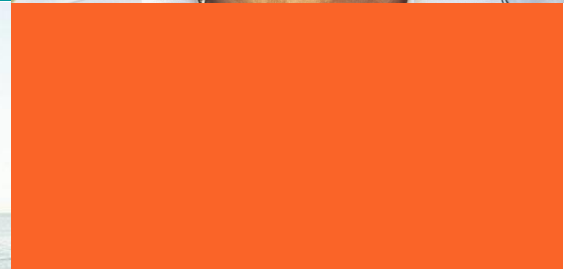
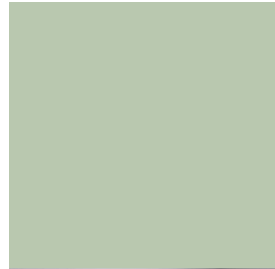


# The Long-Term Care Equality Index: Resident Services & Support (Criteria 2)



**sage** | Advocacy &  
Services for  
LGBTQ+ Elders  
**We refuse to be invisible®**



# About our Organizations



<https://www.thehrcfoundation.org/>



<https://www.sageusa.org/>

LONG-TERM CARE EQUALITY INDEX

Our cohost: **AARP** Foundation®  
For a future without senior poverty.



# THANK YOU



HUMAN  
RIGHTS  
CAMPAIGN  
FOUNDATION

sage

Advocacy &  
Services for  
LGBT Elders

We refuse to be invisible®

# Agenda

- Brief: The LEI Survey
- Criteria 2: Resident Services & Support
  - LGBTQ+ Resident Services and Support
  - Gender-Affirming Services and Support
  - Medical Decision Making
- Next Steps
- Q&A



# 2022 LEI Survey & Criteria

# 2022 LEI Survey Timeline



# 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

LEI 2022 Criteria and Tiers of Recognition	
<p>The Long-Term Care Equality Index has <b>four core</b> objectives:</p> <ul style="list-style-type: none"> <li>• <b>Ensure foundational non-discrimination protections</b> for residents, visitors, and staff and provide <b>cultural competency training on LGBTQ+ inclusion</b></li> <li>• <b>Demonstrate progress towards inclusion of LGBTQ+ resident care services and support</b></li> <li>• <b>Foster an inclusive workplace by providing LGBTQ+ inclusive employee policies and benefits</b></li> <li>• <b>Demonstrate engagement with and a public commitment to the LGBTQ+ community</b></li> </ul>	
Criteria 1 – Non-Discrimination and Staff Training	4 Best Practices
<p>This criteria encompasses foundational policy implementation and training completion requirements. <b>All questions in this criteria section must be met in order to attain any tier of recognition.</b></p>	
<p><b>Resident Non-Discrimination</b></p> <p>a. LGBTQ+ Inclusive Resident Non-Discrimination Policy</p> <ul style="list-style-type: none"> <li>• policy must include the terms "sexual orientation" and "gender identity" or "gender identity and expression"</li> </ul> <p>b. Resident Non-Discrimination policy is communicated to residents, the public, and staff</p> <ul style="list-style-type: none"> <li>• Policy is shared in two ways with the residents and the public, typically online and in-print</li> <li>• Policy is shared with staff and volunteers in at least one way</li> </ul>	<p><b>Tier 1/2/3</b> All Practices</p>
<p><b>Equal Visitation</b></p> <p>a. Equal Visitation Policy</p> <ul style="list-style-type: none"> <li>• Policy must allow the resident's visitor of their choice</li> </ul> <p>b. Equal Visitation Policy is communicated to residents and staff</p> <ul style="list-style-type: none"> <li>• Policy is shared in two ways with residents and public, typically online and in-print</li> <li>• Policy is shared with staff and volunteers in at least one way</li> </ul> <p><i>Note: We acknowledge some communities (e.g. Independent Living, Senior Affordable Housing) are not Federally mandated to have a visitation policy in place. If so, your community is still eligible to receive full credit for Criteria 1.</i></p>	
<p><b>Employment Non-Discrimination</b></p> <p>a. LGBTQ+ Inclusive Employment Non-Discrimination Policy</p> <ul style="list-style-type: none"> <li>• Policy must include the terms "sexual orientation" and "gender identity" or "gender identity and expression"</li> </ul> <p>b. Employment Non-Discrimination Policy is shared with the public</p> <ul style="list-style-type: none"> <li>• Policy is shared with the public in at least one way, typically online</li> </ul>	
<p><b>Staff Training</b></p> <p>a. 80% of key senior executives (Director-level and above) at your community must complete the <i>LGBTQ+ Long-Term Care Equality Index (LEI): Executive Briefing</i></p> <ul style="list-style-type: none"> <li>• Ex. Organization leadership (C-suite), administrator, director of nursing, director of human resources</li> </ul> <p><i>Note: Current SAGECare Platinum Communities do not need to complete the Executive Briefing and will receive credit for meeting the staff training requirement.</i></p>	

