

# IDENTITY & POLITICS:

## LEGISLATIVE IMPACT ON HIV CARE

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**ALIZA NORWOOD, MD, AAHIVS**

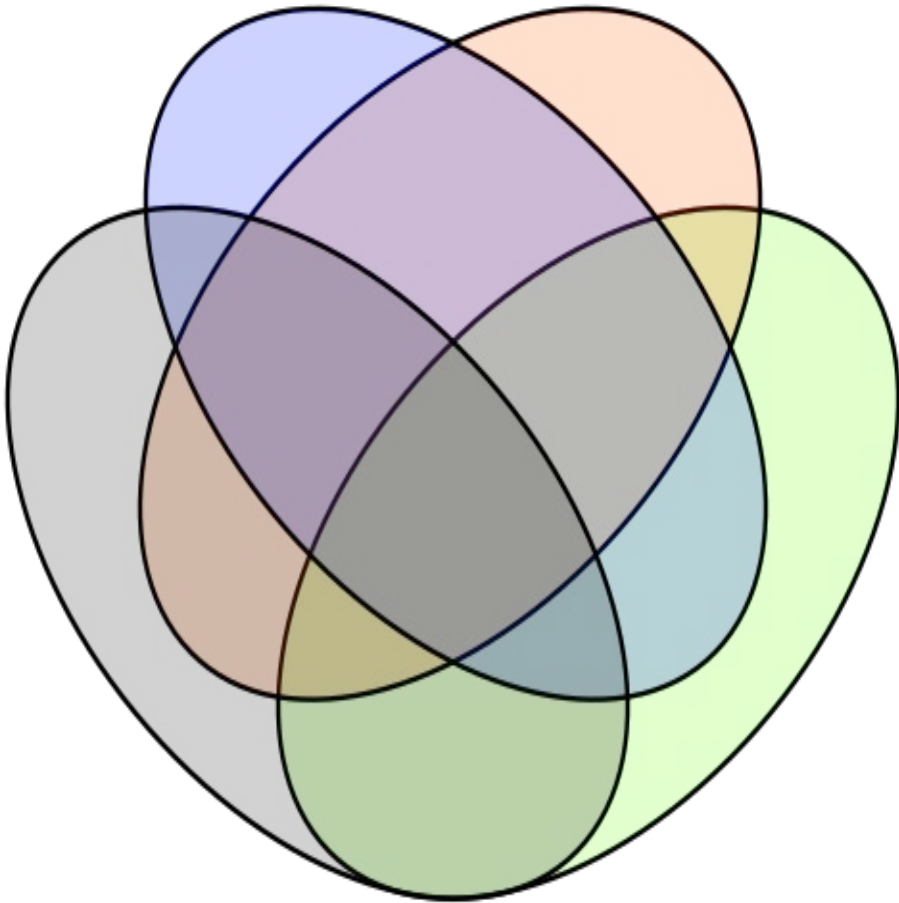
Chief, Division of General Internal Medicine, Dell Medical School  
Co-Director, Primary Care, Family, and Community Medicine Clerkship, Dell Medical School  
Medical Director, Vivent Health

# Conflict of Interest Disclosure Statement

I have no conflicts to declare.

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# Intersectionality



## Examples:

- Attacks against a person's gender identity and/or sexual orientation impacts HIV prevention and care
- Criminalizing HIV disproportionately impacts the LGBTQ+ community

# Objectives



1. Recognize how anti-LGBTQ laws impact PLWHIV
2. Discuss HIV criminalization in the U.S.
3. Identify recent anti-LGBTQ laws
4. Highlight ways to promote policies that improve health and wellness

