

When Health Care Isn't Caring

**Examining Health Care
Discrimination against
LGBT people and PLWHA**

Presidential Memorandum, April 15th, 2010

Allow Patients to Designate Their Visitors

- Department of Health and Human Services (HHS) should promulgate rules for hospitals that receive Medicaid or Medicare funds that require them to respect the rights of patients to designate visitors.

Ensure Hospitals Respect Advance Directives

- HHS should also take steps to ensure that such hospitals have adequate policies to respect the legal documents that some patients have designating who can make decisions for them if they are incapacitated.

Submit Additional Recommendations to Address Health Care Issues Affecting LGBT Patients and Their Families

- President directs HHS to report back to him in **180 days** with additional recommendations about actions it can take to address hospital visitation, medical decision-making and other health care issues that affect LGBT patients and their families.

180 Days = October 12th, 2010 Deadline

**Dept. of Health and Human Services
to provide recommendations**

- Importance of data collection
- Educate our communities
 - Continue advocacy

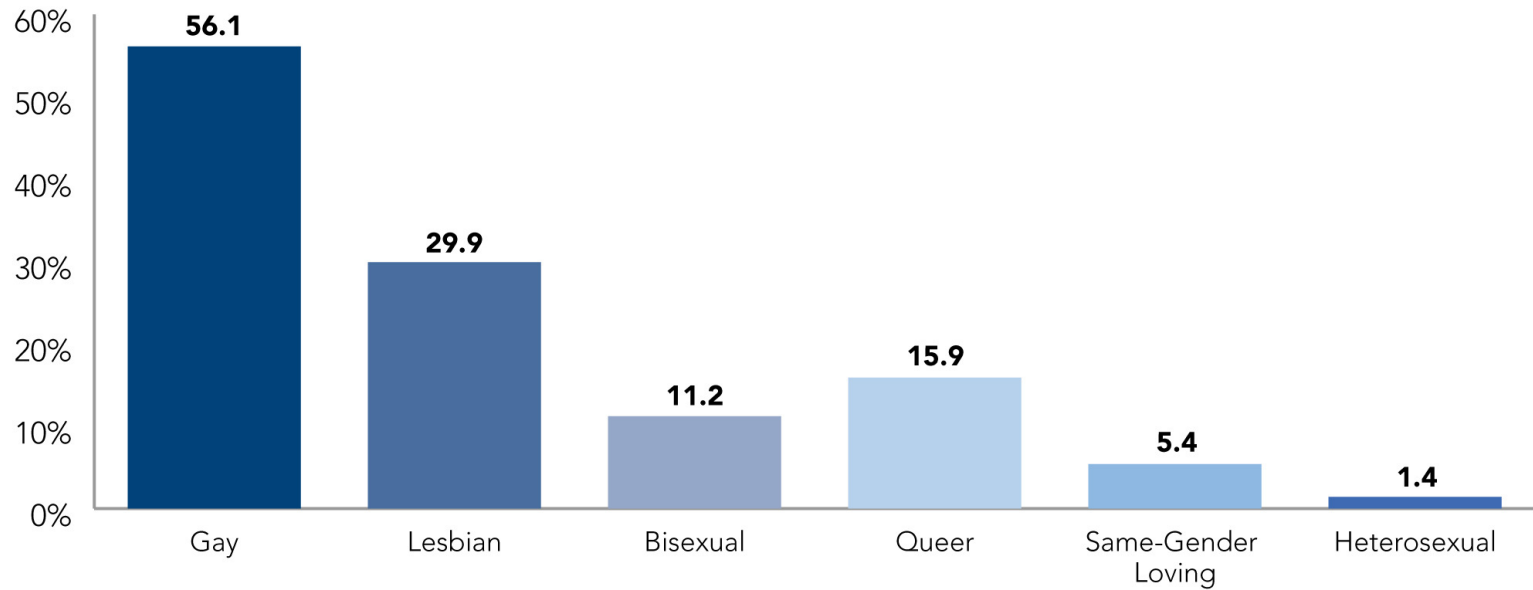
Survey Introduction

WHY A SURVEY?

