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The Ethicist

I'm H.I.V.-Positive but Undetectable. Do Casual Sex Partners Need to Know?

The magazine's Ethicist columnist on medical disclosure and marital malaise.



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Illustration by Tomi Um



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I'm a young gay man who is H.I.V.-positive. I learned of my status more than a year ago and started taking medicine the day I was diagnosed. Since then, I have been continuously undetectable, meaning I cannot transmit the virus to others through sexual activity. But even though I pose no risk to my partners, my status still weighs heavily on my mind.

I'm certain that if I were to start dating someone seriously, I would disclose it before getting down to business. With random casual hookups, it has been my practice to tell people — though I would rather not. It feels private, it often kills the mood and, most of all, since I'm undetectable, it feels unnecessary. After all, if I can't transmit the virus, it feels about as relevant to casual sex as my cholesterol levels.

To be sure, H.I.V. is a scary virus, so it makes perfect sense that people would want to know if their partner is positive — and a right to know clearly arises in some cases. I don't think it's controversial to say that a person with untreated H.I.V. is ethically obligated to disclose their status to their prospective sexual partners. But if I'm incapable of infecting others (since I take my medicine every day) does the obligation remain? — Name Withheld

From the Ethicist:

When it comes to the H.I.V. status of people who have multiple sex partners, some know that they're positive, some believe that they're negative based on past tests and some don't know one way or another. As a person who is undetectable and regularly monitored, you present a lower transmission risk than people in the second two categories — who won't feel that they have anything to disclose.

In the slogan of the global health campaign, “U = U” — that is, “Undetectable = Untransmittable.” (Obviously, there are other S.T.I.s to be concerned about, and to take precautions against.) And so there isn't the assumption that you must be negative unless you say otherwise. For that matter, many sexually active people realize that any partner's claimed negative status comes with some uncertainty.

If you're asked, you should tell the truth. But given the expectations people have in these casual encounters, you don't need to volunteer your status. With a serious relationship, as you recognize, the expectations are different — you'll properly share the ongoing medical realities that shape your life. (You wouldn't keep a diabetes diagnosis to yourself, either.) The aim is to be truthful while recognizing the different expectations of casual hookups and committed relationships. Commendably, you're doing everything right to protect both your health and that of your partners. Behaving morally here requires not that you reveal everything but that you share what matters, when it matters.

Note that in some states, there can be criminal penalties for people living with H.I.V. if they do not disclose their H.I.V.-positive status before a sexual encounter. These circumstances may be important considerations for some people living with H.I.V.