<https://tinyurl.com/LEICriteria22>

# **Criteria 2.**

## **Resident Services and Supports**





LGBTQ+  
Resident  
Services and  
Support



Gender-  
Affirming  
Services and  
Support



Medical  
Decision Making

For Tier 2: 3 to 6 best practices  
For Tier 3: 7 or more best practices

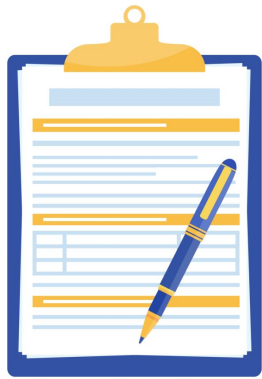
**15 Best Practices**

# **1. LGBTQ+ Resident Services and Support**

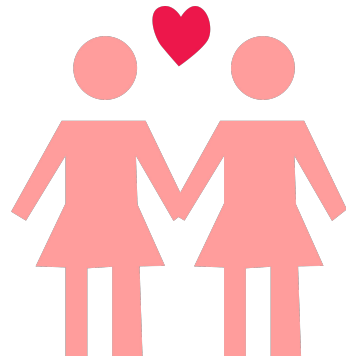
# 1. LGBTQ+ Resident Services and Support

- Inclusion on paper & in practice
- Menu of 10 best practices
- *Must upload copy of policies*

# LGBTQ+ Resident Best Practices



LGBTQ+  
Inclusive  
Intake  
Forms



LGBTQ+  
Inclusive  
Forms -  
Relationship



LGBTQ+  
Inclusive  
Neglect &  
Abuse Policy



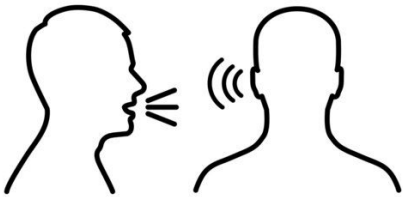
Communicate  
Inclusive Neglect  
& Abuse Policy  
to Staff



LGBTQ+  
Inclusive  
Confidentiality  
Policy

**10 Best Practices**

# LGBTQ+ Resident Best Practices



Grievance  
Process;  
Communicated;  
2 ways to  
contact



LGBTQ+  
Inclusive  
Sexual  
Expression  
Policy



Rooming Policy  
includes  
same-sex  
couples



LGBTQ+ Day of  
Significance



LGBTQ+  
Affirming  
Resource List

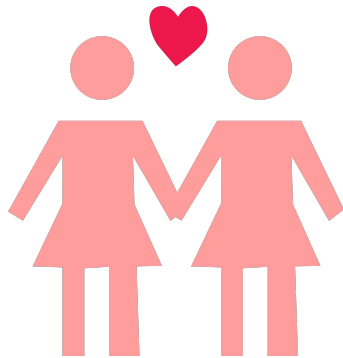
**10 Best Practices**



# LGBTQ+ Resident Best Practices



LGBTQ+  
Inclusive  
Intake  
Forms



LGBTQ+  
Inclusive  
Forms -  
Relationship

- Must upload copy of form with:
  - Chosen name
  - Pronouns
  - Sexual Orientation
  - Gender Identity
  - Gender-neutral relationship options
- Guide: Inclusive Questions for Older Adults
  - National Resource Center on LGBTQ+ Aging