Illustration: DaVidRo

# Discrimination

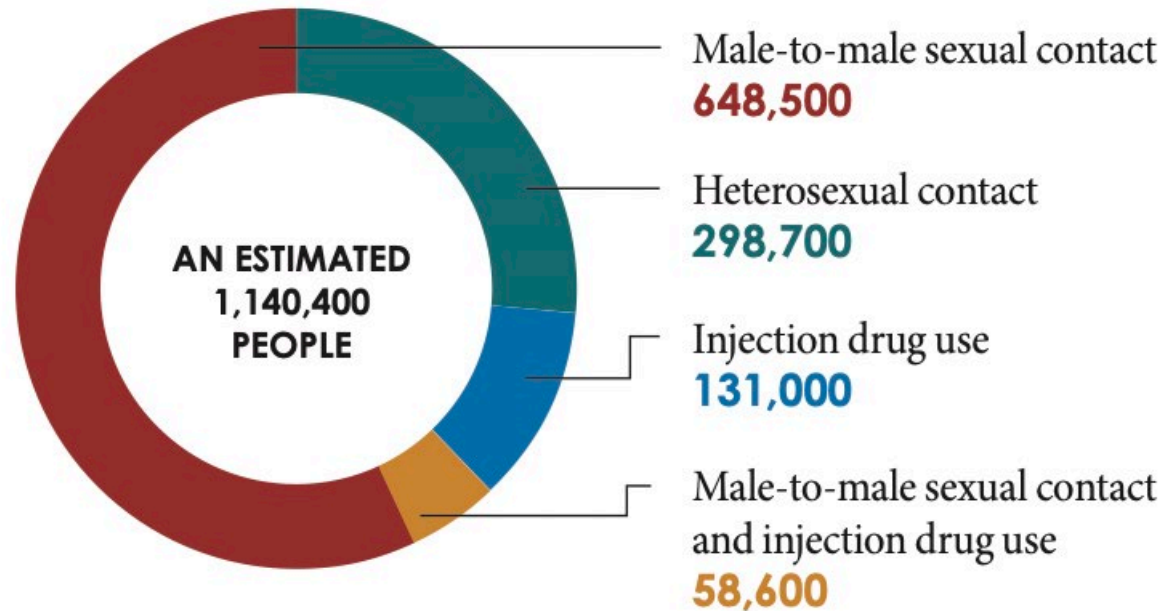


- Discrimination facilitates new HIV infections
- Discourages testing
- Decreases access to care
- Decreases adherence
- Increases stigma
- Increases high risk behaviors

# HIV Prevalence

**OVER HALF** of people with HIV are gay and bisexual men

PEOPLE WITH HIV INFECTION IN THE U.S., 2016

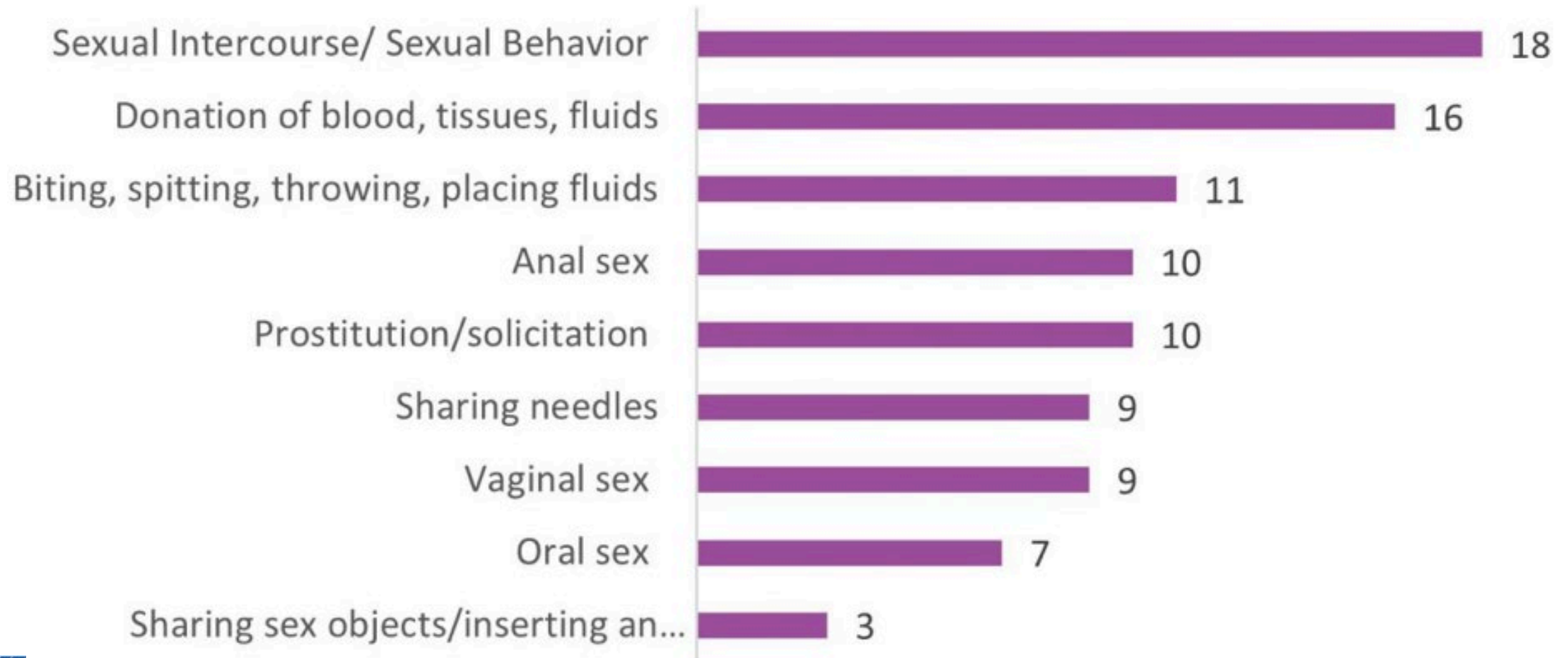


Among transgender women interviewed, 42% had HIV.



