

INTRODUCTION

This is a report of the Massachusetts Special Commission on Lesbian, Gay, Bisexual and Transgender Aging (MA LGBT). Originally established pursuant to s.186, c.38 of the Acts of 2013, the Commission was convened in 2014 and published its first report of recommendations in September 2015¹.

Following publication of the 2015 report, the MA LGBT Aging Commission identified a subset of the recommendations that it prioritized for implementation throughout 2016. Those priorities are contained in this report. Commission members are working in subcommittees that focus on Senior Centers and Community Engagement, Public Health, Long Term Services and Supports, and Housing. Many of the recommendations addressed through these committees overlap and are outlined in the first section of this report entitled “Overarching Recommendations.”

In addition to working on the priorities and accomplishments identified and described herein, the Commission also is actively seeking to recruit new members in order for the Commission to be fully seated in the coming year.

The Commission will issue annual reports regarding its activities, accomplishments, and recommendations.

¹ <https://malegislature.gov/Bills/189/Senate/SD2441>

Commission Members

Convened by the chairs of the Joint Committee on Elder Affairs, Representative Denise Garlick and Senator Patricia Jehlen, the Commission includes the following members (members 3 to 15 below are designees of their organizations as per the enabling legislation):

1. House Chair of Joint Committee on Elder Affairs, *Representative Denise Garlick, Co-Chair of the Commission*
2. Senate Chair of Joint Committee on Elder Affairs, *Senator Patricia Jehlen, Co-Chair of the Commission*
3. Executive Office of Elder Affairs (EOEA): *Carole Malone, Assistant Secretary*
4. Massachusetts Department of Housing and Community Development (DHCD): *Charley Francis, Director of Policy*
5. Massachusetts Department of Public Health (DPH): *Kevin Cranston, Assistant Commissioner, Director of the Bureau of Infectious Disease & Laboratory Sciences*
6. LGBT Aging Project: *Lisa Krinsky, LICSW, Director*
7. Fenway Health: *Judy Bradford, PhD, Co-Chair, Fenway Institute*
8. Gay and Lesbian Advocates and Defenders: *Janson Wu, Esq., Executive Director*
9. New England Association of HIV Over Fifty, Inc.: *[seat unfilled]*
10. MassEquality: *Deborah Shields, Executive Director*
11. Mass Home Care: *Dale Mitchell, Executive Director, ETHOS*
12. AARP of Massachusetts: *Barrie Atkin, Executive Council*
13. Massachusetts Association of Councils on Aging: *David P. Stevens, Executive Director*
14. Massachusetts Senior Care Association: *William Bogdanovich, CNHA, President & CEO, Broad Reach Healthcare*
15. Home Care Aide Council: *Lisa Gurgone, MPA, Executive Director*

Gubernatorial Appointments:

16. LGBT Public Policy Expert: *Sean Cahill, PhD, Director of Health Policy Research, Fenway Institute*
17. LGBT Elder Law Expert: *[seat unfilled]*
18. Transgender Older Adult: *Alex Coleman, J.D., PhD, Clinical Psychologist and Attorney, Expert on Gender Identity and Expression, Brookline*
19. LGBT Older Adult representing Cape Cod: *[seat unfilled]*
20. LGBT Older Adult representing Western Massachusetts: *[seat unfilled]*

Non-Commission Members regularly attending meetings:

21. Office of Representative Garlick, co-chair: *Barry Hock, Legal Counsel*
22. Office of Senator Jehlen, co-chair: *Vicki Halal, Committee Director*
23. LGBT Aging Project: *Bob Linscott, Assistant Director*

Overarching Recommendations

DATA COLLECTION AND NEEDS ASSESSMENT

Data Collection

Recommendation that the Executive Office of Health and Human Services (EOHHS), the Executive Office of Elder Affairs (EOEA), and the Department of Housing and Community Development (DHCD) collect voluntary and confidential sexual orientation and gender identity or expression (SO/GI) data as a standard practice for individual assessments, program monitoring data systems, consumer satisfaction surveys, public health surveillance, research, and evaluation.