# LGBTQ+ Resident Best Practices



Rooming Policy  
includes  
same-sex  
couples

- Includes “same-sex” couples
- *Must upload copy of policy*

# LGBTQ+ Resident Best Practices - Commemorate LGBTQ+ Day of Significance



LGBTQ+ Day of  
Significance



- Since Jan 1, 2021
- Describe event
- Upload relevant items
  - photos
  - flyers
- Complete list of LGBTQ+ Holidays/Commemorations

## **2. Gender-Affirming Services and Support**

## 2. Gender-Affirming Services and Support

- a. **At least 3** written policies with outlined **procedures regarding transgender residents**
- b. **All-gender restrooms** available
  - Located in public areas
  - Clearly posted signage



## a. Gender-Affirming Policies & Procedure

- Must have at least 3 of the policies listed
- *Must submit copy of policies*

**Recording &  
Use of  
Resident's  
Name and  
Pronouns**

**Gender  
Expression  
(clothing,  
grooming,  
personal care)**

**Preventing  
Interruption of  
Gender-  
Affirming  
Care**

**Compliance  
with Privacy  
Laws**

**Continuation  
of Gender-  
Affirming Care**

**Restroom  
Access**

**Support with  
Insurance  
Claims**

## i. Example: Interactions with Trans Residents



- Protocol and guidance for staff
- Addresses pronoun and name usage
- When it is relevant and how to ask questions, etc.
- *Must upload copy of policy(ies)*

## i. Example: Interactions with Trans Residents

### A. Procedure/Responsibility:

Protocol for interaction with transgender patients:

1. A transgender patient's preferred pronoun should be determined as follows:
  - a. If the resident's gender presentation clearly indicates to a reasonable person the gender with which the resident wishes to be identified, the Woodland Pond staff member should refer to the resident using pronouns appropriate to that gender.
  - b. If the Woodland Pond staff member determines the resident preferred pronoun on the basis of the resident's gender presentation, but is then corrected by the resident, the staff member should then use the pronouns associated with the gender identity verbally expressed by the resident.
  - c. If the resident's gender presentation does not clearly indicate the resident's gender identity, the Woodland Pond staff member should discreetly and politely ask the resident for the resident's preferred pronoun and name.
2. Staff may only ask residents about their transgender status, sex assigned at birth or transition-related procedures when such information is directly relevant to the resident's care.

## ii. Example: Access to Restrooms

### **C. Access to Restrooms:**

All residents at *ABC Community* may use the restroom that matches their gender identity, regardless of whether they are making a gender transition or appear to be gender-nonconforming.

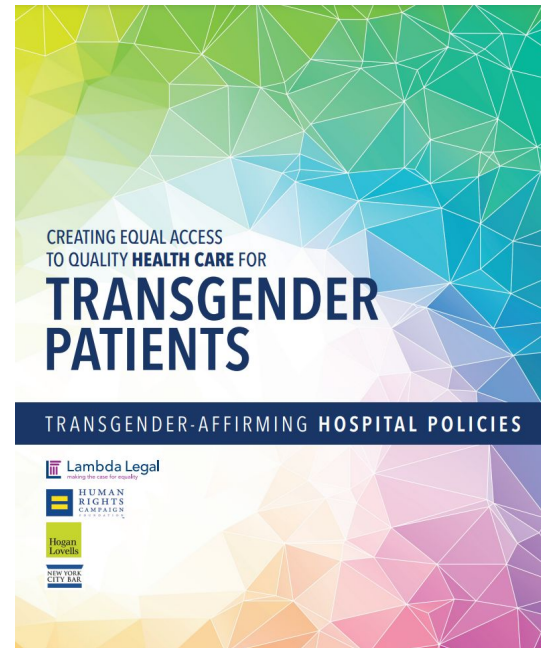
## ii. Example: Continuation of Treatment

### Access to Hormone Therapy:

The purpose is to ensure that hormone therapy will be provided for transgender residents in a manner consistent with the prevailing standard of care. Transgender patients that have been receiving hormone therapy prior to admission **should have that therapy continued without interruption** pending evaluation by a specialist absent urgent medical reasons to the contrary. Health care providers unfamiliar with this aspect of care will consult with providers who have this expertise as well with the patient's prescribing physician if possible.