- Evidence suggests that LGBT people have less access and face greater obstacles to health care
- Few if any national studies focus on health care-related discrimination of LGBT people
- Increase inclusion of LGBT people in data collection
- Raising awareness of LGBT health care needs can make change possible!

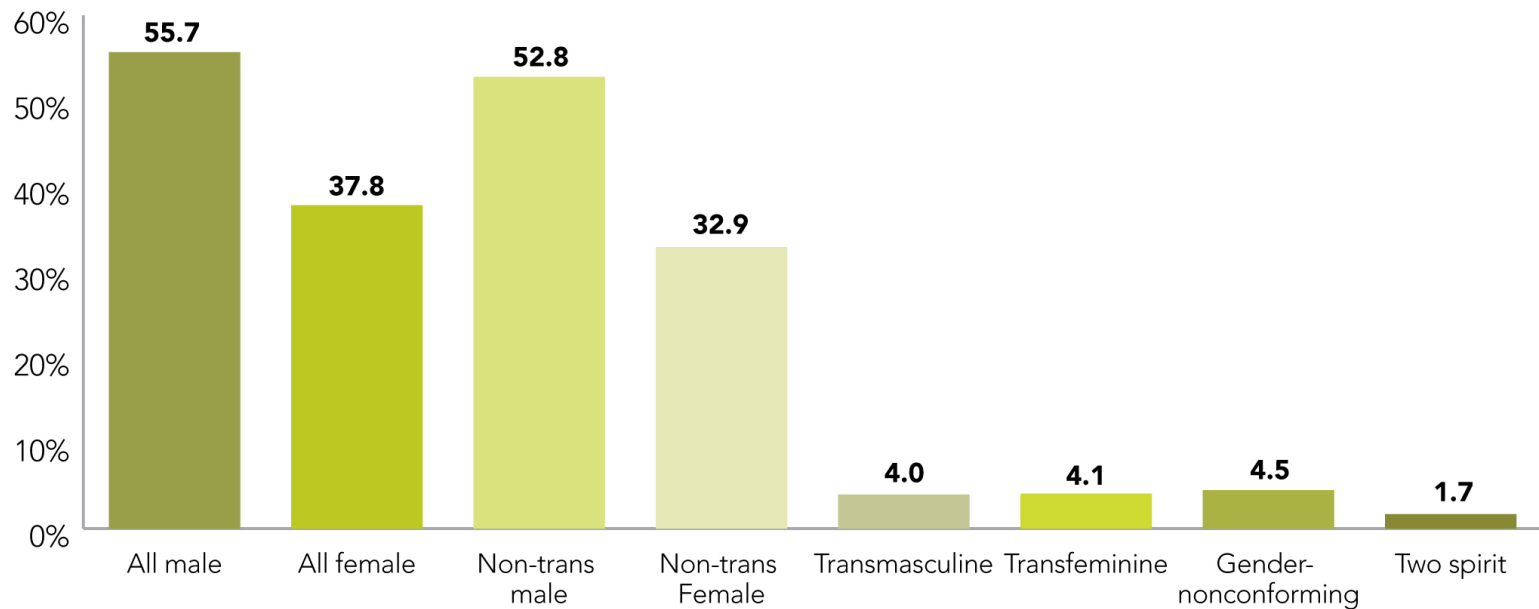
Survey Data: Sexual Orientation

Sexual Orientation

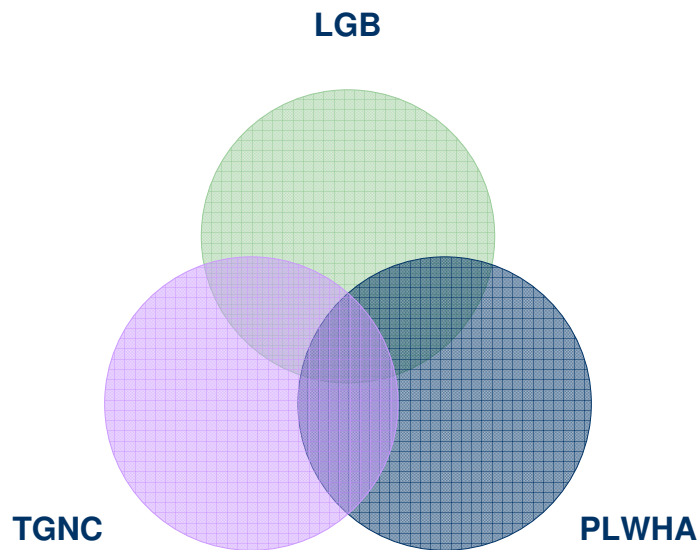


Survey Data: Who Responded

Current Gender Identity



Survey Summary