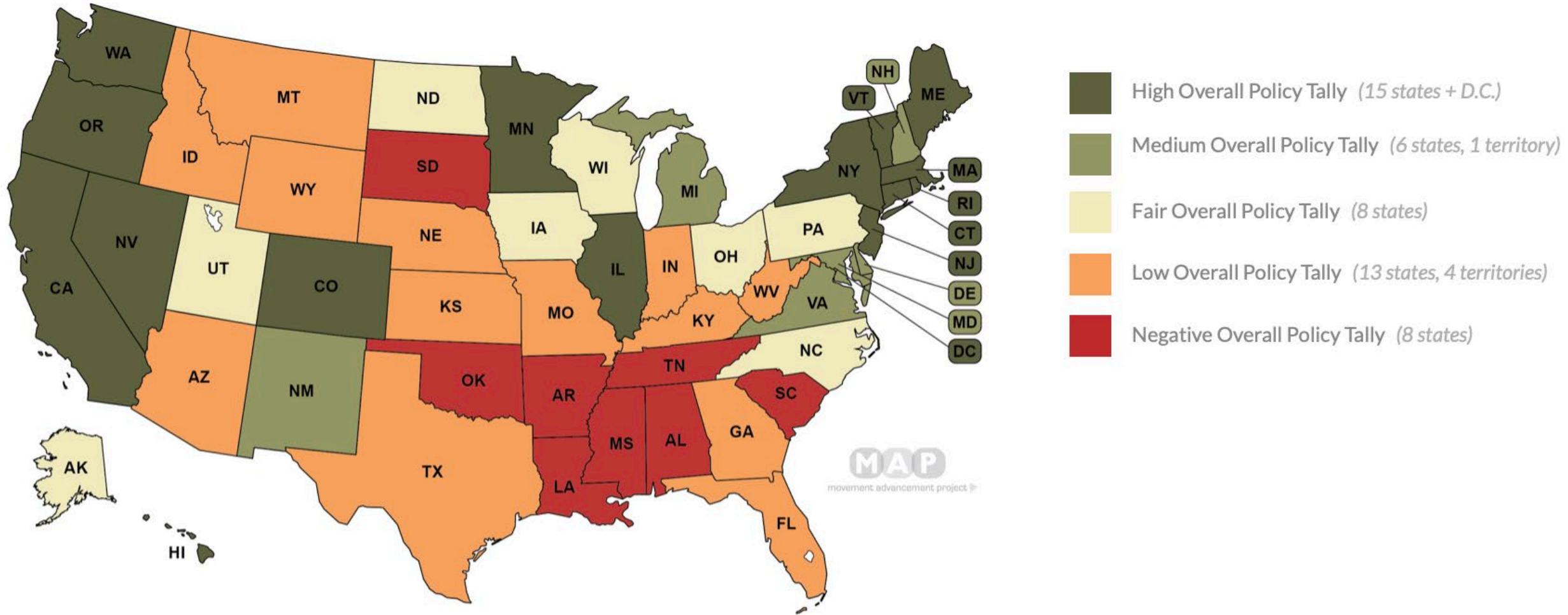


# Criminalized or Controlled Actions in HIV/STD Criminalization Laws

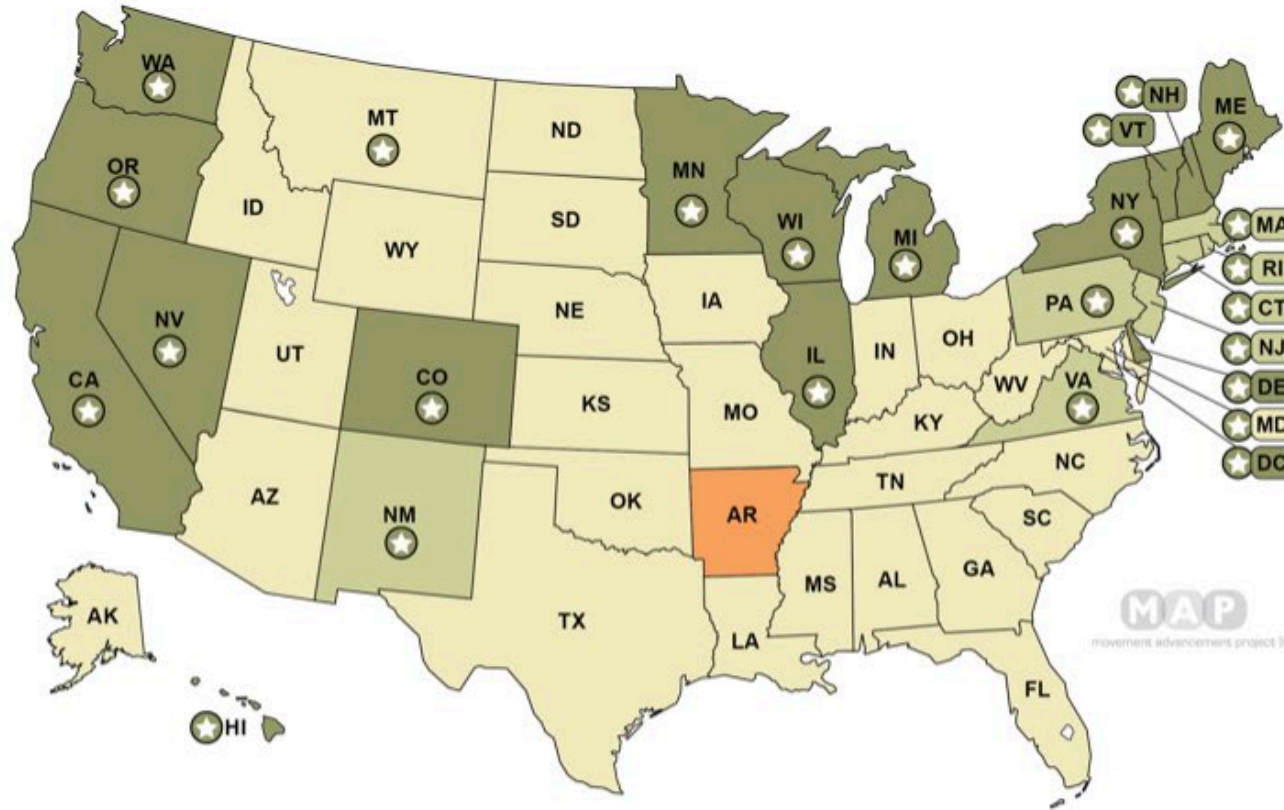




# Ranking LGBTQ Laws & Policies



# Insurance non-discrimination laws

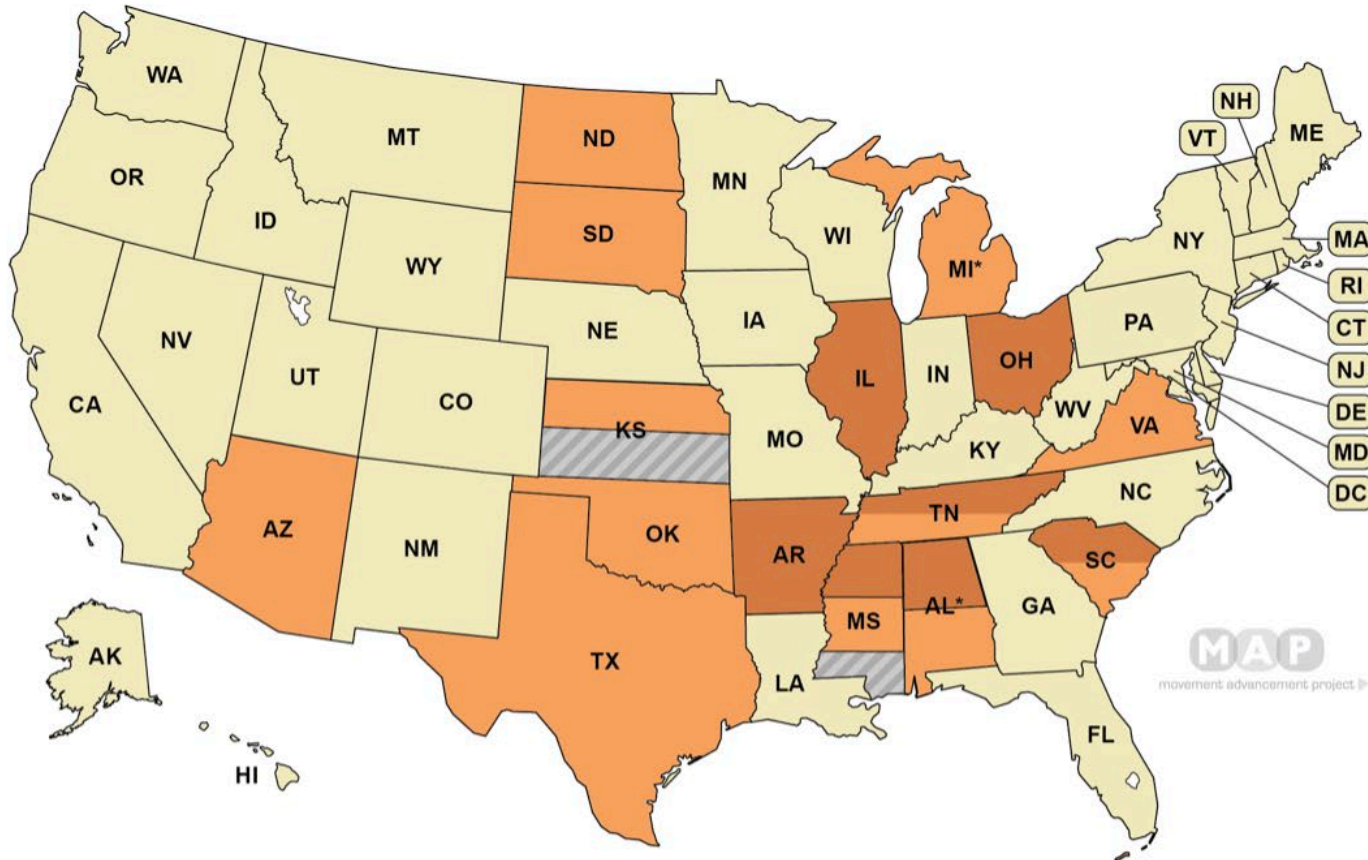



- ★ Transgender exclusions in health insurance service coverage prohibited (24 states + D.C.)
