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OPINION

INSURANCES

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OPINION ON THE TERMS AND CONTENT OF THE SWORN STATEMENT REQUIRED BY THE AGF

In correspondence dated October 9, 1995, the Minister of Public Health and Health Insurance requested that the National AIDS Council give its opinion on the terms and content of the sworn statement required by Assurances Générales de France (AGF) from students wishing to take out supplementary health insurance policies in the "Tonus special étudiant" programme.

After examination of this issue, the National AIDS Council expresses its surprise at the manner in which questions subject to obligations of confidentiality are put in writing to applicants for supplementary health insurance cover (*). The six required statements, one of which relates to possible HIV-positive status, are in fact intended to ensure that the applicant is in good health. However, firstly, the procedure used by AGF – transfer to a third party of the document containing this information – runs counter to the confidentiality rules forming part of the foundations of the National AIDS Council's underlying philosophy. Secondly, the statement "I have not been notified of a positive result for any AIDS virus as a result of HIV screening" transforms the screening test into an obstacle to obtaining supplementary health insurance and therefore encourages students to avoid screening. It is not desirable for insurance company procedures to run counter to the interests of public health.

The National AIDS Council requests that this type of sworn statement be eliminated and replaced by an interview with a doctor, the only contact capable of satisfying the requirements of professional ethics. It is during such an interview that a dialogue can occur, this being the imperative basis of any responsible, transparent and effective preventive policy.

Note :

Following the issuance of the Opinion of the National AIDS Council, the AGF policy "Tonus santé" was taken off the market at the request of the Minister of Health.