



IN THE MATTER OF:

ALFORD ROBERTSON

V

WILLIAM CHEN, D.D.S

CHARGE NUMBER(S) 1989SP0061

3. That these terms of settlement, subscribed by all parties, once approved by the Illinois Department of Human Rights, shall then be filed with the Human Rights Commission; if approved, the Commission shall enter an order dismissing the charge pursuant to these terms of settlement.
4. That within thirty (30) days after entry of the Commission's order the Respondent will notify Complainant's counsel and the Director of The Illinois Department of Human Rights in writing as to compliance with the terms of settlement and the method thereof. (Notification for the Department shall be sent to the Director, Illinois Department of Human Rights, State of Illinois Center, Suite 10-100, Chicago, Illinois 60601).
5. That in settlement of this matter, and in full satisfaction of any claims the Complainant has, or may have, arising out of the subject matter of this dispute, the Respondent agrees:
  - (a) He will not require anyone as a condition of treatment to submit to a test for the human immunodeficiency virus ("HIV"), acquired immunodeficiency syndrome ("AIDS"), AIDS-related complex (ARC), or any suspected causative agent of AIDS.
  - (b) He will not discriminate against persons infected with HIV, persons with ARC or AIDS, persons whom he believes might be HIV-infected or have ARC or AIDS, and persons associated with others who have or are believed to have HIV-infection, ARC or AIDS.
  - (c) He will pay Complainant \$1,800.00 within 30 days of entry of an order in this case to compensate Complainant for any and all injuries, claims, rights,

IN THE MATTER OF:

ALFORD ROBERTSON

V

WILLIAM CHEN, D.D.S

CHARGE NUMBER(S) 1989SP0061

demands or actions, present or future, arising out of the event complained of on June 20, 1988, as consideration for this agreement and not as admission of causation, nature or extent of injuries.

(d) He will provide dental care to all members of the public, including Complainant and Complainant's family members, upon the same terms, without any requirement of HIV testing.

(e) He will post notices in the waiting room and treatment rooms in his office indicating that discrimination against people with HIV infection, AIDS or other disabilities is illegal under the Illinois Human Rights Act, and that Dr. Chen does not deny dental services to patients who have tested positive for HIV antibodies or who have AIDS or ARC, or patients who are associated with persons who have tested positive for HIV antibodies or who have AIDS or ARC.

(f) He will pay to the Roger Baldwin Foundation of the ACLU of Illinois \$1,233.75 within 30 days of entry of an order in this case, in settlement of attorney fees and costs which have been incurred by the Complainant.

COMPLAINANT  
BY:

Alford D. Robertson

DATE

5-3-89

RESPONDENT  
BY:

William Chen

DATE

5-10-89

I recommend approval of the terms of settlement:

Carlos Rowe

DATED:

6-5-89

DEPARTMENT OF HUMAN RIGHTS  
Investigation Supervisor