The Long-Term Care Equality Index: Non-Discrimination & Staff Training (Criteria 1)





About our Organizations



https://www.thehrcfoundation.org/



https://www.sageusa.org/









Agenda

- The LEI Survey
- Criteria 1: Non-Discrimination & Staff Training
 - Resident Protections
 - Equal Visitation Policy
 - Employee Protections
 - Staff Training: Executive Briefing
- Next Steps
- Q&A

2022 LEI Survey & Criteria

LEI Survey Criteria

1. Non-Discrimination and Staff Training

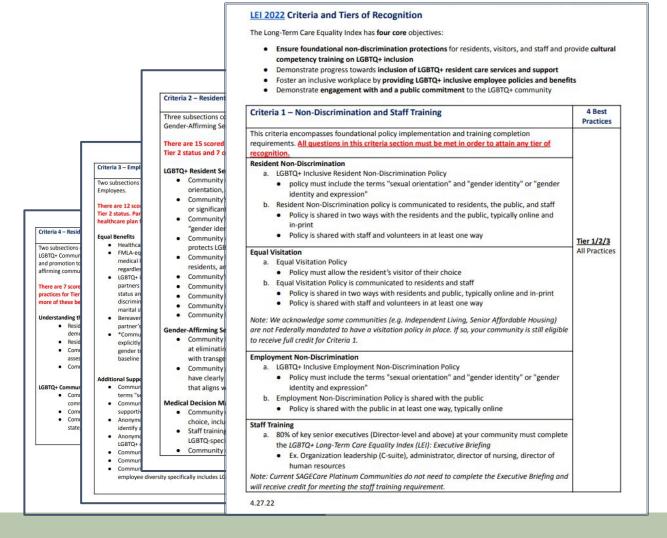
2. Resident Services and Support

LGBTQ+ Inclusion

3. Employee Benefits and Policies

4. Resident and Community Engagement

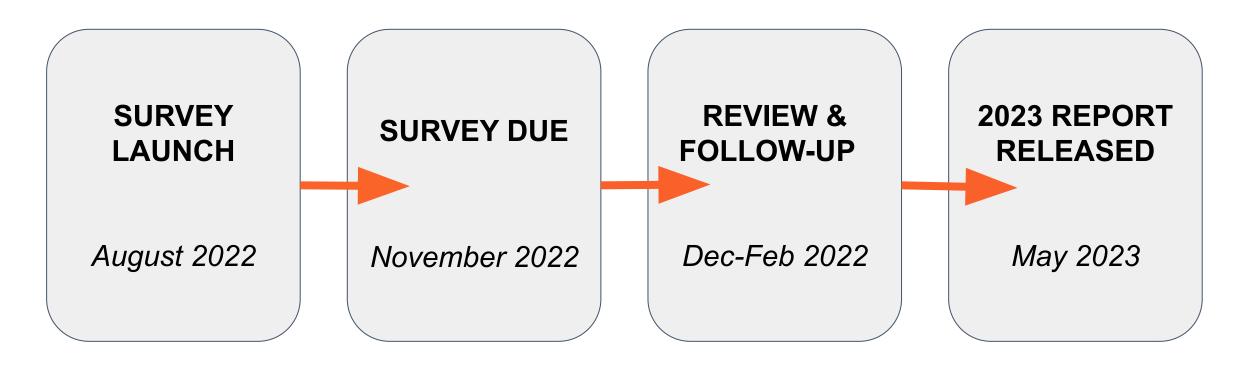
Full List of 2022 LEI Survey Criteria



The full list of criteria is now available on our website - https://tinyurl.com/LEIcriteria

The document includes best practices under each of the 4 criteria sections

2022 LEI Survey Timeline







Criteria 1. Non-Discrimination and LGBTQ+ Executive Briefing

Foundation of LGBTQ+ Inclusivity

Must have all 4 to achieve any Tier of Recognition









Resident
NonDiscrimination
Policy

Equal Visitation Policy

Employment
NonDiscrimination
Policy

LGBTQ+
Aging
Executive
Briefing

1. Inclusive Resident Non-Discrimination Policy

1a. Inclusive Resident Non-Discrimination (RND) Policy

- Must include <u>both</u> "sexual orientation" <u>and</u> "gender idenity"
- Must be part of resident non-discrimination policy (different than anti-harrassment policy)
- Must upload copy of policy

