

## **Legal & General policy on asking an applicant to take an HIV test**

Legal & General endorses and abides by the Association of British Insurer's Statement of Best Practice on HIV & Insurance October 2004.

### **Background Information:**

Up until March 2005 there have been more than 16,000 UK deaths due to AIDS, mainly but not exclusively at young ages where the risk of death from other causes is low. The introduction of Highly Active Anti Retroviral Therapy (HAART) in the 1990's resulted in a reduction in the annual number of HIV/AIDS related deaths. Since the introduction of HAART the number of deaths has been relatively constant at around 500 per year.

However not all are tolerant of HAART, the longer-term effects of the treatment are not known and there is evidence, especially in USA, of strains which are resistant to the HAART regime. Mortality rates for those with HIV infection are still far higher than for those who are HIV negative and the number of people in UK who are HIV positive is increasing. Therefore life insurers need to continue to take prudent measures to mitigate this additional risk to their life funds.

### **Legal & General will ask a client to take an HIV test in the following circumstances:**

- Where a client has answered "yes" to the application question about exposure to risk of HIV, for example through unsafe sex
- Having been diagnosed with (a) sexually transmitted disease(s) with long-term health implications
- Being resident or visiting in a non-UK country with high HIV prevalence within the last five years – Countries with (or situated in an area of) high HIV prevalence vary over time. At the time of writing the countries are as listed below\*
- Clients applying for a total sum assured of £1,000,001 and above
- Intravenous drug abuse
- Blood Transfusion or Product Outside of the following countries: The United Kingdom, Australia, Austria, Belgium, Canada, the Channel Islands, Denmark, Finland, France, Germany, Greece, Holland, Isle of Man, Italy, Luxembourg, New Zealand, Portugal, Republic of Ireland (Eire), Spain, Sweden, and the USA

### **Legal & General will not:**

- Request random HIV testing
- Request HIV testing solely due to a client's occupation or solely for joint life applications on the lives of two males

**\*Countries with (or situated in an area of) high HIV prevalence:** Albania, Algeria, Angola, Bahamas, Barbados, Belize, Benin, Botswana, Brazil, Burkina-Faso, Burma (Myanmar), Burundi, Cambodia, Cameroon, Cape Verde, Celebes, Central African Republic, Chad, Columbia, Comoros, Congo, Dahomey, Democratic Republic of Congo, Democratic Republic of East Timor, Djibouti, Dominica, Dominican Republic, East Timor, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, French Guiana, Gabon, Gambia, Ghana, Grenada, Guadeloupe, Guatemala, Guinea, Guinea Bissau, Guyana, Haiti, Honduras, India, Indonesia, Indonesian Borneo, Irian Jaya, Ivory Coast, Jamaica, Java, Kalimantan, Kampuchea, Kenya, Laos, Latvia, Lesotho, Lesser Sundas, Liberia, Madagascar, Madura, Malawi, Malaysia (and aliases), Mali, Mauritania, Moluccas, Montserrat, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Nusu Tenggara, Papua, Panama (and alias), Papua New Guinea, Paraguay, Peru, Philippines, Puerto Rica, Republic of Congo, Rwanda, Senegal, Sierra Leone, Somalia, South Africa, Spice Islands, Sudan, Sulawesi, Sumatra, Suriname, Swaziland, Tanzania, Thailand, Timor Leste, Togo, Trinidad & Tobago, Uganda, Uruguay, Vietnam, Zaire, Zambia, Zimbabwe.

**Requesting HIV tests:**

When an HIV test is required we will write direct to the client. The letter includes an HIV pre-testing leaflet and consent form that the client is asked to take with them when the test is carried out.

**Informing Applicants of HIV Test Results:**

Negative results: The client will be advised in writing of the result and informed that any premium rating is not related to the HIV test.

Positive results: The client's GP or nominated doctor will be advised in writing of the result so that arrangements for counselling and future care can be discussed.

Invalid results: The client will be advised in writing that the result was invalid and the reasons for this (if known). They will be advised that if they wish to continue with their application a further HIV test will be required. If they decide not to go ahead this decision will not be held against them in future applications.