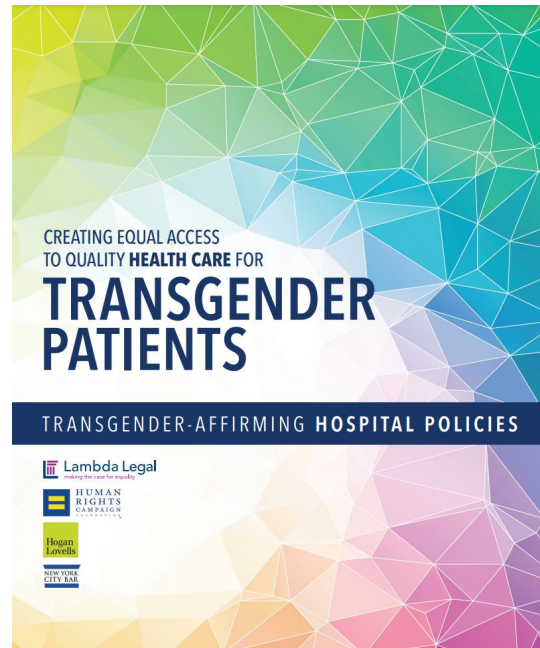


### iii. Example: Room Assignments (cont)



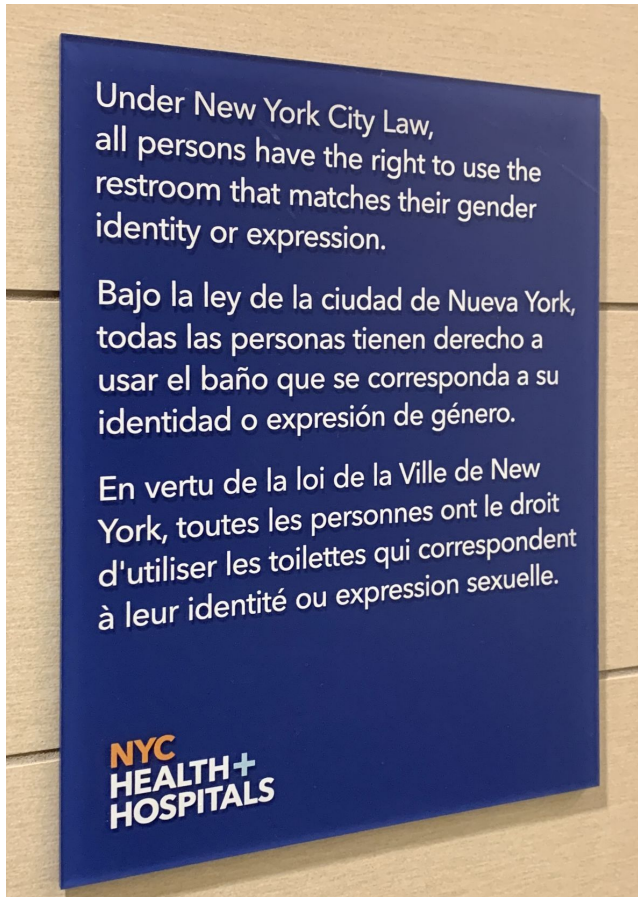
- If gender-based - assigned based on self-identified gender
- Protocol for room placement
- Steps if roommate dispute

### iii. Example: Room Assignments



- Guides available with sample language
  - based on best practice with hospitals
- Guide: Creating Equal Access to Quality Healthcare Trans Affirming Hospital Policies
- Policy & Practice Guide - NYC Bar Association, Lambda Legal, & HRCF

### b. Gender-Neutral Restrooms



- Must provide # of gender neutral bathrooms in public area
- Upload of signage for one of the bathrooms
  - “All-Gender” or “Gender-Neutral” restroom sign
  - Sign of inclusive bathroom policy that affirms residents’/visitors’ gender identities



