



## HIV and Military Service

### What do I need to know about HIV and Military Service?

- HIV+ civilians are prohibited from entering military service.
- All service members are regularly tested for HIV.
- All service members testing HIV+, whether on active duty, in the Guard or reserves, are required to go through a contact tracing process where health care workers will ask HIV+ service members for the names of sexual partners and any others they may have exposed to HIV. This process can raise risks for gay service members under “Don’t Ask, Don’t Tell.” HIV+ service members with questions about the contact tracing process and how to answer questions should contact SLDN for assistance.
- Service members testing HIV+ are often perceived to be gay, raising their risks under “Don’t Ask, Don’t Tell.”

### Testing HIV+ can impact a service member’s career in many different ways, depending on their service status and job:

**Active Duty Military** – Active duty service members are who test HIV+ while on active duty are allowed to continue serving, so long as they remain healthy (i.e., “medically fit for duty”). While HIV+ service members can remain in the military, they cannot be deployed or receive overseas assignments, and they are given formal, written “safe sex” orders they must follow. Assignment limitations may eventually prevent many HIV+ members from being promoted because they cannot gain the experience needed for promotion in certain specialties. Written “safe sex” orders require HIV+ service members to disclose their status to anyone they are going to have sex with and they must always use condoms. Failure to obey these orders may result in criminal prosecution of the service member.

**Guard and Reserve Military** – Reserve and National Guard service members who test HIV+ are treated differently from active duty service members testing HIV+. Reserve and National Guard members who test positive are usually administratively separated from the service unless they are eligible to transfer into an available “non-deployable” billet, or they are granted a waiver. There are relatively few “non-deployable” billets in the National Guard and Reserves.

Service members testing HIV+ who have questions about their risks and next steps should contact SLDN by either calling (202.328.3244, ext. 100) or emailing ([legal@sldn.org](mailto:legal@sldn.org)) to schedule an appointment with one of our legal staff.