Acceptable RND Policy

STATEMENT OF POLICY:

As a recipient of Federal financial assistance, Woodland Pond at New Paltz does not exclude, deny benefits to, or otherwise discriminate against any person on the ground of race, color, sexual orientation, gender identity/expression, or national origin, or on the basis of disability, or diagnosis including HIV status, or age in admission to, participation in, or receipt of the services and benefits of any of its programs and activities or in employment therein, whether carried out by Woodland Pond at New Paltz directly or through a contractor or any other entity with whom the Woodland Pond at New Paltz arranges to carry out its programs and activities.

Unacceptable RND Policy

 This community complies with applicable federal civil rights laws and does not discriminate because of race, color, creed, sex (including gender identity), sexual preference, handicap....

a) Non-Discrimination. Requirements for admission to our community are nondiscriminatory except as to age. Admission is restricted to persons sixty (60) years of age or older. Our community is open to anyone regardless of race, color, religion, sex, sexual orientation, handicap, familial status, or national origin.

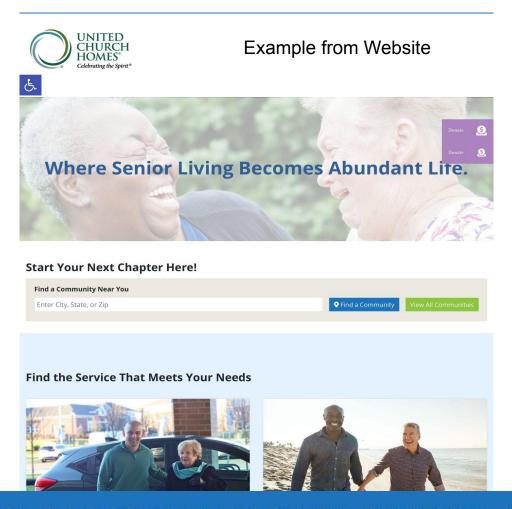
Unacceptable RND Policy

- Does not have both terms
- Unacceptable language:
 - Sexual preference
 - Sex (unless in parenthesis it has "gender identity" as part of sex)
 - Gender (only) or gender expression (only)

1b. Communicate Resident Non-Discrimination Policy to Residents, Public, and Staff

- Must communicate the policy at least 2 ways to residents and the public
 - Typically online
- Must communicate the policy at least 1 way to staff and volunteers

 Consistent language across policy & external communication



United Church Homes, Inc. (UCH) complies with applicable federal civil rights laws and does not discriminate, exclude or treat people different because of race, color, creed, national origin, religion, gender, sexual orientation, gender identity and/or expression, age, disability, genetic information or ancestry. Spanish: Chinese: Dutch: Italian: Vietnamese: German:

Examples

- Posted on community's website
- Posted or displayed in public areas of the community
- In materials routinely given to residents at admitting/registration
- In materials routinely given to residents at other time(s)
- In materials routinely available for take-away



Residents' Rights for Nursing Homes

NYC Health + Hospitals

The Nursing Facility shall establish written policies regarding your rights as a resident and shall develop procedures implementing such policies as follows:

The operator of a facility shall, in consultation with residents, establish written policies regarding the rights and responsibilities of residents and shall be responsible for development of, and adherence to procedures implementing such policies. These policies and procedures shall be given to residents or their guardian, next of kin, sponsoring agencies or agencies of lawful representative, and each member of the families' staff. They shall also be posted conspicuously in a public place in the facility and made available to the public. The staff of the facility shall be trained and involved in the implementation of these policies and procedures. The residents' rights, policies and procedures shall ensure that, at least, each resident admitted to the facility.