Two Perspectives of the Problem

- Discrimination and Substandard Care
- Barriers to Care

Survey Says...

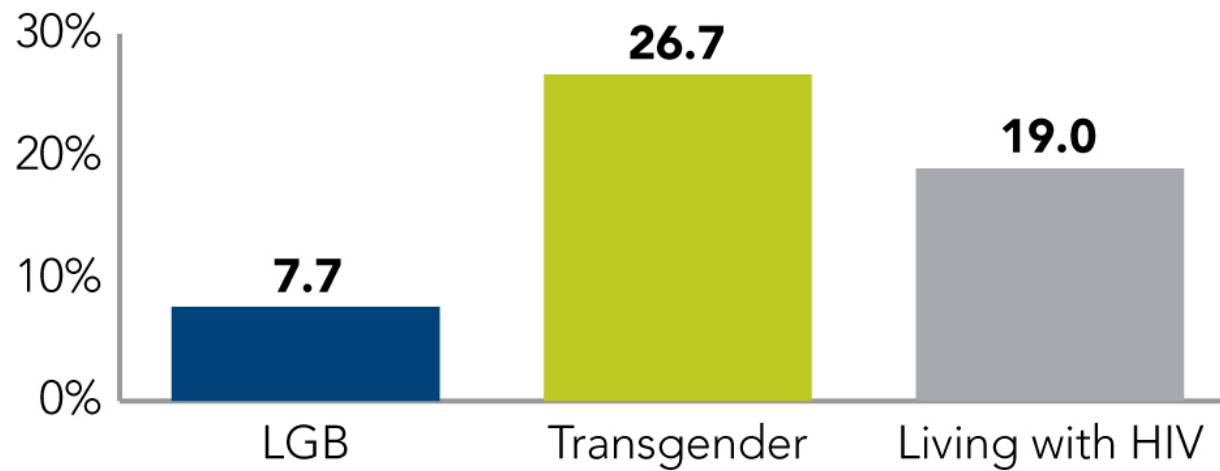
- 56% of LGB respondents
- 70% of TGNC respondents
- 63% of respondents living with HIV

DISCRIMINATION & SUBSTANDARD CARE

- Were refused needed health care
- Health care professionals refused to touch them or used excessive precautions
- Health care professionals used harsh or abusive language
- Were blamed for their health status
- Health care professionals were physically rough or abusive

