

New Law: SB 219

Existing state law and federal regulations already provide protection of these rights. What **SB 219** does is to make it lawful to take specified actions on the basis of a person's actual or perceived sexual orientation, gender identity, gender expression, or human immunodeficiency virus (HIV) status.

"[Name of facility] does not discriminate and does not permit discrimination, including, but not limited to, bullying, abuse, or harassment, on the basis of actual or perceived sexual orientation, gender identity, gender expression, or HIV status, or based on association with another individual on account of that individual's actual or perceived sexual orientation, gender identity, gender expression, or HIV status. You may file a complaint with the Office of the State Long-Term Care Ombudsman [provide contact information] if you believe that you have experienced this kind of discrimination."

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What Does LGBTQ+ Mean?

L: Lesbian
G: Gay
B: Bisexual
T: Transgender
Q: Queer or Questioning
I: Intersex
H: HIV Affected Communities

Remember!

- o The **L**, **G**, and **B** refer to a person's sexual orientation
- o The **T** refers to a person's gender identity
- o The **H** refers to a medical status (and has nothing to do with sexual orientation or gender identity)

Sexual Orientation




Includes:

- Attraction
- Behavior
- Sexual Identity

Does **NOT** include gender identity or gender expression

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Key Terms



Gender Identity:
Internal sense of gender

Gender Expression:
Outward expression of gender through gestures, behaviors, dress, etc.

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Transgender

An umbrella term used to describe people whose **gender** or **gender expression** is different than the sex they were assigned at birth.

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When Did You Choose



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LGBTQ Identities: Key Points

- Different terms are used in different communities.
- Terms are always changing.
- Sexual orientation and gender identity are not the same thing.
- LGBTQ individuals are incredibly diverse.
- Always allow individuals to self-identify.
- Respect how people identify, however that may be.
- Maintain confidentiality and take care not to intentionally or unintentionally “out” a person.

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Coming Out


- The process of internally identifying one’s gender or sexual identity and then socially disclosing (voluntarily telling people).

“Coming out is an ongoing, iterative process, because social identity is negotiated daily in the context of other relationships and experiences. Depending on a persons’ circumstances – geographic location, age, race, religion, class, and other factors – each individual’s coming out process is unique and involves different risks.”

It a complex, difficult and life-long series of events.

(Lindhurst, et al., 2010)
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U.S. Population Estimates



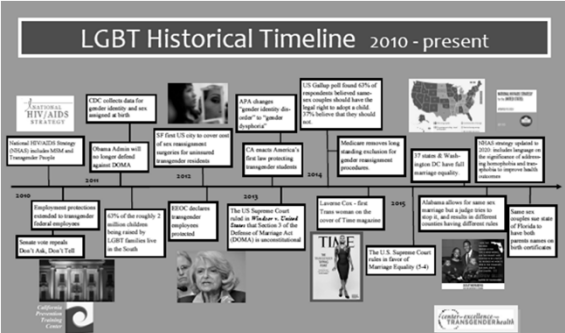
1.5 million people >65 in United States LGBT

By 2030 estimated
3-4 million LGBT

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History Matters

LGBT Historical Timeline 2010 - present



2010: Employment protections extended to transgender federal employees

2011: House vote repeals Don't Ask, Don't Tell

2012: 67% of the roughly 2 million children being raised by LGBT families live in the South

2013: CDC releases data for gender identity and sex assigned at birth

2014: 17 states in 19 only agree to have full marriage equality

2015: CDC releases data for gender identity and sex assigned at birth

2015: The U.S. Supreme Court ruled in Obergefell v. Hodges that the Defense of Marriage Act (DOMA) is unconstitutional


2015: The U.S. Supreme Court rules in favor of Marriage Equality (5-4)

2016: CDC releases data for gender identity and sex assigned at birth


2017: House passes Equality Act

2015	Supreme Court Decision 5-4 to provide marriage equality for same sex partnerships	80 years old
2013	Section 3 of Defense of Marriage Act declared unconstitutional, paving the way for marriage of same sex couples to be recognized in individual states	78 years old
2003	Lawrence vs. Texas strikes down the remaining laws criminalizing same sex sexual conduct	68 years old
1994	Don't Ask Don't Tell is passed	61 years old
1983	The beginning of the AIDS epidemic	58 years old
1973	The American Psychiatric Association removes Homosexuality for its list of mental disorders	38 years old
1969	Stonewall Riots take place in New York City- attributed to the birth of gay civil rights movement	34 years old
1952-1954	McCarthyism- targets "homosexuals" causing thousands of government employees to lose their jobs and potential employability.	17-19 years old