As a resident in a Nursing Home in New York State, you have the right, consistent with the law, to:

- Be informed of your rights. Be informed of the facility's rules and regulations, and receive an explanation of resident's responsibility to obey all reasonable regulations of the facility and to respect the personal rights and private property of other residents. Interpreter services are available if needed;
- Be informed and receive a written statement prior to or at the time of admission and during the stay, of services available in the facility and of related charges for services not covered by sources of third-party payment or not covered by the facility's basic per diem rate;
- Be informed verbally and in writing at the time of admission and again at the time of transfer for any reason, of the facility's bed retention or reservation policy:

- Be treated with consideration, respect, and full recognition of your dignity and individuality including privacy in treatment and in care of your personal needs; be treated with respect for your personal values, beliefs, cultural and spiritual preferences, and life-long patterns of living;
- 5. Be assured of adequate and appropriate medical care; be fully informed, by a physician, of your medical condition unless medically contraindicated (as documented by a physician, in your medical record); be given the name, address and telephone number of the physician in charge of the case and be afforded the opportunity to participate in the care plan and proposed treatment; to refuse to participate in experimental research, and to refuse medication and treatment after being fully informed of and understanding the consequences of such actions;
- 6. Be transferred or discharged only for medical reasons, or for your welfare or that of other residents or for non-payment for your stay (except as prohibited by sources of third-party payment), and be given reasonable advance notice to ensure orderly transfer or discharge, and be (as is your representative) provided with an interpretation of the content of your medical records by a physician of your choosing in instances where adverse utilization review continued stay decision are pending, and such actions are documented in your medical record;
- 7. Appropriate assessment and management of pain. Care will be rendered in a manner which will provide you with optimal comfort and dignity, which includes appropriate and aggressive management of pain and treating responsive symptoms as desired by you or your surrogate. The care will be provided with sensitivity to you and your family's psycho-social and spiritual concerns:

also be referred to offices

of Health DRS/SNHCP LTC Empire State Plaza York 12237 B) 201-4563

re Ombudsman Program e Office for the Aging 00) 342-9871 ne: (212) 962-2720

sion (800) 994-6610

2803(c) Resident's Rights, 10NYCRR, 415.3

onsibilities

ormation:

will provide physician and hospita with accurate and complete on relating to present complaints, p nospitalizations, medications and ters relating to his or her health, to f his/her knowledge.

will immediately inform the physician tal personnel of any treatments being butside of the facility while they are here. Residents will execute a release g the facility to obtain medical on on such treatment to ensure that ourses of treatment do not pose a the patient/resident.

are responsible for reporting risks in their care and any ed changes in the resident's

will notify physician and nurse of any s of pain, participate with care givers assment of pain and in developing a agement plan. Residents will inform s and nurses if pain is not relieved y have any concerns about taking

will, if capable, make their needs staff members assigned to their care 28. Receive treatment without discrimination as to age, race, culture, language, physical or mental disability, socioeconomic status, sex, sexual orientation, gender identity or expression.

Communicate to Staff

Examples:

- Provided in materials for all new employees and volunteers during orientation
- Reviewed in-person or online during employee and volunteer training
- Posted on the community intranet site
- Posted on signs/placards in the employee work area(s)
- Revisited as part of the standard protocol when planning new programs and activities

Training Document given to New Staff and Annual Review -Share policy and also educates about LGBTQ+ residents

Abramson New Hire & Annual Staff Enrichment LGBT

Keep In Mind...

"The vast majority of LGBT+ older adults have lived through discrimination, social stigma, and the effects of prejudice both past and present, including a history of being labeled as criminals, sinners and mentally ill." (National Resource Center on LGBT Aging and SAGE, Inclusive Services for LGBT Older Adults, p.4)

We are proud of our Patient Non-Discrimination policy which includes sexual orientation and gender identity: "Abramson Senior Care is a nonprofit organization and does not discriminate on the basis of race, color, national | origin, religious creed, disability, ancestry, age, gender, gender identity, sexual orientation or genetic information in admissions, referrals, or the provision of care or serve."

Sexual orientation and gender identity affect individuals in many ways throughout one's life. They influence a person's sense of self, social connections, interests, goals, losses, hopes, fears, health and well-being.

LGBT+ people are diverse as humanly possible. There are LGBT+ of all races, religion, nationalities, ethnicities and so on. Sexual orientation and gender identity are core aspects of each person, but not the only aspects. Get to know the whole person for people are multidimensional with rich histories and life stories.

