



THE CHANGING LEGAL LANDSCAPE FOR SERVING LGBT OLDER ADULTS

Presented by

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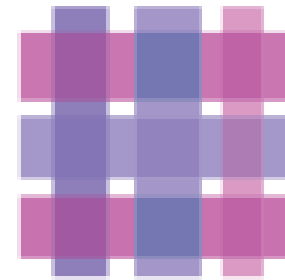
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ON LGBT AGING

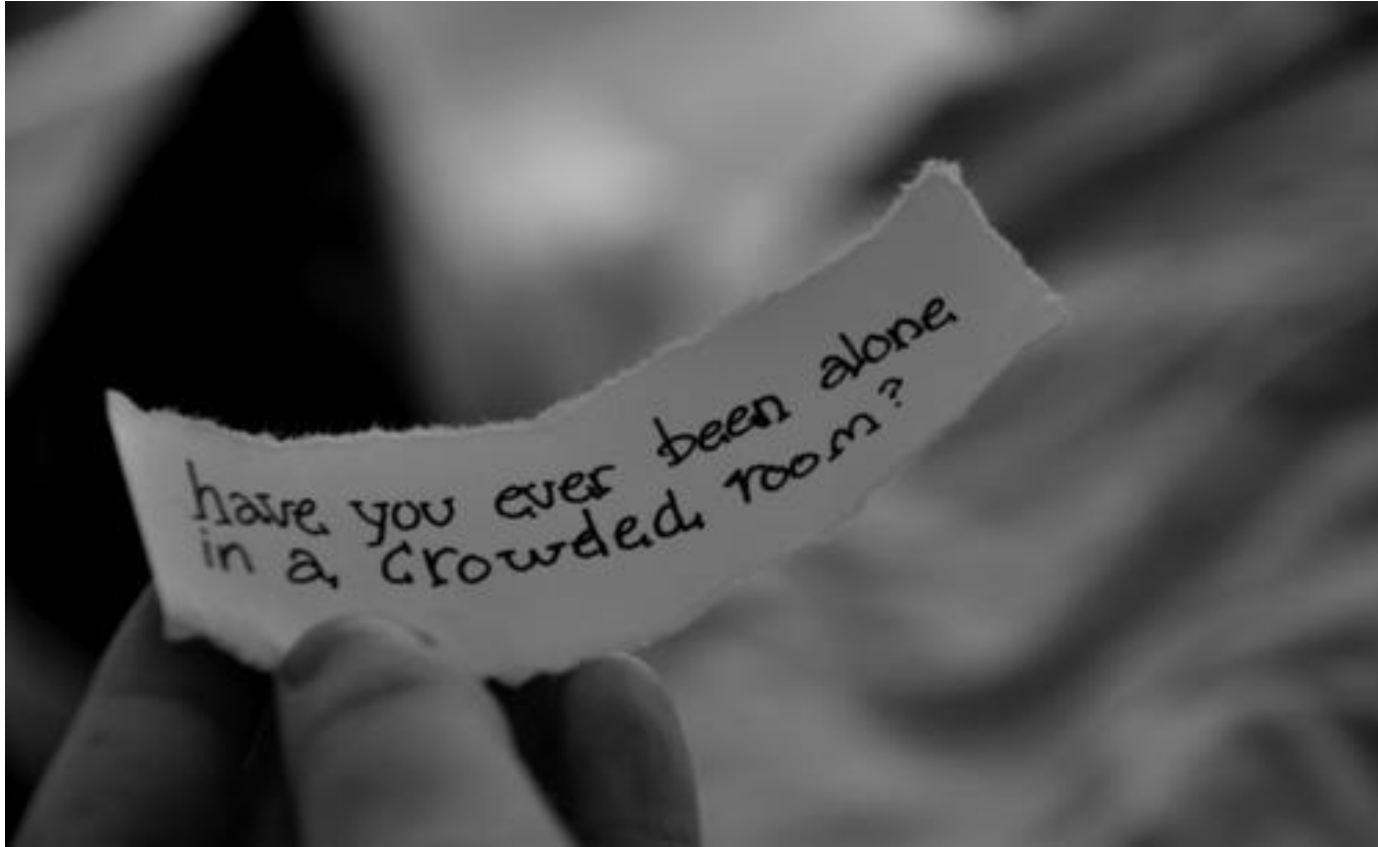
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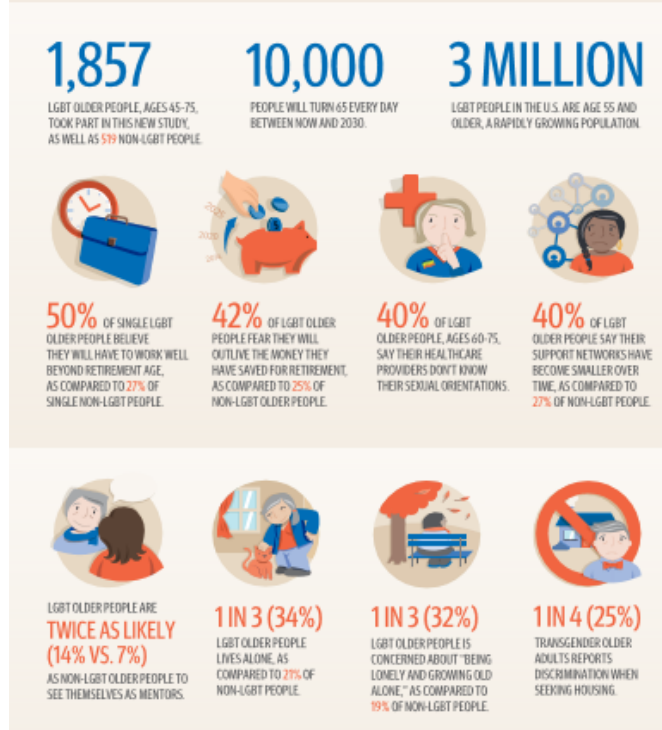


