



**बीमा विनियामक और विकास प्राधिकरण**  
**INSURANCE REGULATORY AND  
DEVELOPMENT AUTHORITY**

Ref: 70/IRDA/HLT/Coverage of HIV/2011-12

Date: 02.02.2012

**EXPOSURE DRAFT**

The Authority has received representations from various stakeholders including public bodies and Government Authorities, to provide insurance cover to people living with HIV and to people in general including doctors and nurses etc who are vulnerable to HIV/AIDS, in Health Insurance policies.

On examining the issues, the Authority in exercise of its powers vested under Sec 14(2) of the IRDA Act, 1999 hereby issues this Exposure Draft (as attached) to provide insurance cover for Persons living with HIV and people vulnerable to HIV/AIDS, under health insurance policies of both Life and Non-Life insurance companies.

The Authority proposes implementation of these orders to be effective from 1<sup>st</sup> October, 2012 and requests comments on the Exposure Darft within 30 days.

  
J Harinarayan  
CHAIRMAN

Encl: As above

IRDA

Exposure Draft

To

All Life Insurers and General Insurers

Re: People Living with HIV / AIDS (PLHA)

1. All Life insurers and General insurers shall put-in place an underwriting policy on health insurance coverage for persons suffering from HIV.
2. The policy shall indicate the eligibility criteria at the outset to consider the proposal for health insurance cover to PLHA in accordance with such underwriting policy. The Underwriting policies amongst others shall specifically address:
  - 2.1. Persons who are not yet showing AIDS symptoms but are in stage 1 or 2 of HIV infection;
  - 2.2. Compliance with the treatment protocols of the medication and in according to a very strict timetable;
  - 2.3. CD4 count in excess of 350;
  - 2.4. CD4% greater than 23%;
  - 2.5. To be p24 antigenemia negative
  - 2.6. Other conditions if any
3. The health insurance cover for PLHA shall not be denied if the eligibility criteria as per the underwriting policy are satisfied.
4. The underwriting policy shall provide clear guidelines on PLHA:
  - 4.1. all the possible risks that can be considered for underwriting and
  - 4.2. all those risks which would be denied.

5. The underwriting policy shall also clearly indicate the specific loadings for PLHA , if any, with reference to the different stages of the disease, to provide the health insurance cover. The specific loadings, if any, shall be over and above the actual premium of a product. These loadings shall be as filed and approved by the Authority under File and Use procedure within a period of three months from the date of this circular.
6. The insurer shall also design suitable proposal form to capture necessary information to underwrite the proposal in accordance with the underwriting policy.
7. With respect to persons who are HIV negative at outset, and subsequently found to be HIV positive, the insurers shall not reject/deny:
  - 7.1. any claim, on such grounds;
  - 7.2. renewal, however, suitable loading may be charged, which is filed and approved under the File and Use Procedure.
8. Products covering HIV/AIDS for persons who are HIV negative at inception may design products such as:
  - 8.1. HIV/AIDS as a one of the Critical Illness;
  - 8.2. Covering HIV/AIDs by providing a lump sum on becoming HIV positive, as a rider
  - 8.3. Lump sum amount offered to be paid as annuity for life in the event of the insured becoming HIV positive during the term of the contract;
  - 8.4. AIDS Deaths covered as an insured event under health insurance cover;
  - 8.5. covering HIV/AIDS under group schemes catering to various segments of population.