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HIV & AIDS Legal
Services Alliance

**Dental Center Violated State Law by Refusing To Treat Two
HIV Positive Men—HALSA Says Lawsuit Addressing Ongoing Problem**

LOS ANGELES - A dental center that refused to treat two HIV-positive men with dental emergencies violated state disability discrimination law, HIV & AIDS Legal Services Alliance (HALSA) said in a lawsuit that highlights continuing, widespread discrimination against people with HIV or AIDS by medical professionals. The lawsuit was filed last month on behalf of Jeffrey Goodman and Donald Ford against Western Dental Services, one of the west coast's oldest & largest dental companies with more than 200 clinics and 4000 employees. Goodman and Ford both allege that they were refused treatment at the company's Santa Monica location because of their HIV status.

After experiencing severe tooth pain, Goodman made an emergency visit to Western Dental for a tooth extraction. Shortly after disclosing his HIV positive status to Western Dental, he was told by a clinic employee that due to his medical condition the dentist would not extract his tooth. Goodman was ultimately asked to leave the premises without receiving the tooth extraction he required. "During the entire time I was in the office, the Western Dental staff never once asked me how much pain I was in. They just wanted me gone as quickly as possible," said Goodman.

Ford faced similar treatment at the same Western Dental office. Also suffering from extreme tooth pain, Ford made an appointment for a tooth extraction. After disclosing his HIV positive status to Western Dental, Ford was told that because he was HIV positive, services could not be provided.

"There is no medical or scientific basis for Western Dental's refusal to extract teeth from patients with HIV" said Peggy Roman-Jacobson, Legal Director for the HIV & AIDS Legal Services Alliance, and lead counsel for Goodman and Ford. "Legal precedent recognizes that no

additional infection control procedures, beyond the standard universal precautions used for all patients, are required to provide dental treatment to persons with HIV infection or AIDS.” Refusal of treatment based on HIV infection is also a violation of the American Dental Association’s written code of ethics.

“Eleven years ago, the U.S. Supreme Court made clear that it’s illegal for dentists to refuse to treat people with HIV or AIDS — but unfounded fear and ignorance, not science or law, is still preventing people from accessing the services they need,” said HALSA Executive Director, Trip Oldfield. Oldfield said HALSA regularly receives calls from people with HIV or AIDS who were denied dental or medical services. “Persons who have been denied medical or dental treatment because of their HIV status are made to feel like pariahs—which is exactly what federal and state laws are designed to prevent,” he added.

“I have been living with HIV since 1986. Since that time, I have never experienced this kind of treatment,” said Goodman.

Goodman and Ford are represented by HALSA and are co- counseled by Douglas Linde and Erica Allen Gonzales of The Linde Law Firm.

HALSA is one of the nation’s leading HIV legal service providers supporting low-income persons living with HIV/AIDS. Through legal representation, advocacy and community education, HALSA protects rights, ensures dignity and improves health. HALSA is considered the national model for its expertise in the fields of discrimination, privacy, immigration, employment, housing, public benefits, and tax issues. Last year, HALSA provided more than 16,000 hours of free legal education, advice and representation to 1647 low-income HIV positive clients.

The Linde Law Firm specializes in civil rights litigation and provides *pro bono* legal services to various non-profit law firms throughout California. The members of the firm have collected in excess of \$30 million for their clients from corporations that harmed them.

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