HISTORICAL CONTEXT





- 42% fear outliving income
- 40% not out to healthcare providers regarding sexual orientation
- 40% state support networks are becoming smaller
- 34% live alone
- 32% fear being lonely and alone as they age
- 25% of transgender older adults report housing discrimination



VISIT SAGEUSA.ORG for more information on this national study, including the full report, an executive summary and frequently asked questions (FAQ). Also, if you're interested in partnering with SAGE to understand key areas of this report, or to explore how SAGE can support your organizational and business strategies related to LGBT older people, please contact us at 212-749-2247 or email us at outandvisible@sageusa.org.

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Research conducted online by Harris Poll | © 2014 SAGE Services and Advocacy for GLBT Elders



<http://sageusa.org/resources/publications.cfm?ID=222>



CHANGING LANDSCAPE



Federal, State & Local
Policy Change signal a
brighter future for the
health and economic
security of LGBT
older adults.



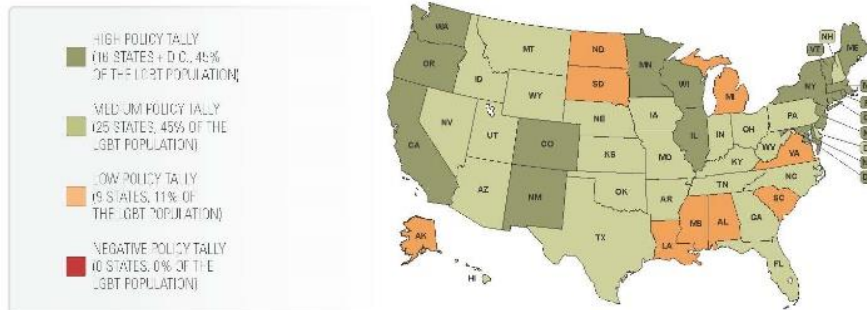
LGBT POLICY TALLIES BY STATE

WHEN THE SUPREME COURT GRANTS NATIONWIDE RIGHT TO MARRIAGE FOR SAME-SEX COUPLES

OVERALL TALLY BY STATE



SEXUAL ORIENTATION TALLY BY STATE



GENDER IDENTITY TALLY BY STATE



PATIENT VISITATION RIGHTS

- Hospital Visitation Rights – Hospitals receiving Medicare/Medicaid funds must allow patients to designate their visitors and cannot deny visitation based on sexual orientation/gender identity. (Presidential Memorandum, 2010)
- In 2014 CMS rules that these rights extend to Nursing Homes and Hospice.

<http://www.whitehouse.gov/the-press-office/presidential-memorandum-hospital-visitation>



LONG-TERM CARE RESIDENT RIGHTS AND LGBT OLDER ADULTS

- Right to be free from Abuse & Neglect
- Right to Privacy
- Right to Receive Visitors
- Right to Participate in Activities
- Right to be treated with Respect
- Right to Participate in YOUR Care
- Right to be Fully Informed
- Right to Choice
- Right to Remain in the Home



HEALTH & HUMAN SERVICES NONDISCRIMINATION FOR SERVICES & CONTRACTS AND ALL CMS PROGRAMS

It is the policy of the Department of Health and Human Services that no person otherwise eligible will be excluded from participation in, denied the benefits of, or subjected to discrimination in the administration of HHS programs and services based on non-merit factors such as race, color, national origin, religion, sex, gender identity, sexual orientation, or disability (physical or mental)

<http://www.hhs.gov/grants/contracts/contract-policies-regulations/apm-2012-03-attachmenta/index.html><http://portal.hud.gov>



ACA – SECTION 1557: PROTECTING AGAINST SEX DISCRIMINATION

- The rule makes clear that sex discrimination prohibited under Section 1557 includes discrimination based on:
 - An individual's sex
 - Pregnancy, childbirth and related medical conditions
 - Gender identity
 - Sex stereotyping



MEDICARE LIFTS BAN ON EXCLUSION OF TRANSGENDER RELATED CARE

The lifting of the coverage exclusion means that transgender Medicare beneficiaries will now be able to seek individualized review of the medical necessity of the specific procedure they need, just like anyone seeking coverage for any other medical treatment.

<http://www.hhs.gov/programs/topic-sites/lgbt/accesstohealthcare/nondiscrimination/index.html>



HUD EQUAL ACCESS RULE

- Passed on March 5th, 2012
- Prohibits discrimination in HUD funded housing and programs on the basis of sexual orientation and gender identity (HUD Section 202 & 232 properties)
- February 20th, 2015: HUD expands on Equal Access Rule to increase protections for transgender applicants for Shelter Housing requiring housing provided based on the gender identity of the applicant

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/LGBT_Housing_Discrimination



SUPREME COURT RULING & MARRIAGE EQUALITY

- With the Supreme Courts historic 2015 Federal Marriage Benefits are now available to married same-sex couples in all 50 states.





The National

CONSUMER VOICE

for Quality Long-Term Care

formerly NCCNHR

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