



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

September 29, 2017

Dear Colleague:

More than a decade ago, clinical trials and cohort studies indicated that adherence to Antiretroviral Therapy (ART) reduces the risk of transmitting HIV. Today, treatment as prevention (TasP) has become a widely-accepted strategy for addressing the HIV epidemic and reducing new infections. The New York State Department of Health (Department) embraces TasP and strives to continue shaping its policies and programs based on state-of-the-art scientific evidence.

Groundbreaking research including the renowned HIV Prevention Trials Network (HPTN) 052 and PARTNER studies have recently taken conversations about TasP to another level. Results from clinical trials on TasP are now sufficiently robust for global authorities on AIDS research and policy to support a message that individuals with a sustained undetectable viral load will not sexually transmit HIV, or “Undetectable equals Untransmittable” (U=U).

The HPTN 052 trial, a Phase III, two-arm, randomized control trial to determine if ART can prevent transmission of HIV in sero-different couples, enrolled 1,763 couples at 13 sites, with participants assigned to early or delayed treatment arms. Over time, results showed no linked transmissions when the index (HIV+) partner was virally suppressed; the study also showed that starting ART immediately after diagnosis reduces transmission (Cohen, Chen, & McCauley, 2016).

The PARTNER Study, conducted in Europe, had specific enrollment eligibility criteria that included undetectable sero-different couples (both heterosexual and men who have sex with men [MSM]) who engaged in condom-less sex. In what were an estimated 58,213 sexual encounters during the PARTNER study, there were no transmissions linked to the HIV-positive partners (Rodger et al., 2016).

The findings from these two large-scale studies demonstrate that, not only does effective antiretroviral treatment improve the health of each person living with HIV, it also prevents transmission of HIV to sexual partners.

This summer, at the International AIDS Conference in Paris, the results of the Opposites Attract study were presented, which also found no linked HIV transmissions in nearly 17,000 condomless sexual acts by 358 gay male couples. HIV negative partners were taking PrEP for about 5,000 of those sexual acts, which equates to roughly 12,000 sexual acts with only viral suppression as the HIV prevention method. (Bavinton et al., 2017).

In early 2016, the Prevention Access Campaign launched a Consensus Statement to broadly share *the scientific evidence pertaining to the risk of sexual transmission of HIV from a person living with HIV who has an undetectable viral load*. The Prevention Access Campaign is a multi-agency health equity initiative to end the dual epidemics of HIV and HIV-related stigma by expanding access to HIV prevention and empowering people with accurate and meaningful information about their social, sexual, and reproductive health.

The U=U premise directly corresponds with the second goal in the plan to end the epidemic in New York State: link and retain persons diagnosed with HIV into care to maximize viral load suppression so individuals remain healthy and prevent further transmission.

The framework of U=U offers many opportunities for improving care and quality of life for New Yorkers living with HIV. Consequently, the Department recognizes that it is more important than ever to make consumers, the public, and providers aware of the changing scientific evidence related to HIV.

Therefore, based on the current scientific evidence, the unprecedented opportunity U=U brings to improving the lives of people living with HIV and our work to dismantle HIV stigma and discrimination, the Department has signed onto the Prevention Access Campaign Consensus statement that the *risk of sexual transmission of HIV from a person living with HIV who has an undetectable viral load is negligible*. The New York State Department is the first state health department to endorse the Prevention Access Campaign Consensus Statement. The Department will also take the following steps:

- Stop transmission of HIV through evidence-based interventions. We believe the most effective prevention strategy will be one that combines different approaches (behavioral, structural, and biomedical).
- Continue to emphasize HIV testing, engagement, and retention in care; promoting access to care and insurance coverage for all PLWHA will remain as essential as ever.
- Care for the whole person in addition to sustained viral load suppression as we work to promote U=U, address stigma, and end the epidemic in New York State by the end of 2020.

Please visit <https://health.ny.gov/endingtheepidemic> to view a recent webinar on the topic of U=U and to receive updates as they become available.

We look forward to continued advances in our work together, to provide clear messaging in New York State about the benefits of sustained viral load suppression for individuals, the community and Ending the Epidemic.

Sincerely,

A handwritten signature in black ink that reads "Howard Zucker M.D." in a cursive style.

Howard A. Zucker, M.D., J.D.
Commissioner of Health