

# Support SB 99 with amendments

## The LGBTQIA2S+ Bill of Rights for Older Adults

The LGBTQIA2S+ Bill of Rights will help provide protections from discrimination on the basis of sexual orientation, gender identity, gender expression and HIV status in long term care settings as well as improve access and gaps in services and equity in State programs. This bill establishes a Commission to look at how access to services can be improved. Training will also be created as a requirement for providers. This bill advances the goals of equity and inclusion in our state.

The LGBTQIA2S+ Bill of Rights was developed as an outcome from the 2021 **Oregon LGBTQ+ Older Adult Survey** and through extensive input by stakeholders, consumers, individuals with lived experience and individuals who identify with this community. Survey findings included:

- 94% of respondents experienced discrimination within the last year, higher among people of color (up to 94%).
- 21% of respondents do not disclose their sexual or gender identity to healthcare, aging or other service providers.
- 24% of respondents have experienced abuse in past year and 76% did not report it to the authorities.



## LGBT Older Adults in Long-Term Care Facilities, a groundbreaking 2015 report by Justice in Aging, showed that:



- Only 22% of respondents thought that LGBTQ+ older people could be out to facility staff.
- 89% of respondents predicted that staff would discriminate against an out LGBTQ+ person.
- 53% of respondents thought that staff would neglect or abuse the out LGBTQ+ person.
- 43% of respondents reported mistreatment, including verbal or physical harassment from other residents, refused admission/re-admission/discharge, and other types of mistreatment, including staff refusing to use a transgender resident's proper name or pronoun.



## Why is this legislation needed?

- LGBTQ+ older people need to rely more heavily on community service providers for care as they age because they are far more likely to live alone and less likely to rely on adult children or other family members for informal caregiving.
- LGBTQ+ older people are often distrustful of mainstream providers because of a long history of compounding discrimination.
- 70% of LGBTQ+ older people fear having to “re-closet” themselves when seeking elder housing.
- Unfortunately, many still confront discrimination, fear and stigma in long-term care settings.
- 50% of people living with HIV in the United States are 50 or older. We need to continue our work in planning and providing services for these individuals.
- Policy makers, health care providers, and aging providers can and must do more to take on the challenges presented by the aging of these individuals including, at minimum, passing a LGBTQIQ2S+ Bill of Rights.

## Doesn't Oregon already protect LGBTQ+ people from discrimination?

While Oregon's Human Rights laws include non-discrimination protections including, based on gender identity and sexual orientation, long-term care facilities and their staff are not always clear on how to provide respectful and appropriate care to LGBTQ+ older adults.

Issuing clear and accessible guidance under SB 99 with amendments will ensure providers and their staffs are trained in the needs of LGBTQ+ older adults and older adults living with HIV and provide those long term care residents with a strong tool for self-advocacy if the guidance is not being followed.

## SB 99 with amendments

### SB 99 with amendments

is a first step to allow Oregon's older adults to be safe, recognized and protected regardless of sexual orientation, gender identity or HIV status. We ask for your support of SB 99 with amendments by moving this forward to Ways & Means.



For more information please contact Nicole Palmateer Hazelbaker.  
503.428.6228 nicole@o4ad.org