2. Equal Visitation Policy

2a. **Equal Visitation Policy**

- Must allow residents "visitor of their choice"
 - Resident choice language AND/OR
 - Non-discrimination in visitation language (inclusive of sexual orientation and gender identity)

- Must be a part of your Visitation
 Policy
 - Can be Residents' Rights but must be on letterhead or internal copy

Acceptable Equal Visitation Policy

b. The Resident's right to receive the visitors whom he/she/they designate, including, but not limited to, a spouse, a domestic partner (including a same sex domestic partner), another family member, or a friend;

facility prohibits denying visitation privileges based on race, color, national origin, religion, sex, sexual orientation, gender identity, or disability. Visitation rights include the right to receive the visitors designated by the resident, including, but not limited to, a spouse, a domestic partner (including a same sex domestic partner), another family member, or a friend.

2b. Communicate Equal Visitation Policy to Residents, Public and Staff

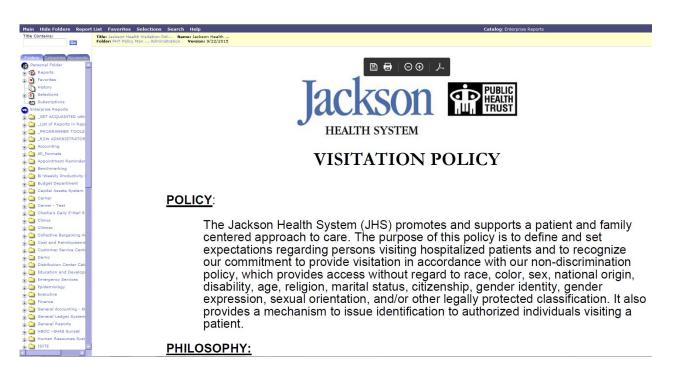
- Must communicate the policy at least 2 ways to residents & the public
- Must communicate the policy at least 1 way to staff/volunteers
 - Must be different than examples used above

Consistent language across policy & external communication



- Posted or displayed in public and/or common gathering areas of the community
- Posted on the community's website
- In materials routinely give to residents during move-in or registration
- In printed materials/brochures that are provided to residents and their families at other times

Communicate to Staff



- Provided in materials for all new employees and volunteers during orientation
- Reviewed in-person or online during employee and volunteer training
- Posted on the community intranet site
- Posted on signs/placards in employee work area(s)

3. Employee Non-Discrimination Policy

3a. Inclusive Employee NonDiscrimination (END) Policy

Must include both "sexual orientation" and "gender idenity"

- Must be a part of EEO or Non-Discrimination Policy
 - **EEO** explicitly enumerate both "sexual orientation" and "gender identity"
 - Not "Anti-Harassment" Policy
- Must upload copy of policy

Acceptable END Policy

POLICY:

It is the policy of Woodland Pond to maintain a culture that will recruit, hire, train, retain, and promote persons in all job classifications, *without regard to race, color, religion, sexual orientation, gender identity or expression, genetics, national origin, age (except where requirements are established by law), ancestry, marital status, political affiliation, pregnancy, and disability (unless the nature and extent of the disability [mental or physical] precludes the performance of an essential function of a particular job) or for any other reason recognized by Federal, State or Local law or regulation.

Unacceptable END Policy

Policy: This facility endorses and will adhere to an Equal Employment Opportunity Policy in implementing all employment practices, policies, and procedures.