- Law prohibits health insurance discrimination based on sexual orientation and gender identity (15 states, 1 territory + D.C.)
- Law prohibits health insurance discrimination based only on gender identity only (7 states)
- Law prohibits health insurance discrimination based only on sexual orientation only (0 states)
- No law providing LGBTQ inclusive insurance protections (27 states, 4 territories)
- Law explicitly permits insurers to refuse to cover gender-affirming care (1 state)


## U.S. Territories




# Religious Exemption Laws



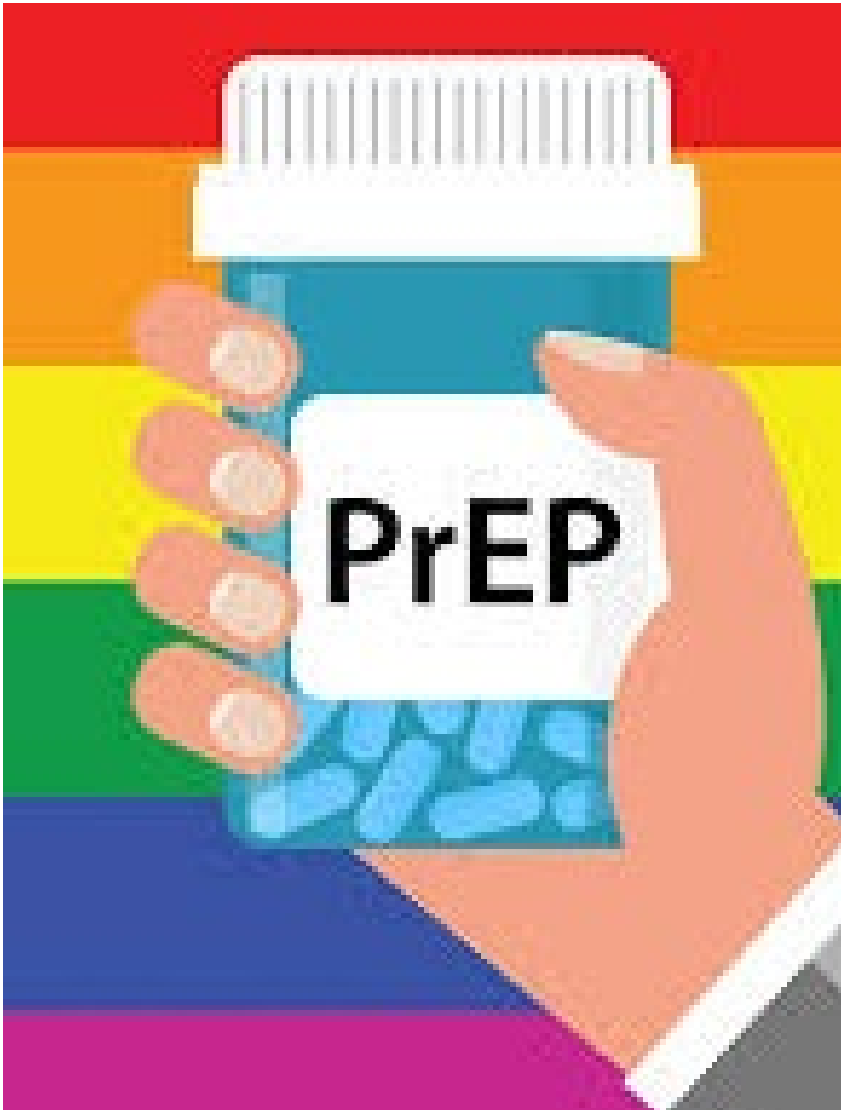
 State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBTQ people and same-sex couples, if doing so conflicts with their religious beliefs (12 states)

