



# Sexual Orientation and Gender Identity in Healthcare

## Policies Required or Recommended by Key, Driving Organizations\*

Proactive healthcare organizations work to ensure a safe and respectful environment for all patients. As contemporary views and laws evolve for the lesbian, gay, bisexual and transgender (LGBT) community, there is recognition that this underserved and sometimes misunderstood patient group has unique needs. The LGBT population is also vulnerable to health disparities, including bias and discrimination based on their sexual orientation and gender identity (SOGI) status. To increase protections and quality of care for LGBT individuals and families, government agencies and other leading policymakers have issued rules and recommendations that affect healthcare systems and have made healthcare executives and providers more sensitive to the issues impacting the health and healthcare experiences of sexual and gender minorities.

Various branches of the U.S. Department of Health and Human Services (HHS), including the Office of Minority Health (OMH), the Office of Civil Rights, the Office of the National Coordinator, the Health Resources and Services Administration and the Centers for Medicare and Medicaid Services (CMS) have issued rules or guidance relevant to LGBT healthcare. In addition, The Joint Commission's (TJC) LGBT field guide and the Human Rights Campaign's Healthcare Equality Index (HRC/HEI) promote best practices that healthcare organizations are implementing in order to reach TJC accreditation standards and HEI benchmarks in LGBT health equity.

The table to the right provides healthcare executives and providers an at-a-glance view of the most prominent sexual orientation and gender identity policies and recommendations affecting their organizations. It is not meant to serve as an exhaustive list of policies.

**\*Key, driving organizations:**

**HHS:** A Department of Health and Human Services agency (aside from CMS or OMH)

**CMS:** Centers for Medicare and Medicaid Services

**CLAS:** Culturally and Linguistically Appropriate Service Standards

**TJC:** The Joint Commission

**HRC/HEI:** Human Rights Campaign's Healthcare Equality Index

requirement recommendation

**LGBT:** lesbian, gay, bisexual and transgender community

**SOGI:** sexual orientation and gender identity

Policy Development	U.S. Department of Health and Human Services (HHS)	Centers for Medicare and Medicaid Services (CMS)	Office of Minority Health (OMH)/ Culturally and Linguistically Appropriate Service Standards (CLAS)	The Joint Commission (TJC)	Human Rights Campaign's Healthcare Equality Index (HRC/HEI)
Patient nondiscrimination policy prohibits discrimination by "sex" (HHS), "sexual orientation and gender identity" (CMS & HRC/HEI) OR "sexual orientation, gender identity and expression" (TJC).					
Hospital visitation policy ensures equal visitation privileges and allows patients the visitors of their choice, regardless of sex, gender identity or sexual orientation.					
Grievance procedures are established for compliance with patient civil rights and patients are informed of their right to file complaints for violation of these rights.					
The patient's right to designate a person of their choice as a medical decision-maker is supported.					
Changes or workarounds are made in gender-based coding systems that delay or deny claims processing for sex-specific services for transgender patients.					
Patient electronic health record technology provides options for capturing sexual orientation and gender identity (SOGI) data elements and SOGI data collection efforts are encouraged.					
Staff are trained in nondiscrimination policies, cultural competency or other LGBT-related topics in healthcare.					