TRAINING AND EVALUATION

Provider Training

Recommendation that EOHHS, EOEA, DHCD and the state Probate Court ensure that their staff and volunteers, as well as those of their vendors, affiliates and licensees are regularly trained in the provision of open, affirming and non-discriminatory service and care for LGBT elders and caregivers. Relevant vendors and affiliates include, but are not limited to: Councils on Aging/Senior Centers, Area Agencies on Aging (AAAs), Aging Service Access Points (ASAPs), Independent Living Centers (ILCs), Senior Care Option Plans (SCOs), One Care Plans, home care and certified home health agencies, adult day health centers, assisted living facilities, nursing homes and rehabilitation centers, supportive and congregate housing sites, local housing authorities and senior housing developments, Housing Consumer Education Centers (HCECs) and Serving the Health Insurance Needs of Everyone (SHINE) programs, substance abuse and behavioral health providers, and veterans services agents.

OUTREACH AND ACCESS

Information and Referral

Recommendation that EOEA require its statewide information and referral service and local AAAs, ASAPs and Councils on Aging information and referral services include comprehensive and up-to-date data on LGBT-inclusive aging services; and that DHCD require that HCECs provide comprehensive and up-to-date data on LGBT-inclusive elder housing.

SERVICE DELIVERY

Care Planning/Personal Needs Assessments

Recommendation that EOHHS and EOEA require all state and vendor assessment forms allow consumers and applicants the right to voluntarily identify their sexual orientation

and gender identity or expression. Such information, which shall be kept strictly confidential, should be used to develop appropriate, person-centered individual service plans.

Housing Promotion

Recommendation that DHCD and EOEA promote the development of innovative senior housing models that affirm the need for peer support and open, affirming and appropriate care for LGBT elders. Specific recommendations include the inclusion of LGBT housing needs in state Qualified Application Plan (QAP) scores, the creation of LGBT-inclusive small group homes through a pending 1915 Medicaid waiver to the Centers for Medicare and Medicaid Services (CMS) and the development of a pilot LGBT-inclusive Naturally Occurring Retirement Community (NORC).

People with HIV/AIDS

Recommendation that EOEA expand eligibility for the state home care program to include people under the age of 60 with functional impairments due to HIV/AIDS.

COMPLAINT RESOLUTION

Ombudsperson

Recommendation that EOHHS develop a job description and model of responsibilities for an LGBT Ombudsperson, thus enabling them to advocate for LGBT elders who experience barriers to accessing and utilizing services as whole human beings.

LEGISLATION

The Commission supports passage of legislation which:

- Mandates LGBT cultural competency training for state-funded aging services, long-term services and supports, and housing services.
- Prohibits discrimination against transgender persons in public accommodations.
- Allows spouses to be caregivers under the Personal Care Attendant (PCA) program.

Senior Centers and Community Engagement

Regional LGBT Senior Centers

Recommendation to establish regional senior centers at existing Councils on Aging/Senior Centers that will provide services and programs to the LGBT older adult population that include, but are not limited to, transportation, outreach, and socialization opportunities. Elements of regionalization include:

- Identifying and defining regions;
- Identifying “gay deserts” where no current activities are happening and resources are not available to the older LGBT population;
- One center serving as a collective space, and also rotating the use of other senior centers for various LGBT activities; and,
- Exploring which model of senior center participation in each region is effective or appropriate.

Virtual Senior Center

Recommendation to create a virtual LGBT senior center to augment regional centers. Elements of this initiative include identifying places that already use virtual technology for this, or similar, purposes; and identifying current technologies, programs, and resources that can be adapted for this purpose.

Resource List

Recommendation that frontline staff of Councils on Aging and other community-based organizations be continually updated about available resources and services available for LGBT older adults. This would include: the LGBT Aging Project updating the list for “1-800-Age-Info”; linking “1-800-AgeInfo” to other relevant sources; and, developing a list of documented best practices from COAs/senior centers and other organizations.