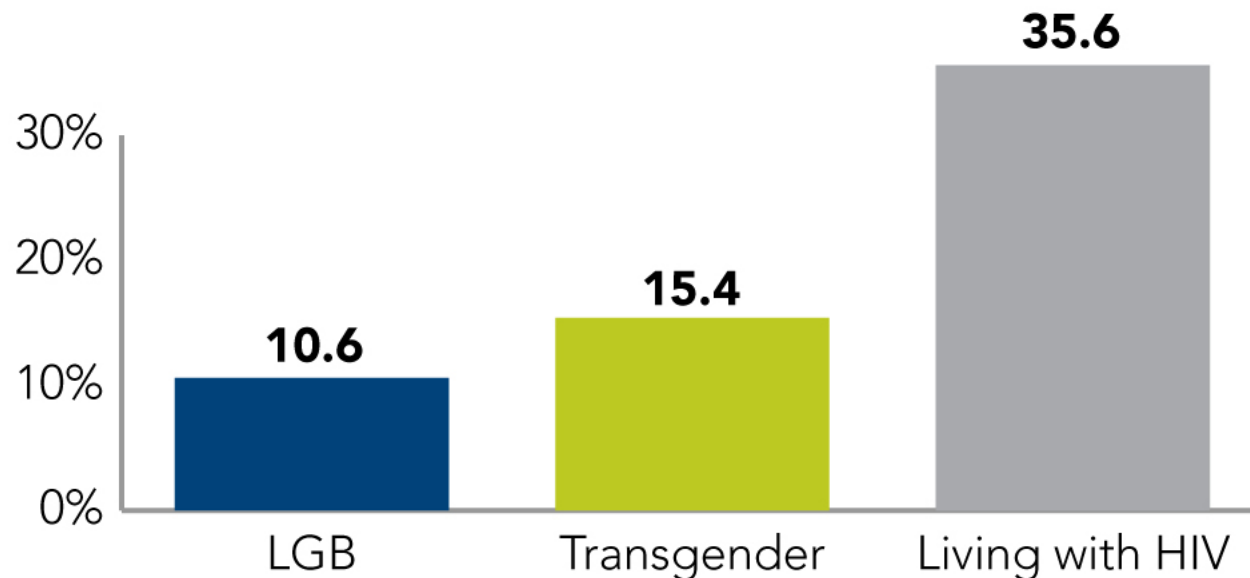
Survey Data: Discrimination & Substandard Care

Was refused needed health care



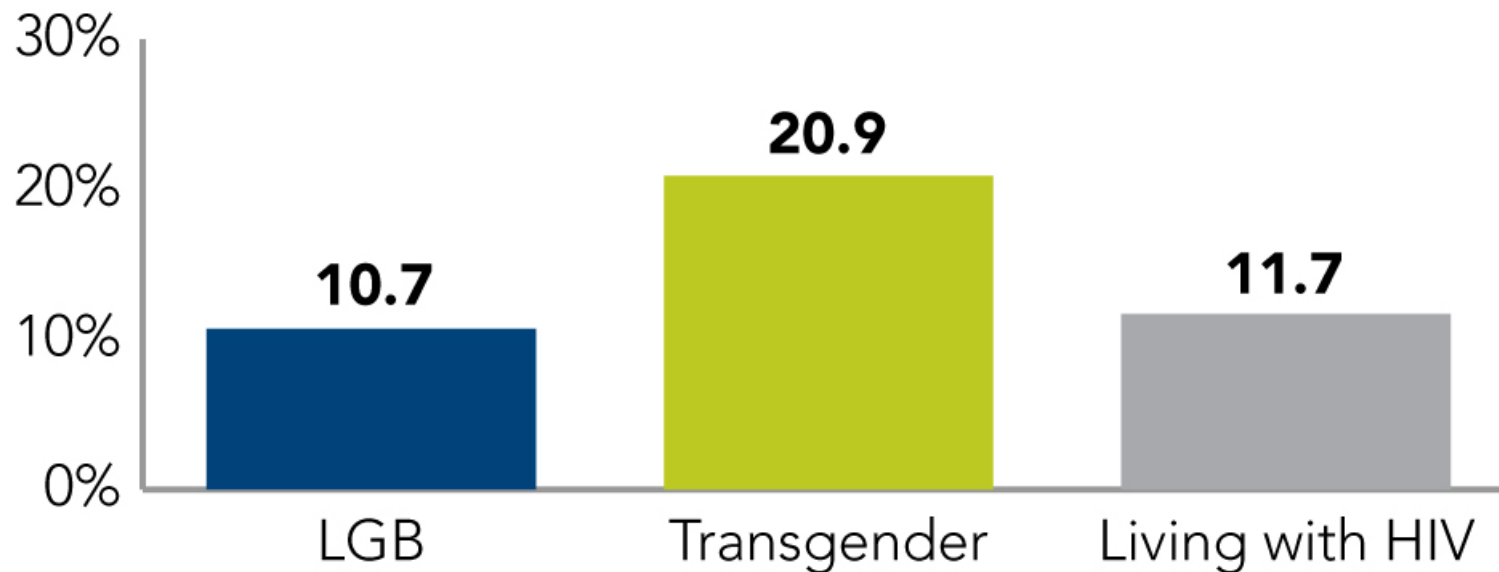
Survey Data: Discrimination & Substandard Care