Context



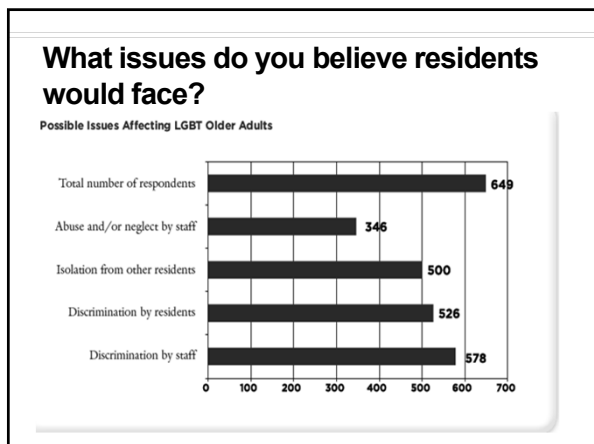
2 x more likely to live alone



3-4 x less likely to have children to support

+ likely to be disconnected from family of origin

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Gen Silent

- <https://youtu.be/fV3O8qz6Y5g>



Challenges:



Experiences Related to Resident's Real or Perceived Sexual Orientation and/or Gender Identity

- Verbal or Physical Harassment From Other Residents
- Refused Admission or Re-admission, Attempted or Abrupt Discharge
- Verbal or Physical Harassment From Staff
- Staff Refused to Accept Medical Power of Attorney from Resident's Spouse or Partner
- Restriction of Visitors
- Staff Refused to Refer to Transgender Resident by Preferred Name or Pronoun
- Staff Refused to Provide Basic Services or Care
- Staff Denied Medical Treatment

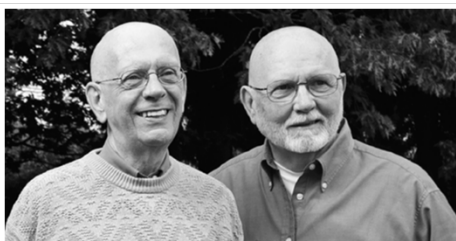
Resident Rights

- Receive Visitors
- Privacy
- To Remain in the Home
- Respect
- Medical Decision Making
- Freedom from Abuse
- Participate in Activities



Common Assumptions

1. We don't have any LGBT residents
2. I can identify the LGBT people in my service population
3. It is illegal to ask a person about their sexual orientation or gender identity
4. Our clients will resist answering questions related to sexual orientation and gender identity
5. We treat everyone as equals, so we don't need to ask our residents about sexual orientation or gender identity
6. We have regulated forms that do not ask about sexual orientation or gender identity. What are we supposed to do?



"Every question should not be based on assumptions of 'oh you're heterosexual.' Even if I circled married I have to be very specific in saying husband because they are going to assume I'm married to a woman."

Harold K., Age 76

Recommendations

1. Assume you have LGBT residents in your organization
2. Ask questions re: sexual orientation and gender identity with respect to confidentiality
3. Examine programming and referrals with respect to LGBT inclusion
4. Correct pronoun usage
5. Gender identity respected with regard to sex-segregated services
6. Review policies regarding definition of family
7. Create a welcoming environment
8. Representation and advocacy with staff, board, etc.

Krysanne

<https://youtu.be/8mxm2ZrWzZk>



Resources

Building Respect for LGBT Older Adults
<https://www.lgbtagingcenter.org/training/buildingrespect/index.cfm>

Publications from National Resource Center:

- * Inclusive Questions for Older Adults
- * Age-Friendly Inclusive Services
- * LGBT Older Adults in Long Term Care Facilities: Stories from the Field
- * <http://www.lgbtagingcenter.org>
- * Advancing Effective Communication, Cultural Competence, and Patient and Family-Centered Care for the LGBT Community: A Field Guide:
 - * www.jointcommission.org/assets/1/18/LGBTFieldGuide.pdf

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