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1344/17

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 192d/26

Insurance firms may continue testing for AIDS, state board says

AUSTIN (AP) — The State Board of Insurance, faced with confusion caused by a new state law restricting AIDS tests, voted Tuesday to let insurance companies continue to test applicants for the AIDS virus.

The new law, effective Sept. 1, amends the Communicable Disease Prevention and Control Act and includes a section saying "a person or entity may not require another person" to take an AIDS test.

The insurance industry was not mentioned in the bill. The 3-0 board vote made it clear that insurance companies can continue to test for AIDS.

The companies must do the testing on a non-discriminatory basis and must also use a three-test procedure.

"We needed this action to be sure we were on safe ground," said Dave Smith of Austin, who represents 125 Texas insurance companies.

He said insurance companies could lose a lot of money if applicants are not checked for AIDS.

In a speech, Smith said, "You could go over to your doctor this afternoon and your doctor could say, 'Sir, you have AIDS and you probably have a year to 18 months.' You could then walk across the street and, without benefit of an AIDS test, buy \$500,000 worth of insurance."

Glen Maxey, executive director of the Lesbian-Gay Rights Lobby of Texas, said he was pleased that the insurance board plans to convene a hearing next Tuesday to review proposed rules for AIDS testing by insurance companies.

He said he understands the insurance companies' need to test for AIDS, but is concerned about discrimination against all homosexuals "just for the mere fact that they are in a high-risk group, that they are gay, that they name a beneficiary of the same sex or live in a certain geographical area of the state."

Maxey added, "Men with certain occupations and who live in certain zip codes have been denied coverage."

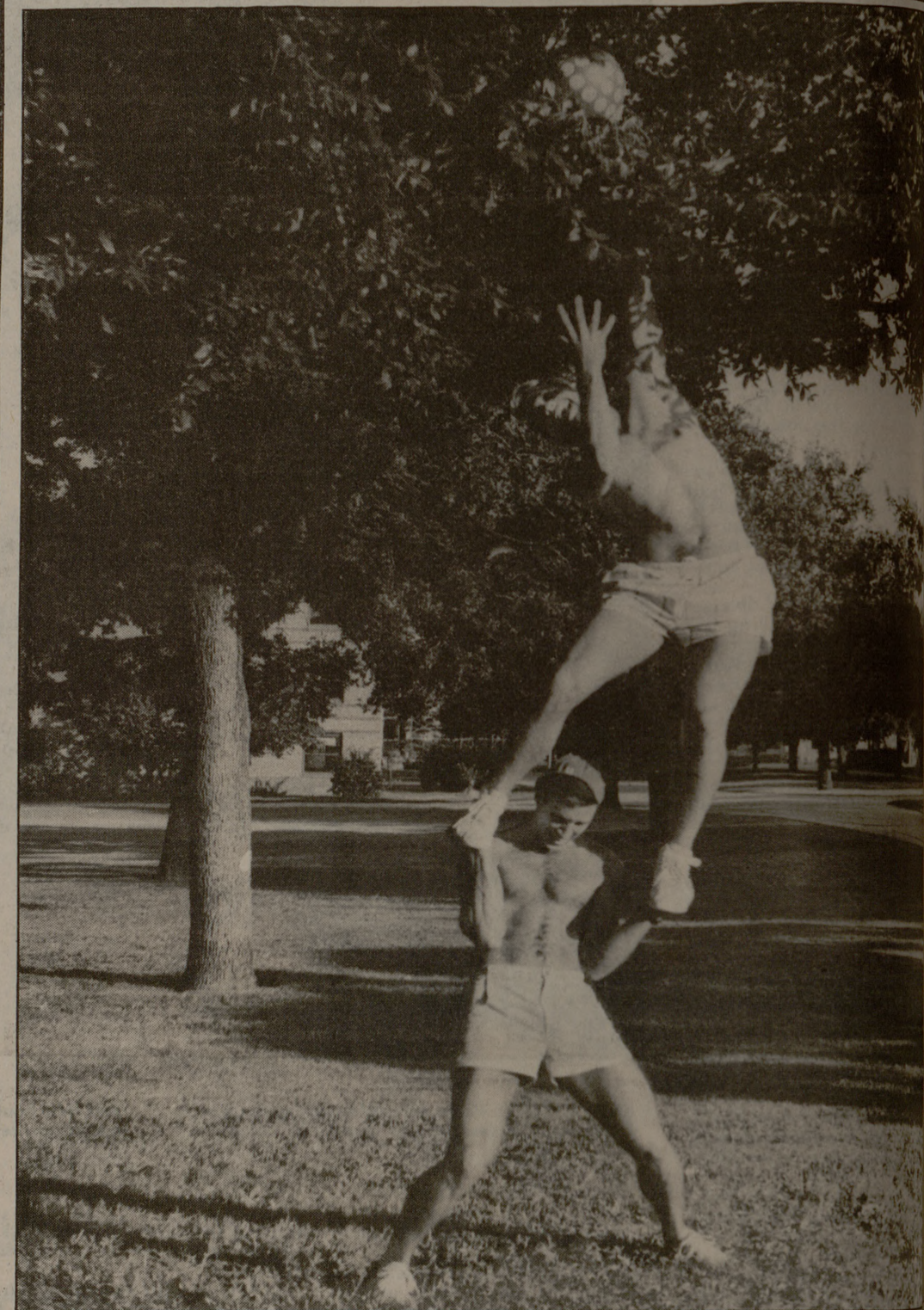
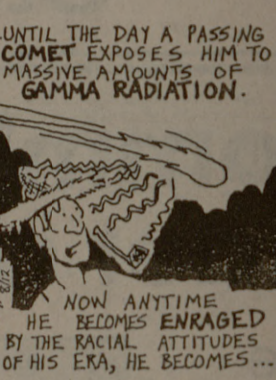
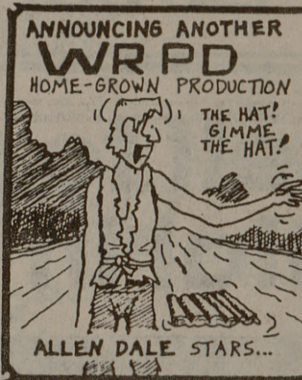
Lyndon Olson, board chairman, said he wants AIDS treated like any other disease while making sure there is no unfair discrimination against homosexuals or other people in the AIDS high-risk group.