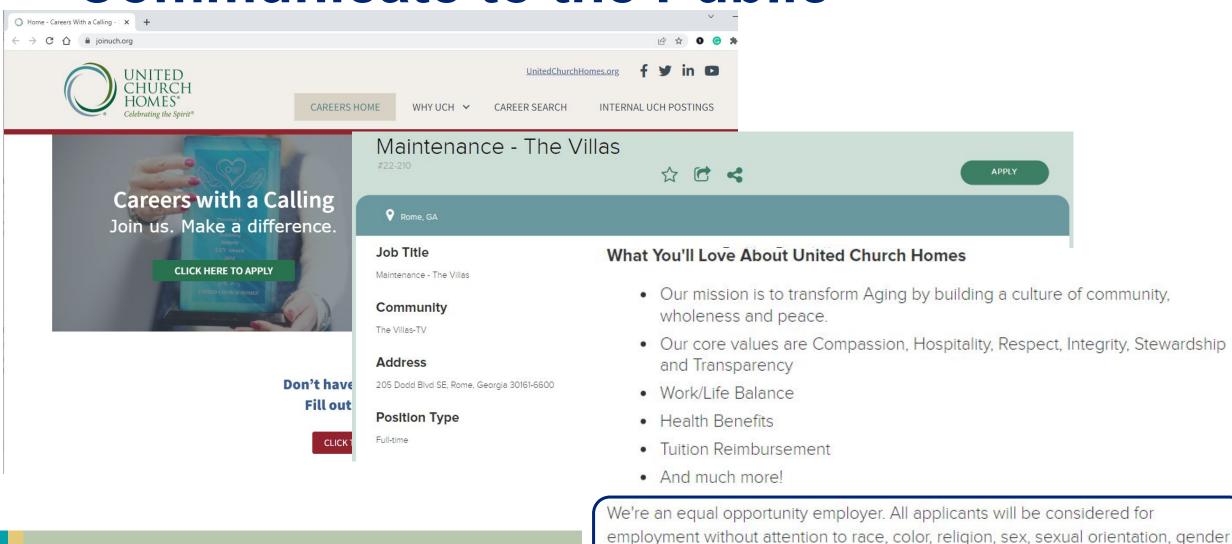
<u>Policy:</u> This facility will recruit, hire, train, and promote persons in all job titles without regard to race, color, religion, national origin, sex, <u>sexual orientation</u>, or age, except where sex or age is a bona fide occupational qualification as defined by law. This facility will base decisions on employment so as to further the principle of equal employment opportunity.

3b. Communicate **Employee Non-Discrimination** Policy to the Public at least 1 Way

 Must communicate the policy at least 1 way to the public

- Typically online
- Consistent language across policy & external communication

Communicate to the Public



identity, national origin, veteran or disability status.

LONG-TERM CARE EQUALITY INDEX

4. LEI Executive Briefing

4. The LGBTQ+ Long-Term Care Equality-Index: Executive Briefing

- Self-paced eLearning
 - Three 30-min subsections

- Must have 80% of execs in community complete
 - Director or above

- Email <u>LEI@hrc.org</u> for Facility ID and link to register
- Credit given to Platinum SAGECare community



A Journey of Inclusion

United Church Homes

Based in Ohio



Next Steps

Getting Started with the LEI Worksheet (word doc)

PDF - https://tinyurl.com/LEIprep



Getting Started with the Long-Term Care Equality Index Workshee

Laying the Groundwork				
Key Questions to Ask		Response		
What is your "Why"? Why is this work important to your long-term care/senior housing community? What would "success" look like to you	ı?			
Who are your champions? Who are the key stakeholders that will support this work?		Logis	stical Considerations	
Do you have leadership buy-in and support? An executive sponsor?	Key Questions to Ask		Response	
Does the LGBTQ+ community have an affirming and welcoming senic housing community within 25 miles of your community's location?	Are there any teams/committees that already exist that you can leverage for logistical completion of this project? Do you currently have an LGBTQ+ group/structure/focus for your patients or employees that can assist in completing the survey?			
Do you know what the local LGBTQ+ healthcare needs and priorities	If no existing structure works, consider creating a new cross-departmental committee to focus on this effort. At a minimum, you should at least			Policy Update Questions:
What resources or supports would enable you to succeed? What do y perceive to be the biggest obstacle to doing this work?				Resident Care:
Logistical Considerati				Quality Care/Compliance:
				Intake Questions:
				Human Resources/Benefits:
				Staff Training:
NDEX				Community Outreach:

LONG-TERM CARE EQUALITY INDEX

Full List of LEI Survey Questions & Validating Docs

information about the needs and

that apply]

concerns of LGBTQ+people? [check all

members to assess LGBTQ+ needs or

address LGBTQ+ related concerns.