 State has targeted religious exemption that permits private businesses to deny services to married same-sex couples (2 states)

 State has targeted religious exemption that permits medical professionals to decline to serve LGBTQ clients (7 states)

 State has no religious exemption law related to provision of services (35 states, 5 territories + D.C.)

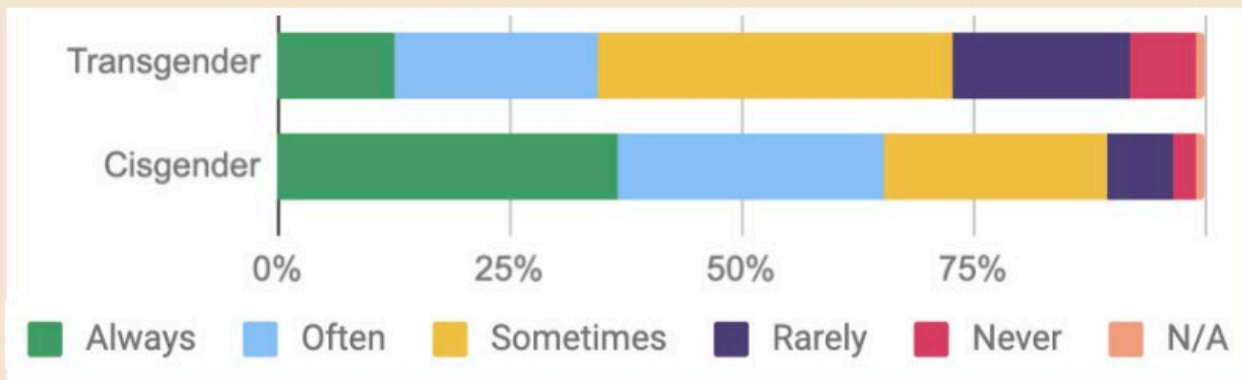
# Religious Exemption Bills



- Allow medical professionals to deny services if they violate religious beliefs
- Allow companies/insurers to deny coverage for medications or services that are not in line with their religious beliefs
- Ex: Federal Judge ruling against PrEP coverage

# Impact on HIV Care

**Fig. 5c: “I am comfortable seeking medical care within my community” by cis/trans identity**



- Reports of poor treatment
- Fear of seeking care
- Non-disclosure of sexual activity
- Less likely to be prescribed PrEP

# Texas' LGBTQ Policy Tally

Sexual Orientation Policy Tally:

2.75/20.5

LOW



Gender Identity Policy Tally:

-2.75/22

NEGATIVE



Overall Tally:

0/42.5

LOW



- 76 anti-LGBTQ+ bills were filed in 2021 in TX
- 3 special sessions
- Almost all defeated
- Passed: Ban on trans youth in sports