Health care professionals refused to touch
or used excessive precautions



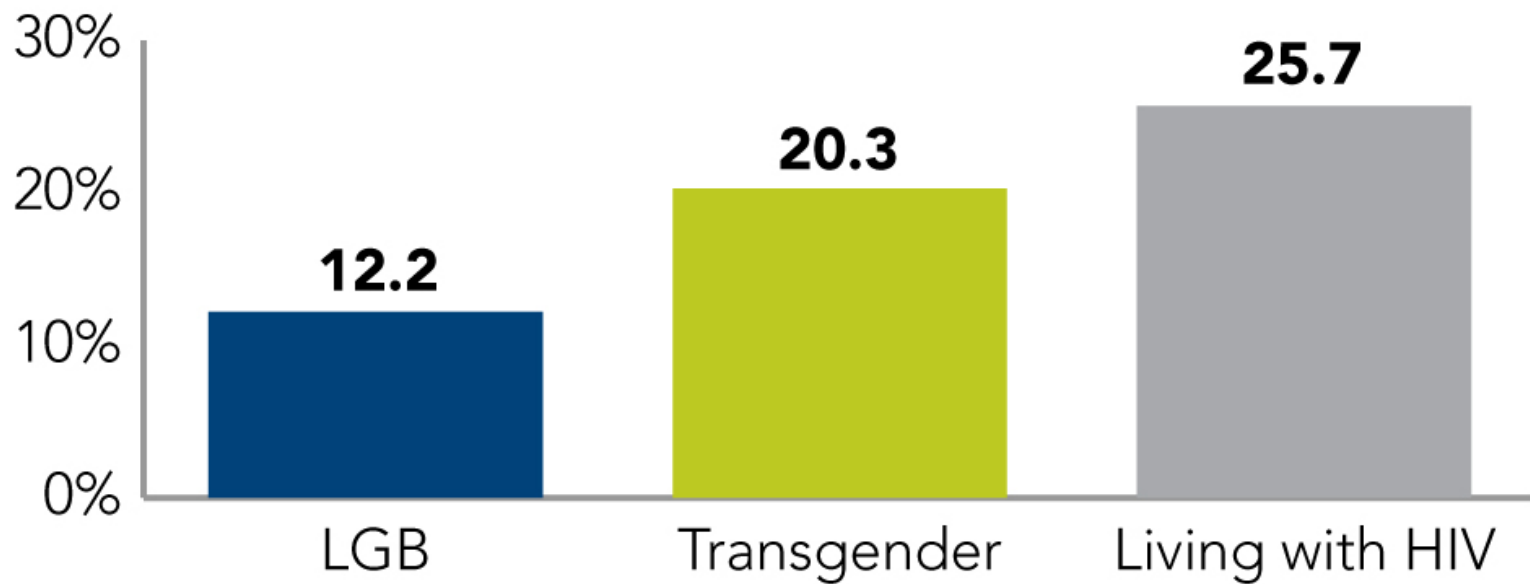
Survey Data: Discrimination & Substandard Care

