

HOUSE No. 2047

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake and Patricia D. Jehlen

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying resolve:

Resolve establishing a special commission on LGBT aging.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------------------|--|------------------|
| <i>Sarah K. Peake</i> | <i>4th Barnstable</i> | <i>1/16/2013</i> |
| <i>Patricia D. Jehlen</i> | <i>Second Middlesex</i> | <i>1/22/2013</i> |
| <i>Peter V. Kocot</i> | <i>1st Hampshire</i> | |
| <i>Denise Andrews</i> | <i>2nd Franklin</i> | <i>1/31/2013</i> |
| <i>Tricia Farley-Bouvier</i> | <i>3rd Berkshire</i> | <i>1/30/2013</i> |
| <i>Gloria L. Fox</i> | <i>7th Suffolk</i> | <i>1/25/2013</i> |
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> | <i>1/30/2013</i> |
| <i>Ruth B. Balsler</i> | <i>12th Middlesex</i> | |
| <i>Tom Sannicandro</i> | <i>7th Middlesex</i> | |
| <i>Frank I. Smizik</i> | <i>15th Norfolk</i> | |
| <i>Cheryl A. Coakley-Rivera</i> | <i>10th Hampden</i> | |
| <i>Brian R. Mannal</i> | <i>2nd Barnstable</i> | |
| <i>Cory Atkins</i> | <i>14th Middlesex</i> | |
| <i>Louis L. Kafka</i> | <i>8th Norfolk</i> | |
| <i>Jonathan Hecht</i> | <i>29th Middlesex</i> | |
| <i>Christine E. Canavan</i> | <i>10th Plymouth</i> | |
| <i>Timothy R. Madden</i> | <i>Barnstable, Dukes and Nantucket</i> | |

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| <i>John W. Scibak</i> | <i>2nd Hampshire</i> |
| <i>Sal N. DiDomenico</i> | <i>Middlesex and Suffolk</i> |
| <i>Carl M. Sciortino, Jr.</i> | <i>34th Middlesex</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> |
| <i>Benjamin Swan</i> | <i>11th Hampden</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> |
| <i>Denise Provost</i> | <i>27th Middlesex</i> |
| <i>Elizabeth A. Malia</i> | <i>11th Suffolk</i> |
| <i>Paul Brodeur</i> | <i>32nd Middlesex</i> |
| <i>Thomas P. Conroy</i> | <i>13th Middlesex</i> |
| <i>Kate Hogan</i> | <i>3rd Middlesex</i> |
| <i>Karen E. Spilka</i> | <i>Second Middlesex and Norfolk</i> |
| <i>Carolyn C. Dykema</i> | <i>8th Middlesex</i> |
| <i>Sean Garballey</i> | <i>23rd Middlesex</i> |
| <i>Paul R. Heroux</i> | <i>2nd Bristol</i> |
| <i>Carlos Henriquez</i> | <i>5th Suffolk</i> |
| <i>Martin J. Walsh</i> | <i>13th Suffolk</i> |
| <i>Timothy J. Toomey, Jr.</i> | <i>26th Middlesex</i> |
| <i>Denise C. Garlick</i> | <i>13th Norfolk</i> |
| <i>Daniel B. Winslow</i> | <i>9th Norfolk</i> |

HOUSE No. 2047

By Representative Peake of Provincetown and Senator Jehlen, a joint petition (accompanied by resolve, House, No. 2047) of Sarah K. Peake and others for an investigation by a special commission (including members of the General Court) relative to lesbian, gay, bisexual and transgender aging. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

Resolve establishing a special commission on LGBT aging.

1 **Resolved**, SECTION 1. There shall be a special commission to investigate, analyze and
2 study the health, housing, financial, psycho-social and long-term care needs of older lesbian, gay,
3 bisexual and transgender (LGBT) adults and their caregivers and to make recommendations to
4 improve access to benefits and services where appropriate and necessary. The special
5 commission shall consist of twenty members including the House and Senate chairs of the Joint
6 Committee on Elder Affairs, or their designees, who shall serve as co-chairs; the secretary of
7 elder affairs, or a designee; the secretary of housing and community development, or a designee;
8 the commissioner of public health, or a designee; the director of the LGBT Aging Project, or a
9 designee; the director of Fenway Health, or a designee; the executive director of GLAD, or a
10 designee; a representative of the National Association of HIV Over Fifty; the executive director
11 of MassEquality or a designee; the executive director of the Massachusetts Home Care
12 Association, or a designee; the director of AARP Massachusetts, or a designee; the executive
13 director of the Massachusetts Association of Councils on Aging Inc., or a designee; the director
14 of the Massachusetts Nursing Home Federation, or a designee; the director of the Massachusetts
15 Council of Home Care Aides, or a designee; and five members appointed by the governor, one
16 of whom shall be a member of the Massachusetts bar who practices elder law; one of whom shall
17 be an expert in LGBT public policy or research; and three LGBT elders, at least one of whom
18 shall be transgender. The Governor’s appointees shall insure at least one representative is from
19 Cape Cod, as well as the western and central portions of the state.

20 The commission shall also examine the impact of state policies and regulations on LGBT
21 older adults and make recommendations to ensure equality of access, treatment, care and
22 benefits. The commission shall examine strategies to increase provider awareness of the needs
23 of LGBT older adults and their caregivers and to improve the competence of and access to

24 treatment, services and on-going care, including preventive care. The commission shall assess
25 the funding and programming needed to enhance services to the growing population of LGBT
26 older adults and to examine best practices for increasing access, reducing isolation, preventing
27 abuse and exploitation, promoting independence and self-determination, strengthening
28 caregiving, eliminating disparities, and improving quality of life.

29 In particular, the commission shall examine the extent to which policies and practices, or
30 the absence thereof, promote the premature admission of LGBT older adults to institutional care
31 and to recommend, as appropriate and necessary, lower-cost and culturally appropriate home and
32 community-based alternatives. The commission shall also examine the feasibility of developing
33 statewide training curricula to improve provider competency in the delivery of health, housing
34 and long-term support services to older LGBTs and their caregivers, as well as outreach
35 protocols to reduce apprehension among LGBT elders and caregivers of mainstream providers.
36 The commission, in formulating its recommendations, shall take into account the best policies
37 and practices in other states and jurisdictions. The commission shall be empowered to hold
38 regular public meetings, fact-finding hearings and other public forums as it considers necessary.
39 The commission shall file its recommendations, together with recommendations for legislation,
40 if any, with the clerks of the House of Representatives and Senate within 12 months of the first
41 convening of the commission.