For more detailed information about this section and specific examples that meet the criteria please see the LGBTQ+ Resident and Community Engagement section of the LEI Resource Guide Understanding the Needs of LGBTQ+ Residents and Community System Information Accepted Criteria/Best Practice Question(s) No. & Specific Wording* **Validating Information Required** Resident satisfaction surveys allow Q1. Does your organization regularly Must upload a copy of the survey Yes, if system-wide residents the option to identify as survey residents' satisfaction? and/or the results demonstrating the inclusion of LGBTQ+ demographic LGBTQ+. Q1a.Does your resident survey measures include a way for residents to voluntarily disclose their sexual orientation and/or gender identity along with other demographic questions such as race and gender? Resident satisfaction survey includes Q1b. Do your resident surveys include Must upload a copy of the survey Yes, if system-wide question(s) related to LGBTQ+ one or more questions related to and/or the results demonstrating the LGBTQ+ concerns? inclusion of LGBTQ+ climate concerns measures. Organization works with external Q2. In what ways does your Must describe these efforts and the System - Possibly, if system has a very limited geographic reach. LGBTQ+ organizations or community community make efforts to gather results of your engagement with the

LGBTQ+ Resident & Community Engagement

https://tinyurl.com/LEIgrid

LEI 2022 Question Requirement Guide

etc.)

Since 1/01/2021

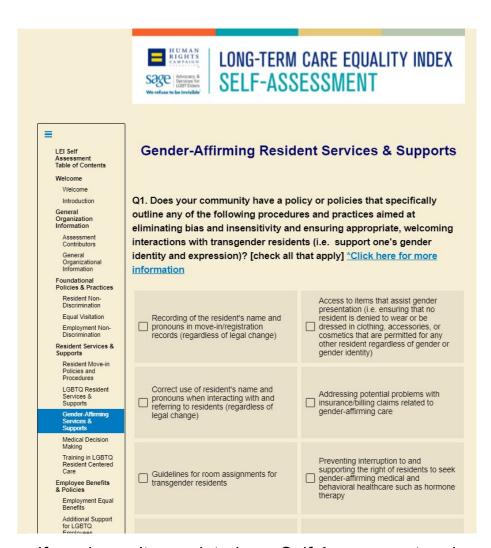
community and upload any

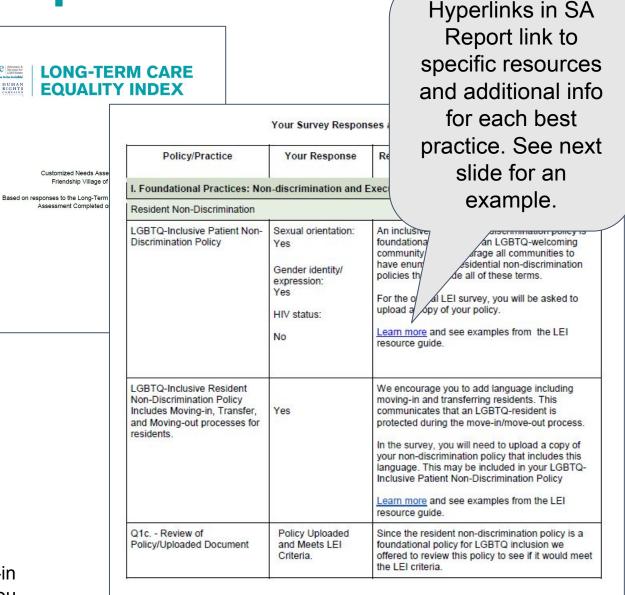
documents related to your

organization's engagement with the community (i.e. results from a focus

group, meeting minutes, examples from community needs assessment,

Self-Assessment and Report





If you haven't completed you Self-Assessment and need the log-in information please reach out to <u>LEI@hrc.org</u>. Once completed you will receive a self-assessment report of your responses.

Resource Guide



The LEI Resource Guide is a comprehensive instructional and reference
accompaniment to the Long-Term Care Equality Index (LEI) self-assessment and LEI

survey. The LEI Resource Guide covers all sections of the LEI survey in great detail, providing explanation why these policies and practices we ask about are important,

are certainly not the only ones available to help guide your community in LGBTQ person-centered care; however, we hope they can help you get started on implementing best practices in equitable and inclusive care for LGBTQ residents.

We hope you find the LEI Resource Guide helpful in taking steps to ensure equitable and inclusive treatment for LGBTQ residents, families, and employees at your facility. If you have any further questions about the LEI, please do not hesitate to contact our

Upcoming LEI Webinars

Tuesday, 6/14 @ 2pm EST - Criteria 2: Resident Services & Supports

Tuesday, 6/28 @ 2pm EST - Criteria 3: Employee Benefits & Policies

Tuesday, 7/12 @ 2pm EST - Criteria 4: Resident & Community Engagement

https://tinyurl.com/regwebLEI









