



Bill to protect LGBT seniors passes Senate Health Committee

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by: Ali Bay, Equality California, *OIA Newswire*

SACRAMENTO – The Senate Health Committee today passed legislation that would help create an environment that is free from discrimination for LGBT seniors in nursing homes and senior care facilities.

Senate Bill 1729, authored by Sen. Carole Migden, D-San Francisco, and sponsored by Equality California, would train licensed health professionals who care for seniors about the unique needs of the lesbian, gay, bisexual and transgender (LGBT) community. Committee members passed the bill with an initial 6-1 vote.

"Seniors in our community are more likely to live in 24-hour care facilities in their later years due to lifelong experiences of discrimination and the lack of legal safety nets, such as Social Security survivor benefits, that help keep people in their homes after retirement," said EQCA Executive Director Geoff Kors. "Once they do receive professional care in a nursing home or senior facility, LGBT seniors should not have to face further isolation, discrimination or a lack of acceptance based on their sexual orientation or gender identity."

SB 1729 would require licensed healthcare professionals who have constant interaction with seniors to participate in a training program that focuses on preventing discrimination based on sexual orientation and gender identity. Many health professionals already receive cultural diversity training, but it does not include information and education about LGBT issues.

"We want to make sure all seniors receive the essential services, programs and activities they need and deserve," said Sen. Migden. "SB 1729 will help foster a culture of respect within senior care facilities so every person who needs support feels welcome in that environment."

Testifying before the committee, Frank Howell, a senior from Hayward, said he was not allowed to make medical decisions for his now deceased partner, John, even though Howell was listed as his caregiver.

"In some cases when gays or lesbians are admitted to nursing care facilities they are not even allowed to visit their partners – or even hold hands," Howell said. "A large number of retirement homes have no official written policy regarding gay and lesbian residents and are totally ignorant of any of the issues involved."

Basic rights, such as the choice to live in the same nursing home with a partner and the right to hospital visitation, are routinely denied to same-gender couples in older age, according to a 2000 study from the Policy Institute of the National Gay and Lesbian Task Force. The study also shows that same-gender partners lack essential protections, including Medicaid benefits and access to pensions, which would typically protect the assets, homes and retirement funds of surviving spouses.

"I personally witness the effects of this isolation among LGBT seniors regularly as a caregiver to an 86-year-old gay man with Alzheimer's," said Dan Ashbrook, director of the Lavender Seniors of the East Bay. "He was institutionalized at age 17 when his parents found out he was gay. Now he lives a life of poor health and isolation because of his mistrust of the health care system." The Lavender Seniors of the East Bay provides social activities, support, and networking for LGBT seniors.

Founded in 1998, Equality California celebrates its 10th anniversary in 2008, commemorating a decade of building a state of equality in California. EQCA is a nonprofit, nonpartisan, grassroots-based, statewide advocacy organization whose mission is to achieve equality and civil rights of all lesbian, gay, bisexual and transgender (LGBT) Californians. www.eqca.org