

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Samantha Montaño

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 bill:

An Act relative to LGBTQ+ health disparities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>1/17/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to LGBTQ+ health disparities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 6A of the General Laws is hereby amended by inserting after
2 section 16AA the following section:-

3 Section 16AA½. (a) The executive office health and human services and the departments
4 therein, in the course of collecting demographic data directly or by contract, shall collect
5 voluntary self-identification information pertaining to sexual orientation and gender identity for
6 the purposes of reducing disparities in the delivery of health care services to the lesbian, gay,
7 bisexual, transgender and queer community.

8 The departments subject to this section shall collect demographic data pursuant to this
9 section in the following circumstances:

10 (1) pursuant to federal programs or surveys administered by the commonwealth, whereby
11 the guidelines for demographic data collection categories are defined by the federal program or
12 survey; and

13 (2) the provision of direct services to residents 16 years of age and older.

14 (b) The office of health equity established under section 16AA shall develop a training
15 plan and relevant guidelines on how to invite persons directly served by state agencies or from
16 whom demographic information is otherwise collected to submit demographic information on
17 sexual orientation and gender identity, including but not limited to an overview of the categories
18 of sexual orientation and gender identity and cultural competence of working with lesbian, gay,
19 bisexual, transgender and queer persons. The office of health equity shall also distribute said
20 training plan and guidance to the executive office of education and department of transportation.

21 (c) The departments subject to this section shall provide annually to the office of health
22 equity: (1) aggregate deidentified data collected relative to sexual orientation and gender identity
23 from persons served; and (2) subsequent modifications of services or programs offered as a result
24 of such data.

25 (d) The office of health equity shall compile all information submitted pursuant to
26 subsection (c), Section 1U of chapter 69 and section 5B of chapter 15A and compile an annual
27 report for submission to the Legislature. The office shall submit its report to the clerks of the
28 senate and house of representatives, the joint committee on public health, the joint committee on
29 health care financing, the joint committee on children, youth, and families, the joint committee
30 on elder affairs and the house and senate committees on ways and means not later than
31 December 31 of each year.

32 (e) During the regular process of reporting of demographic data to the Legislature, the
33 state departments identified in subdivision (a) shall report the data collected pursuant to this
34 section and the method used to collect that data, and make the data available to the public in

35 accordance with state and federal law, except for personal identifying information, which shall
36 be deemed confidential and shall not be disclosed.

37 (f) The departments subject to this section shall not report demographic data that would
38 permit identification of individuals or would result in statistical unreliability. Demographic
39 reports on data collected pursuant to this section, to prevent identification of individuals, may
40 aggregate categories at a state, county, city, census tract, or zip code level to facilitate
41 comparisons and identify disparities.

42 (g) The departments subject to this section may use information voluntarily provided
43 about sexual orientation and gender identity only for demographic analysis, coordination of care,
44 quality improvement of its services, conducting approved research, fulfilling reporting
45 requirements, and guiding policy or funding decisions. All information about sexual orientation
46 and gender identity collected pursuant to this section shall be used only for purposes specified in
47 this section.

48 SECTION 2. Chapter 69 is hereby amended by inserting after section 1T the following
49 section:-

50 Section 1U. (a) The secretary of education, in consultation with the office of health equity
51 established under section 16AA of chapter 6A and in conjunction with each public school
52 district, the department of elementary and secondary education, the department of higher
53 education and other relevant state agencies, shall collect voluntary self-identification information
54 pertaining to sexual orientation and gender identity for the purposes of reducing disparities in
55 public school districts within the commonwealth. The secretary of education shall receive and

56 utilize the training plan and relevant guidelines established under section 16AA½ of chapter 6A
57 by the office of health equity in fulfilling the duties established under this section.

58 (b) The secretary shall provide annually to the office of health equity: (1) aggregate
59 deidentified data collected relative to sexual orientation and gender identity from each school
60 district; and (2) subsequent modifications of services or programs offered as a result of such data.

61 (c) All handling of demographic information collected under this section shall be subject
62 to data privacy provisions under section 16AA½ of chapter 6A.

63 SECTION 3. Chapter 15A is hereby amended by inserting after section 5A the following
64 section:-

65 Section 5B. (a) The commissioner of the department of higher education shall collect
66 from students served by the department of higher education voluntary self-identification
67 information pertaining to sexual orientation and gender identity, provided that such collection
68 shall be subject to the requirements set forth under section 1U of chapter 69.

69 (b) The secretary shall provide annually to the office of health equity: (1) aggregate
70 deidentified data collected relative to sexual orientation and gender identity from each school
71 district; and (2) subsequent modifications of services or programs offered as a result of such data.

72 (c) All handling of demographic information collected under this section shall be subject
73 to data privacy provisions under section 16AA½ of chapter 6A.

74 SECTION 4. Section 16AA½ of chapter 6A shall take effect one year following the
75 enactment of the act.

76 SECTION 5. Section 1U of chapter 6A shall take effect 18 months following the
77 enactment of the act.

78 SECTION 6. Section 5B of chapter 15A shall take effect 18 months following the
79 enactment of the act.