"Insurance is nothing but discrimination," Olson said.

"If you're 21 years old vs. 45 years old, if you're 65 vs. 18," he said. "It may be if you're male vs. female. If you've got a sports car or if you're driving an old Ford pickup truck. . . . It's nothing but discrimination."

"The legal, constitutional test in insurance is whether the discrimination is unfair discrimination. That's what these hearings are all about."

Warped



Need A Lift?

Chris Dunn and Chris Probst, on the ground, both senior general studies majors from West Palm Beach, Fla., attempt to rescue their favorite ball, which they affectionately call Freckles.

Clements' claims spark loan withdrawals

DALLAS (AP) — Claims by Gov. Bill Clements that the federal government would "belly up" on its promise to insure deposits in savings and loans sparked an increase in withdrawals Tuesday from Panhandle thrifts, a federal official said.

"It may be an immediate knee-jerk reaction," said Roy G. Green, president of the Federal Home Loan Bank of Dallas. "It's not something I would characterize as a phenomenal problem."

He said there was no question, however, that the increase in withdrawals was the result of Clements' comments, published in Tuesday's *Amarillo Globe-News*. Clements told the newspaper the federal government was defrauding the public by propping up insolvent thrifts and that continuing the practice could cost consumers up to 70 percent of their deposits.

The Home Loan Bank marshalled additional currency from the Federal Reserve Tuesday after Clements' comments surfaced, "in the event these were needed," Green said.

"They are not needed now and there is no indication they will be needed," he said.

Green's comments came at a news conference in Dallas two hours after Danny Wall, the chairman of the federal Home Loan Bank Board in Washington, met with reporters to denounce the governor's claims as erroneous and assure consumers their deposits were safe.

Clements said Tuesday he regarded the officials' remarks as a "reaffirmation by the federal government to stand behind the depositors of the savings and loan institutions across Texas."

"I applaud the renewed commitment," Clements said. "The people of Texas have an absolute right to be reassured that their deposits will be secure and guaranteed."

Clements told the *Globe-News* Monday he predicts "the federal government is finally going to belly-up to this problem, and when they do, they're going to pay off those depositors like 30 cents on the dollar and give them a piece of paper, like a bond."

"They're going to rationalize by saying, well, I gave you 70 cents on the dollar on a piece of paper that's a bond, like a liberty bond or war bond

or savings bond or whatever you want to call it and that it's due 10 years from now. . . . IOU," Clements said.

Green said, "Thirty cents on the dollar is unbelievable. I just cannot imagine the government saying that."

The Federal Savings and Loan Insurance Corp., a branch of the Federal Home Loan Bank Board, insures deposits of up to \$100,000. The 3,200 member institutions nationwide have never failed to pay up on insured funds in 40 years history, Green said.

Clements said in Midland Monday that state had 70 savings and loans "that for legal purposes are insolvent."

"The federal government, instead of putting into liquidation these S&Ls that in fact broke and have a negative balance sheet today, is keeping the doors open," Clements said. "I'm telling you that this program, by the federal government, and I don't care who's responsible for it, of doing what they're doing today is an absolute fraud on the general public."

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