should not disclose](#)

If you have HIV, getting cover is not always possible. There are few specialist insurers that offer life cover and, for the people where some cover is available, it can be costly. You will need to use a specialist insurer although more life insurers hope to be able to offer affordable cover in the future. If you have any difficulty finding a specialist insurer, you can go to an insurance broker who can do the searching for you.

You can contact a broker through:

British Insurance Brokers Association (BIBA)  
14 Bevis Marks, London EC3A 7NT  
Telephone: 0901 814 0015 Email: enquiries@biba.org.uk

## Sexually transmitted infections

You are advised to disclose any sexually transmitted infections that you have had. Insurers do not expect you to make judgments on the health implications of particular infections. In cases of doubt they will approach your GP, with your consent, for example to establish the long-term implications for your health. One-off minor infections are likely to be ignored by insurers.

Life insurers have the option of asking the following question:

“Within the last five years have you tested positive or been treated for any disease which was transmitted sexually?”

## What GPs should and should not disclose

Insurers only contact GPs in a minority of cases and only with your consent. Typically this is done to get more information on a medical condition you have disclosed. You should not assume your insurer will approach your GP – it remains your responsibility to answer questions on your application form to the best of your knowledge and belief.

- **Sexuality**

The ABI and the British Medical Association (BMA) have an agreed General Practitioners' Report form (GPR). GPs use the form to report medical information to insurance companies. The GPR does not include questions on patient sexuality and this information, even if known, should not be disclosed to insurers.

- **HIV Risk**

GPs are required to inform insurers if an applicant is HIV positive or is awaiting an HIV test result. They will not notify insurers of negative tests that have been taken.

- **Sexually Transmitted Infections**

GPs are required to disclose sexually transmitted infections that have long-term health implications. They should not disclose, for example, a single instance of a minor sexually transmitted infection.

## INDEX

[Assessing HIV risk](#)

[Civil partnerships](#)

[Negative and positive HIV tests](#)

[Sexually transmitted infections](#)

[What GPs should and should not disclose](#)