# **3. Medical Decision Making**

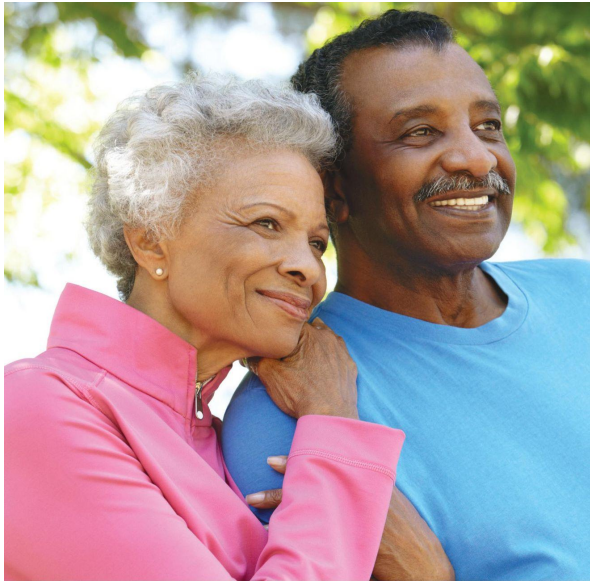
## 3. Medical Decision Making

### 3 Best Practices

- a. **Informs** right to designate
- b. **Staff trained** on medical decision making that is LGBTQ+ inclusive
- c. **Staff access** to advance directives (Medical Power of Attorney)



## a. Inform Residents of MDM



### Advanced Directives.

Your Right to Decide



Ball Memorial Hospital

### Healthcare representative.

A "healthcare representative" is a person you choose to receive healthcare information and make healthcare decisions for you when you cannot. You can choose to appoint any adult over the age of 18, including but not limited to a spouse, unmarried partner of the same or opposite sex, parent, sibling, child or friend. To choose a healthcare representative, you must fill out an appointment of healthcare representative document that names the person you choose to act for you. Your healthcare representative may agree to or refuse medical care and treatments when you are unable to do so. Your representative will make these choices based on your advance directive. If you want, in certain cases and in consultation with your physician, your healthcare representative may decide if food, water, or respiration should be given artificially as part of your medical treatment. Choosing a healthcare representative is part of the Indiana Health Care Consent Act, found at Indiana Code § 16-36-1. The advance directive naming a healthcare representative must be in writing, signed by you, and witnessed by another adult. Because these are serious decisions, your healthcare representative must make them in your best interest. Indiana courts have made it clear that decisions made for you by your healthcare representative should be honored.



- Describe how
  - Language:
    - designate person of their choice
- AND/OR**
- includes LGBTQ+ specific information
- 
- *Must submit supporting documentation*

## b. MDM Training LGBTQ+ Inclusive

### Medical Decision-Making

- Patients have the right to designate a person of their choice as their health care agent
- For example, take Lisa and Janet, an unmarried same-sex couple
  - They may designate each other as health care agent through advance care directives



- Slide submitted with speaker notes
  - “It is important to note that healthcare agents are decided by the patient, just as they are able to define their own family at VUMC. **Anyone, including an unmarried same-sex partner, can be the health care agent**”

## b. MDM Training LGBTQ+ Inclusive

- Slide submitted
  - “This person must be at least 18 years of age and may be a friends, family member **(including same sex partners)**, or any other party the patient elects to carry out their healthcare wishes”