# Impact on HIV Care

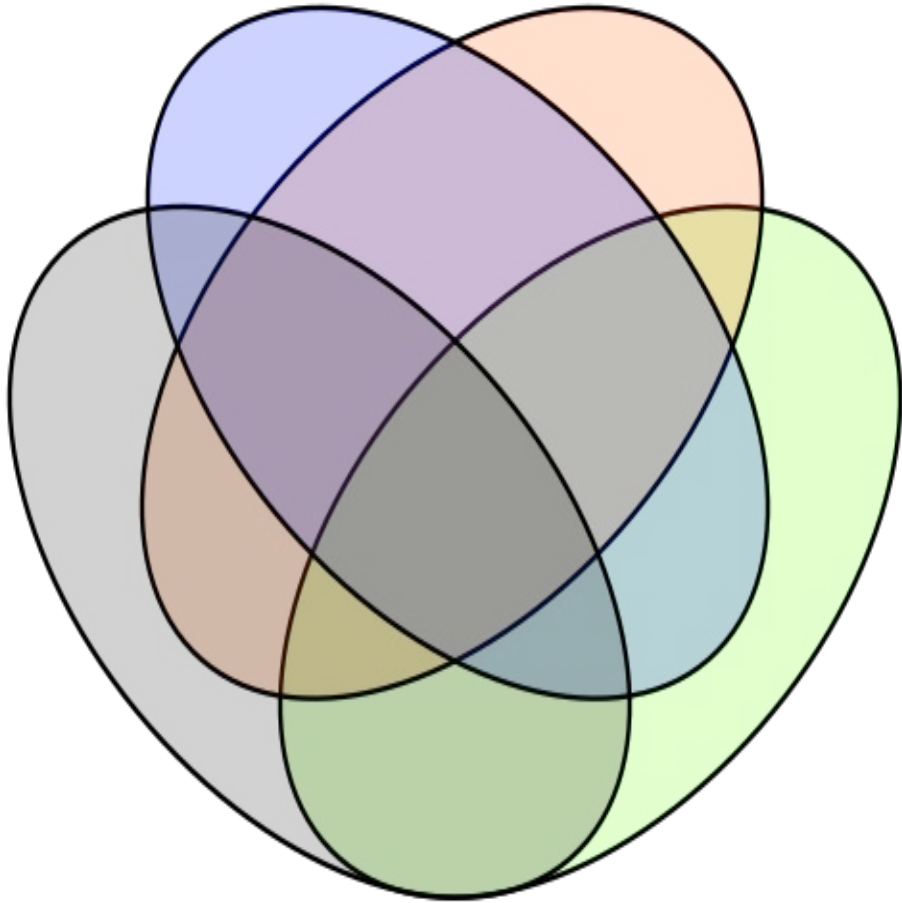
- Reisner et al (AIDS Behav 2017) found that transgender youth were more likely to miss HIV care appointments if they were treated negatively because of their gender identity.
- Rosen et al (AIDS Behav 2019) found that unmet needs for gender affirmation, including surgical needs and not being on hormones, were significantly associated with HIV treatment interruptions.
- More likely to be misgendered
- May avoid places in which they are misgendered, including doctor's offices especially if they don't explicitly ask for preferred name and pronouns on intake

# Pro-LGBTQ+ Bills

- Facilitating gender marker changes on official documents
- Banning “conversion therapy”
- Updating the James Byrd Jr. Hate Crimes Act to include crimes based on gender identity
- Repealing policies that require educators to teach that “homosexuality is not an acceptable lifestyle”
- Updating adolescent relationship Romeo/Juliet laws to include LGBTQ couples
- Ensuring that health benefits plans cover HIV healthcare