Health care professionals used
harsh or abusive language



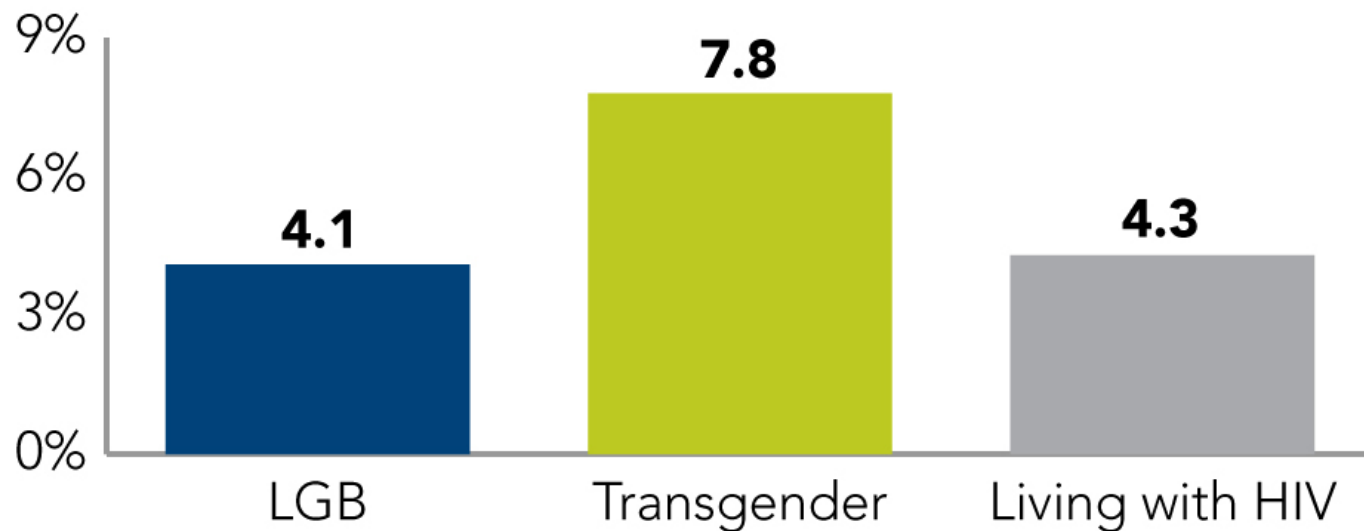
Survey Data: Discrimination & Substandard Care

Health care professionals blamed patient for their health status



Survey Data: Discrimination & Substandard Care

Health care professionals were
physically rough or abusive



Survey Says...

