



POLICY INSTITUTE

January 14, 2025

The Honorable Bill Cassidy
Chairman
Committee on Health, Education,
Labor and Pensions
U.S. Senate
Washington, D.C. 20510

The Honorable Bernie Sanders
Ranking Member
Committee on Health, Education,
Labor and Pensions
U.S. Senate
Washington, D.C. 20510

RE: Nomination of Robert F. Kennedy, Jr. to Be Secretary of the Department of Health and Human Services (HHS)

Dear Chairman Cassidy, Ranking Member Sanders, and members of the Committee on Health, Education, Labor and Pensions:

As the Committee considers the nomination of **Robert F. Kennedy, Jr.** to serve as Secretary of the Department of Health and Human Services, the **HIV+Hepatitis Policy Institute**, a leading national HIV and hepatitis policy organization promoting quality and affordable healthcare for people living with or at risk for HIV, hepatitis, and other serious and chronic health conditions, urges you to ensure the nominee will uphold a commitment to science, the public health, and to ending HIV through robust research, treatment, and prevention programs.

Left untreated, the human immunodeficiency virus (HIV) attacks the body's immune system, causing illnesses that almost always lead to Acquired Immune Deficiency Syndrome (AIDS) and death. Since it was first identified in 1981, HIV has claimed more than 700,000 lives in the U.S. and 42.3 million worldwide. Due to the development of testing modalities and highly effective antiretroviral medications, along with the public and private healthcare systems that allow people to access these medical advances, the annual number of HIV acquisitions has been reduced by more than two-thirds since the height of the epidemic, and we now have the tools to end HIV.

Thanks to these medications and systems of care, including the Ryan White HIV/AIDS program, which provides care and treatment to over 575,000 low-income people living with HIV, approximately 1.2 million people in the U.S. are living with and even aging with HIV. Due to prevention programs, which are led by the CDC and now include pre-exposure prophylaxis (PrEP), which are drugs that prevent HIV, between 2008 and 2021, 61,400 HIV cases were averted, resulting in an estimated \$33 billion in medical costs saved.

Despite this progress, 40% of people living with HIV are either undiagnosed or not receiving regular care, and we still have 32,000 new infections each year. President Trump recognized the need to provide the necessary leadership to accelerate our nation's response to HIV in his 2019

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State of the Union address and pledged to “eliminate the HIV epidemic in the United States within ten years.” He subsequently launched the *Ending the HIV Epidemic* (EHE) initiative, which accelerates HIV testing, treatment, and prevention programs, including PrEP, and provides leadership, coordination, and increased funding, initially in the 57 jurisdictions most impacted by HIV.

This initiative, which was continued under President Biden, has demonstrated results and is saving our country money. In fact, the *Ending the HIV Epidemic* jurisdictions have experienced a 21% decrease in new HIV infections between 2019 and 2023 compared to only a 6% decrease in the rest of the country.

It is essential that the next HHS Secretary continues the President’s *Ending the HIV Epidemic* initiative; commits to supporting research, science, and best practices; and confronts the stigma and discrimination often associated with HIV to finally end HIV. **We hope the attached questions will help you and the Committee ascertain the nominee’s knowledge of HIV and commitment to the science and programs necessary in ending HIV.**

Should you have any questions or comments, please feel free to reach out to Carl Schmid via phone at (202) 462-3042 or email at cschmid@hivhep.org; or to Tom McDaniels via phone at (202) 409-0864 or email at tmcdaniels@hivhep.org.

Sincerely,



Carl E. Schmid II
Executive Director

Attachment

Questions for Robert F. Kennedy, Jr.

- 1) The discovery of the connection between HIV, a previously unknown retrovirus, and AIDS in 1983 garnered a Nobel for Medicine for Françoise Barré-Sinoussi and Luc Montagnier and is well-established science. In your 2021 book *The Real Anthony Fauci*, you wrote “any questioning of the orthodoxy that HIV is the sole cause of AIDS remains an unforgivable—even dangerous—heresy among our reigning medical cartel and its media allies.” You have also said that HIV is caused by poppers (amyl nitrite) and other environmental reasons [see link to video [here](#)]. And, just a couple of years ago, in a 2023 *New York Magazine* interview you are quoted as saying, “They were doing phony, crooked studies to develop a cure that killed people without really being able to understand what HIV was, and pumping up fear about it constantly, not really understanding whether it was causing AIDS.”
 - Do you still support these statements?
 - Do you agree that the HIV virus causes the infectious disease that leads to AIDS?
 - Will you commit to a comprehensive approach to addressing HIV by continuing the *Ending the HIV Epidemic* program started under President Trump, fully funding the Ryan White HIV/AIDS program, supporting a robust prevention program at the CDC that includes pre-exposure prophylaxis, and investing in HIV research programs at the NIH?

- 2) PrEP medications have been shown to successfully reduce the risk of acquiring HIV through sexual contact by over 99% and are a major component of the national strategy to reduce HIV. The U.S. Preventive Services Task Force has given PrEP a grade A recommendation, which under the ACA requires insurers to cover it without patient cost-sharing. Today PrEP is either a once daily oral or a bimonthly injection, and the FDA is expected to approve a twice-yearly injection later this year.
 - Under your leadership, will HHS, through HRSA and the CDC continue to support activities to promote and increase PrEP usage, particularly for those individuals who need it but are not currently accessing it?
 - Will you defend before the U.S. Supreme Court continued coverage of preventive services and enforce the requirement that insurers cover all forms of PrEP without cost-sharing?

- 3) Due to high out-of-pocket costs, many patients rely on manufacturer assistance to afford their prescription drugs. In fact, in 2023 drug companies provided \$23 billion in copay assistance to help consumers afford their medications. Unfortunately, a growing number of insurers and PBMs are not applying that copay assistance to the beneficiary’s out-of-pocket maximum and are collecting double what they should be and saddling consumers with added costs for their drugs. A federal judge in 2023 struck down the rule that allows insurers to carry out these harmful practices. However, the Biden administration ignored the ruling and is still allowing insurers and PBMs to wrongfully extract billions of dollars from the American people.

- Will you support and comply with the Court's judgement and require insurance companies to apply copay assistance to a patient's annual maximum out-of-pocket limit?