# What Can Clinicians Do?



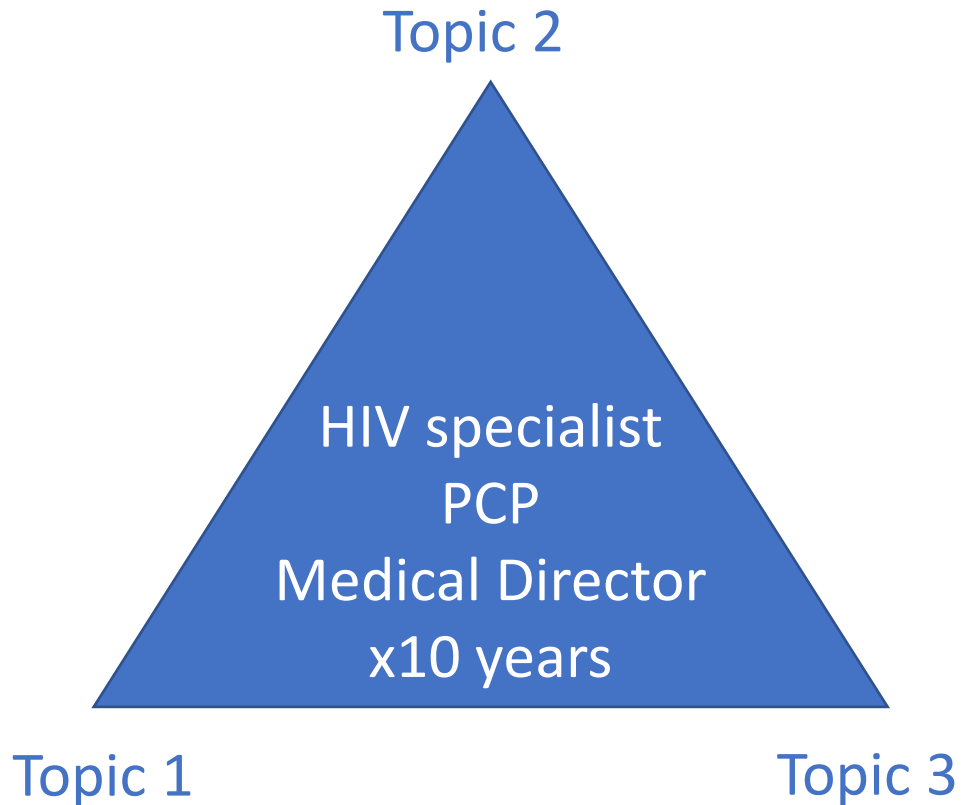
- Intersectionality mandates that we prevent and treat HIV by caring for people in a **status-neutral** system
- Gender-affirming care
- Affirming primary care
- Mobile HIV testing and prevention services

# What Can Clinicians Do?



- Write op-eds
- Write position papers
- Talk to your legislators
- Join local, regional, national medical societies

# Op-Ed Writing

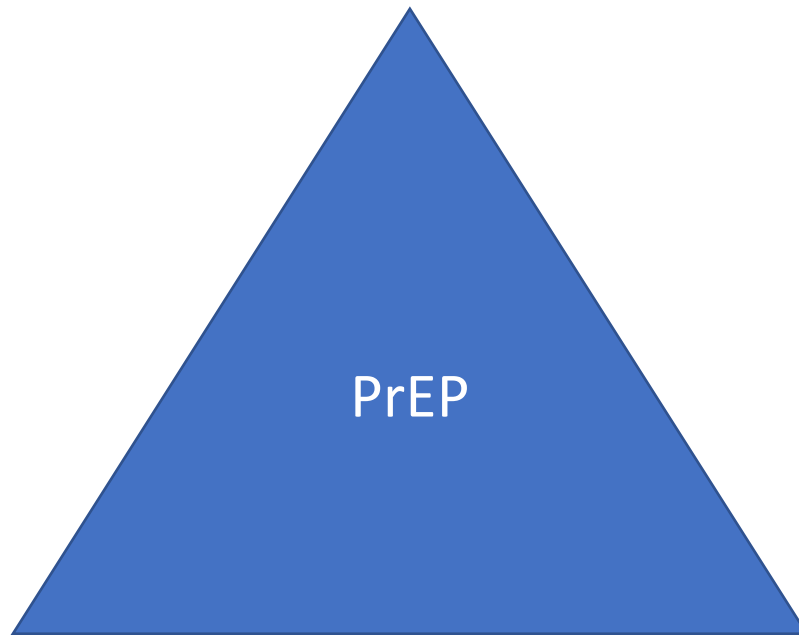


- Identify a “triangle of impact”
- What are 3 related topics that are of interest to the public?
- What is the relevance to the public of your triangle?

# Triangle of Impact

## HIV Prevention

- Preventive medicine in general



## Texas' PrEP ruling goes against common sense

The state ranks number two in the nation for new HIV diagnoses, and PrEP is up to 99% effective at preventing the virus. Why would a federal judge make the drug less accessible?



## PrEP coverage

- Cost effectiveness

## Anti-LGBTQ Stigma

- Stigma in healthcare
- Stigma in general

# Take-Home Points



- Many states still criminalize HIV
- Harsher penalties because of HIV status happen without explicit HIV criminalization laws
- Record numbers of anti-LGBTQ laws across the US threaten PLWHIV
- To end the HIV epidemic, public health, criminal justice, and legislative systems must work together to ensure that laws **protect the community, are evidence-based and just, and support public health efforts.**

# References

- The Center for HIV Law and Policy
- Center for Disease Control (CDC)
- Equality Texas
- American Civil Liberties Union (ACLU)
- Texas Legislature (Texas.gov)
- Movement Advancement Project



**Email:** [Aliza.Norwood@austin.utexas.edu](mailto:Aliza.Norwood@austin.utexas.edu)

 [@Alizanorwood](https://twitter.com/Alizanorwood)