BARRIERS TO CARE

Not enough support groups

Community fear/dislike of us

I will be refused medical service

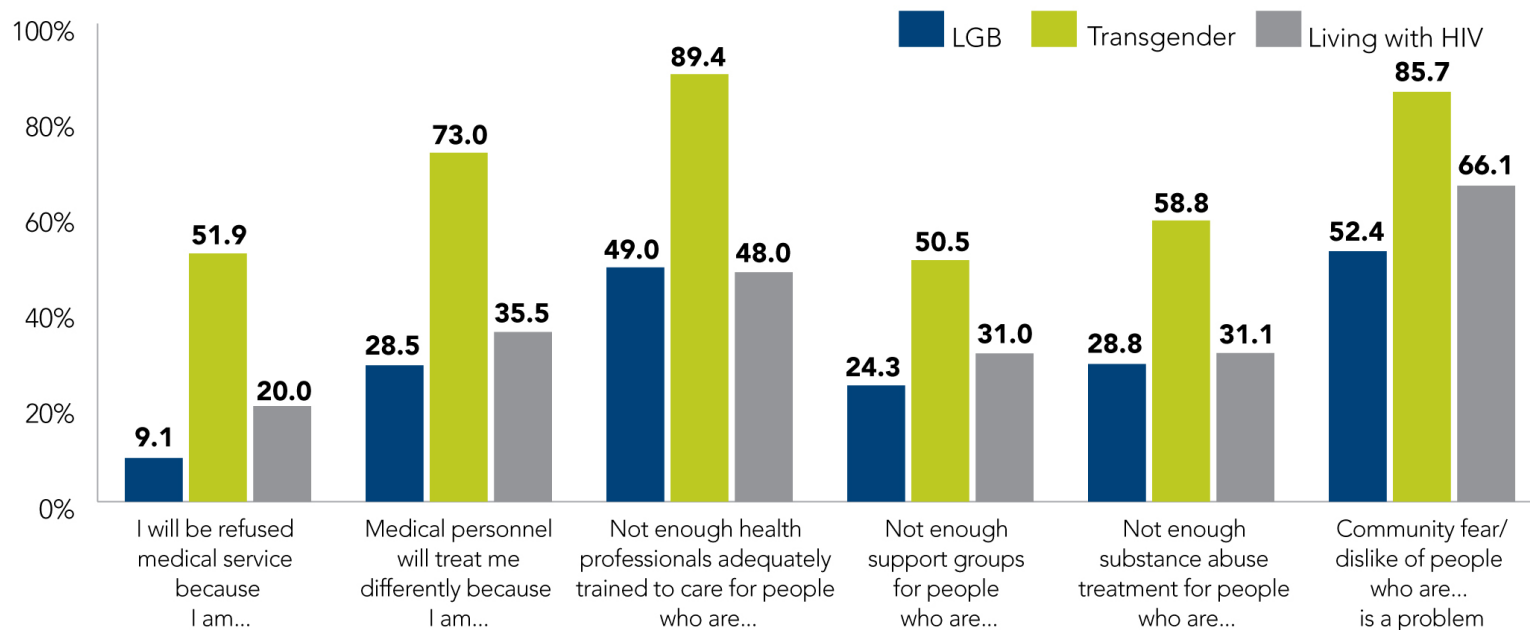
Not enough substance abuse treatment

Medical personnel will treat me differently

Not enough health professionals adequately trained

Survey Data: Barriers to Care

Fears and concerns about accessing health care

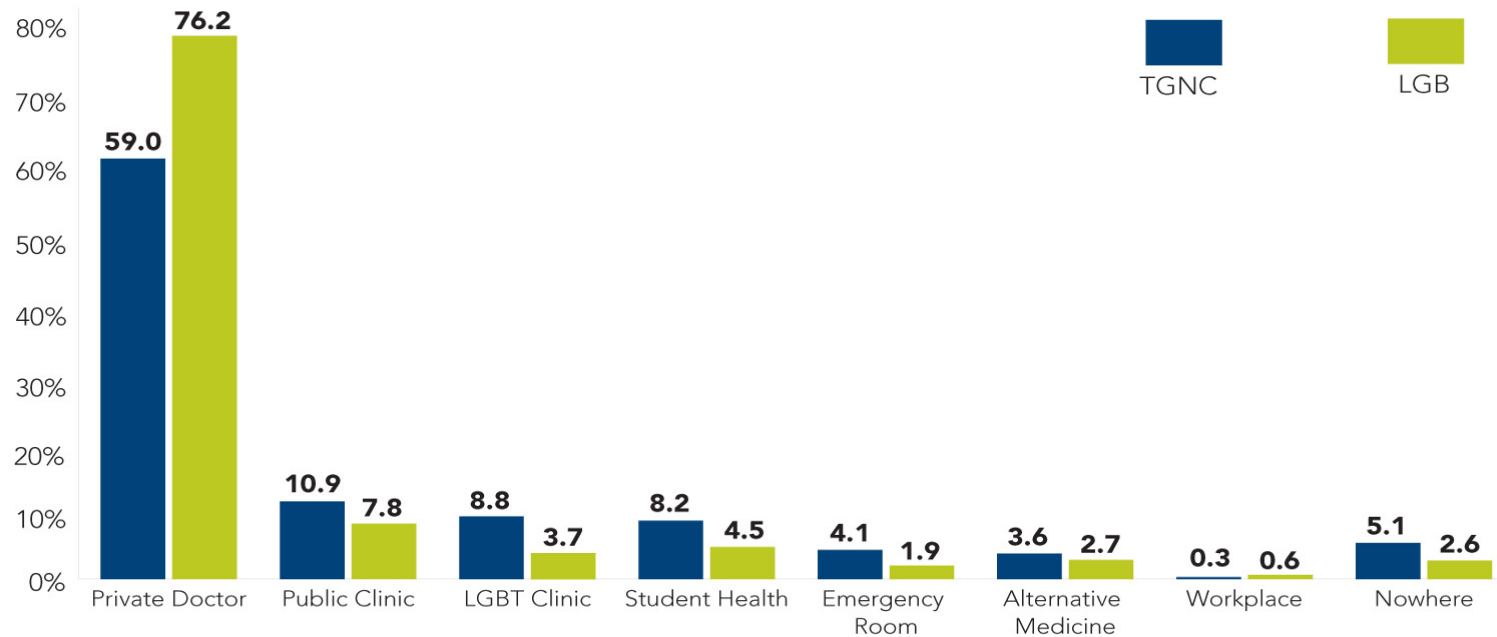


Survey Highlights

- In almost every category measured TGNC respondents reported experiencing the highest rates of discrimination and barriers to care
- In nearly every category, a higher proportion of POC and/or low-income reported experiences discriminatory and substandard care

Survey Data: Sources of Care

Usual Source of Care



Key Recommendations: Governments

- **Include coverage of LGBT people and those living with HIV in all anti-discrimination and equal opportunity mandates**
- **Require all health care facilities and education programs that receive funding to develop and implement goals, policies and plans to ensure that LGBT people and PLWHA are treated fairly and provide ongoing cultural competency training for all health care profession students and staff**
- **Change laws to require recognition of families of LGBT people, including those who live within less common family structures, and require health care providers to do the same**
- **Eliminate overly broad religious exemptions that purport to exempt medical care from nondiscrimination laws**
- **Prohibit discrimination practices by insurance providers that deny or limit coverage for needed care by LGBT people and PLWHA**
- **Ensure that government-funded health research and surveys include sexual orientation and gender identity issues and demographic analysis so that more can be known about the health care discrimination experiences by our communities as well as about our communities' health care needs**

Governments should also:

