Substantial evidence strongly demonstrates that a person living with HIV who has a sustained, undetectable viral load cannot sexually transmit HIV to another person. Continued analysis of large-scale clinical trials has shown zero cases of HIV sexual transmission\(^1\). This expands on prior data that the risk of HIV transmission from a person living with HIV who is on antiretroviral therapy and has achieved an undetectable viral load (viral suppression) in their blood for at least 6 months is negligible to non-existent\(^2\).

Too many people living with HIV are not getting the message of this benefit of treatment and sustained viral suppression from their clinical providers or the HIV education and advocacy community. Understanding that maintaining viral suppression through successful anti-retroviral therapy not only maintains health but also prevents transmission can encourage people living with HIV to initiate and adhere to treatment regimens and may help reduce HIV-related stigma. We acknowledge, however, that social and structural barriers exist that prevent some people living with HIV from achieving viral suppression.

Outdated HIV criminalization laws and policies in the U.S. do not reflect the current science related to HIV transmission risks.\(^3\) Scientific evidence about the reality of transmission risk based in this data about viral suppression and transmission risk has already had an impact on HIV criminalization statutes and prosecutions in Europe.\(^4\)

Therefore, AIDS United recommends:

1. That providers and educators consistently share the message that new evidence demonstrates that a person living with HIV who has a sustained, undetectable viral load cannot sexually transmit HIV to another person.
2. That the Department of Health and Human Services Antiretroviral Guidelines Committee examine this issue further and consider updating Guidelines language.
3. That HIV criminal laws and policies in the United States be modernized to reflect the science related to viral suppression and HIV transmission risk.

Additional Information

AIDS United signed on to the [Consensus Statement](#) issued by the Prevention Access Campaign, a relatively new multi-agency campaign to end HIV and HIV-related stigma by expanding access to HIV prevention and empowering people with/vulnerable to HIV with accurate information. The Consensus Statement reads as follows:

*People living with HIV on ART with an undetectable viral load in their blood have a negligible risk of sexual transmission of HIV. Depending on the drugs employed it may take as long as six months for the viral load to become undetectable. Continued and reliable HIV suppression requires selection of appropriate agents and excellent adherence to treatment. HIV viral suppression should be monitored to assure both personal health and public health benefits.*
AIDS United Public Policy Committee

The AIDS United Public Policy Committee (PPC) is the oldest continuing federal policy coalition working to end the HIV/AIDS epidemic in the United States since 1984. It is the largest body of community based HIV/AIDS Prevention, Treatment, Research, Education and Service organizations and coalitions in the U.S. The PPC has been instrumental in creating and developing important programs including the Ryan White Program and the National HIV/AIDS Strategy. Its national membership covers jurisdictions that include more than two-thirds of the population of People Living with HIV/AIDS and advocates for the millions of people living with or affected by HIV/AIDS in the U.S. & the organizations that serve them.

AIDS United Public Policy Committee Signatories:

AIDS Action Committee of Massachusetts        LA County Department of Public Health
AIDS Alabama                                        Legacy Community Health Services, Inc.
AIDS Foundation of Chicago                            Los Angeles LGBT Center
APLA Health                                          Metro Wellness & Community Centers
AIDS Resource Center of Wisconsin                   Minnesota AIDS Project
Amida Care                                               Nashville CARES
Association of Nurses in AIDS Care                  National Alliance for HIV Education & Workforce
BOOMHealth!                                              Development
Cascade AIDS Project                                      National Black Justice Coalition
Christie’s Place                                         Positive Women’s Network – USA
Collaborative Solutions                                Prism Health North Texas
CrescentCare                                                Puerto Rico Community Network for Clinical
Delaware HIV Consortium                                Research on AIDS (PR CoNCRA)
Equitas Health                                          San Francisco AIDS Foundation
GMHC                                                     Southern AIDS Coalition
God’s Love We Deliver                                  Southern HIV/AIDS Strategy Initiative
Harlem United                                             Thrive Alabama
Harm Reduction Coalition                                Treatment Access Expansion Project
Housing Works                                             Urban Coalition for HIV/AIDS Prevention Services
Howard Brown Health                                     Whitman Walker Health
JRI-Health                                                 The Women’s Collective
Latino Commission on AIDS

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