Provide Current Information

Recommendation that the organization compiling the resource list maintain, in conjunction with EOEA and the Massachusetts Association of Councils on Aging (MCOA), an inventory of existing community-based LGBT programs and services throughout the Commonwealth, including a master list with contact information and other relevant information that can be used by frontline staff and affinity groups.

Welcoming Place for All

Recommendation for a statewide campaign to achieve MCOA’s goal to make all senior centers welcoming places for all, including LGBT elders. The campaign, which is already underway, will use the “Welcoming Place for All” LGBT module developed by the LGBT Aging Project. The module will be rolled out to all senior centers across the state through regional trainings of senior center staff. The 2016 training plan includes workshops for CEU credit at the LGBT Aging

Conference in March, the Western MA spring MCOA conference in June and the Cape Cod fall MCOA conference in October. In addition there will be three regional trainings in areas with existing, strong LGBT programs in Western MA (April), Central MA (June) and Cape Cod (November). An additional goal for 2016 is the development of a transgender module for the Welcoming Place for All program.

Public Health

Data Collection

Recommendation that DPH initiate a process, with its reporting partners, to start collecting data on sexual orientation and gender identity and expression as core demographic measures in its surveillance, research and evaluation, and program monitoring systems.

HIV Prevention

Recommendation that DPH develop HIV prevention education materials for older adults and, in collaboration with EOE and DHCD, implement an HIV prevention education campaign focusing on older adults.

Long Term Services & Supports

Provider Training

Recommendation that required training include regular and recurring LGBT cultural competency training for state-funded aging service providers. See Home care training requirements at 651 CMR 3.02(2)(g).

Assessments

Recommendation that applications, needs assessments and client satisfaction tools shall offer LGBT consumers the opportunity to self-identify. See Home care applications and needs assessments at 651 CMR 3.03(1)(a).

HIV/ AIDS

Recommendation that adults under the age of 60 living with HIV/ AIDS, who otherwise meet the functional impairments of the state home care program, shall be eligible for the program. See Home care eligible clients at 651 CMR 3.03(2)(c).

Spouses as Caregivers

Recommendation to allow spouses to be paid caregivers. See Personal Care Attendant at 130 CMR 422.402 and Adult foster care at 130 CMR 408.422.

Older Americans Act

Recommendation that EOEA continue to designate older LGBT people as a population of “greatest social need” and also designate older people living with HIV/ AIDS the same.

Housing

Data Collection

Recommendation that DHCD work with Commission members to evaluate data that is currently collected, to identify gaps in such data, and to develop a plan to address those gaps, including the identification of necessary resources. Commission members will identify priorities for data that capture the housing needs of LGBT elders, as well as more general demographic data, such as sexual orientation and gender identity.

Cultural Competency Training

Recommendation that DHCD work with Commission members to expand on its work, now in the early stages, in developing cultural competency training as part of its work with the LGBT Youth Commission. Commission members can assist in expanding those efforts and integrating them with the work DHCD has started. Expanded efforts would include designing appropriate training, evaluating in which housing programs implementation is needed and feasible, and modeling costs and other needed resources.

LGBT Liaisons in DHCD Housing Consumer Education Centers

Recommendation that DHCD work with Commission members to follow up on a 2015 Commission recommendation to have LGBT liaisons in DHCD Housing Consumer Education Centers. Follow up will include detailing the scope of services to be provided, and modeling costs and staffing needs.

Anti-bullying Legislation

Recommendation that DHCD and local housing authorities support Senate Bill 1984 which would establish a commission to prevent bullying of tenants in public and subsidized housing. The Commission voted to endorse this bill at its November 2015 meeting.

Low-Income Housing Tax Credit Qualified Allocation Plan (QAP)

In response to the recommendation in the Commission’s 2015 report, the 2016 QAP emphasizes throughout that DHCD will place a priority on funding projects that focus on the housing needs of underserved populations.