- **Explicitly protect transgender and gender-nonconforming people from discrimination in health care settings.**
- **Prohibit discriminatory practices that deny coverage of medically necessary transition-related care for transgender people in Medicaid policies.**
- **Prohibit discriminatory practices by insurance providers that deny or limit coverage for medically necessary care for transgender people including transition-related care and/or cross-gender health care such as pap smears for transgender men or prostate screenings for transgender women.**
- **Provide health insurance coverage for transition-related care for government employees.**
- **Include coverage of people with living with HIV in all anti-discrimination and equal opportunity mandates.**
- **Require all health care providers to treat people living with HIV fairly and provide culturally competent care.**
- **Prohibit discriminatory practices by insurance providers that deny or limit coverage for needed care by people living with HIV.**

More Recommendations...

Implement standards of care specific to LGBT patients/consumers

Develop an federal office for LGBT Health

Mandate cultural competency training

Make health education materials culturally specific to LGBT people

Increase funding to community based orgs

Advocacy Tips

- Letter writing
- Call ins
- Op-eds
- Lobbying
- Town halls
- Petitions
- Speak Up
- Community organizing
- Direct Action
- Building alliances
- Press conference
- Story banking
- More ideas???

Health Care Fairness Advocacy

1. TARGETS: What community/ issue do you want to address?		
2. STATED PROBLEM: What is the problem?		
3. GOAL : What should change?		
4. ALLIES/ OPPONENTS: Who can help or hurt?	Allies	Opponents
5. TACTICS: What steps needs to be taken to reach your goal?	Step 1. Step 2. Step 3.	

For more information...

- Visit our website
 - : <http://www.lambdalegal.org>
- Sign our Health Care Fairness Petition
- Share Your Story with us!
 - <http://www.lambdalegal.org/share-your-story>