### Introduction



#### What is an “Advance Directive”?

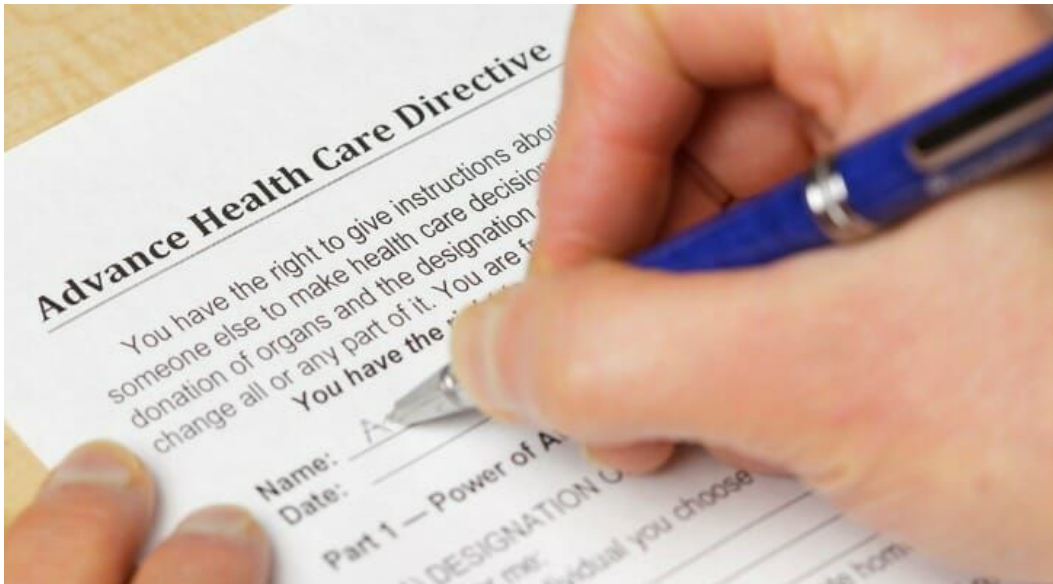
- A written statement of wishes, preferences and choices regarding end-of-life health care decisions (also called a Living Will)
- A tool to help think through and communicate choices
- Includes the appointment of a “Healthcare Proxy”, “Healthcare Representative” and/or “Power of Attorney” to carry out wishes; if you are unable to speak for yourself
  - This person must be at least 18 years of age and may be a friend, family member (including same sex partners), or any other party the patient elects to carry out their healthcare wishes.

#### *Did you know...*

“Only about a quarter (26%) of Americans currently have an advance directive — like a living will, according to a 2014 study by the American Journal of Preventive Medicine. Lack of awareness was the top reason for why the majority do not.”



## c. Staff access to MDM documents



- Describe how staff access documents and are made aware of residents' advance directives

<https://tinyurl.com/aarpADV>

# Next Steps

# Resource Guide



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LGBT Elders  
*We refuse to be invisible*

[THE LEI](#) [PARTICIPANTS](#) [REPORTS AND RESOURCES](#) [ABOUT US](#) [CONTACT US](#) [FREQUENTLY ASKED QUESTIONS](#)



[← RESOURCES](#)

## LEI Resource Guide

SHARE



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, example policies, links to outside resources, and more. The resources provided here 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.

[https://thelei.org/  
resources/lei-res  
ource-guide](https://thelei.org/resources/lei-resource-guide)

# Full List of LEI Survey Questions & Validating Docs

<b>LGBTQ+ Resident &amp; Community Engagement</b> For more detailed information about this section and specific examples that meet the criteria please see the <a href="#">LGBTQ+ Resident and Community Engagement</a> section of the LEI Resource Guide			
Understanding the Needs of LGBTQ+ Residents and Community			
Criteria/Best Practice	Question(s) No. & Specific Wording*	Validating Information Required	System Information Accepted
Resident satisfaction surveys allow residents the option to identify as LGBTQ+.	Q1. Does your organization regularly survey residents' satisfaction?  Q1a. Does your resident survey 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?	Must upload a copy of the survey and/or the results demonstrating the inclusion of LGBTQ+ demographic measures	<u>Yes, if system-wide</u>
Resident satisfaction survey includes question(s) related to LGBTQ+ concerns	Q1b. Do your resident surveys include one or more questions related to LGBTQ+ concerns?	Must upload a copy of the survey and/or the results demonstrating the inclusion of LGBTQ+ climate measures.	<u>Yes, if system-wide</u>
Organization works with external LGBTQ+ organizations or community members to assess LGBTQ+ needs or address LGBTQ+ related concerns.	Q2. In what ways does your community make efforts to gather information about the needs and concerns of LGBTQ+ people? [check all that apply]	Must describe these efforts and the results of your engagement with the 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, etc.)  Since 1/01/2021	<u>System - Possibly</u> , if system has a very limited geographic reach.

<https://tinyurl.com/LEIgrid>

# Upcoming LEI Webinars

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

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

<https://tinyurl.com/regwebLEI>





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