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March 5, 2020

To: The Honorable Shane E. Pendergrass
Chair, Health and Government Operations Committee

From: Patricia F. O'Connor, Health Education and Advocacy Unit

Re: House Bill 1010 Health Care Facilities – Discrimination (LGBTQ Senior Bill of Rights): Support

The Office of the Attorney General's Health Education and Advocacy Unit (HEAU) supports House Bill 1010, the LGBTQ Senior Bill of Rights, which would prohibit a comprehensive care facility or an extended care facility from discriminating against individuals or residents based on the actual or perceived sexual orientation, gender identity, gender expression, or HIV status of the individuals or residents. Discriminatory acts are defined in the bill as pertaining to admission, room assignments, use of restrooms, use of preferred name or pronouns, resident association, clothing, and denying or restricting medical or nonmedical care, among other acts.

Protecting these rights of the LGBTQ community is an important goal generally, but recognition of these rights is particularly important in a setting where LGBTQ individuals actually live or reside. In one study, "[a]pproximately 14% of transgender people reported they were denied equal treatment or service and experienced verbal harassments and physical attacks from staff in [long term care] facilities for being perceived as transgender." See *James S. E., Herman J. L., Rankin S., Keisling M., Mottet L., & Anafi M. (2016)*, <https://www.transequality.org/sites/default/files/docs/USTS-Full-Report-FINAL.PDF>

We believe the right to be treated with dignity, respect and professionalism by providers and staff in an individual's place of residence is, or should be, a fundamental element of a facility's care and treatment of its resident population.

While there is other legislation under consideration this session that would offer similar protections in a health care context, we believe these protections should be specifically applicable to facilities and settings where the interactions between residents and staff go beyond the admission to and provision of health care.

For these reasons, we ask the committee to give the bill a favorable report.

cc: Members of the Health and Government Operations Committee