

Creating an Affirming Environment for LGBTQ People in Healthcare

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About FreeState Justice

Direct Legal Services

- Name change and legal decree of gender identity
- Discrimination due to LGBTQ status
- Family law
- Health Insurance

Advocacy & Outreach

- Police reform work
- Advocate for systemic policy and law changes
- Partner with other LGBTQ-focused organizations in outreach efforts

Education & Training

- Legal rights of LGBTQ Marylanders
- Best practices when engaging with members of the LGBTQ community
- Cultural readiness

Learning Objectives

- Have a basic understanding of **LGBTQ terminology** and concepts
- Understand **best practices** when working with LGBTQ people in a healthcare setting
- Gain **knowledge and strategies** so that you can:
 - Establish inclusive policies and procedures
 - Be a better advocate to LGBTQ individuals



Gender, Sex, and Sexual Orientation: Let's break them down!

Terminology - Sexual Orientation



Sexual Orientation: The inner feelings of who a person is attracted to emotionally and/or physically, in relation to their own gender identity.

Lesbian: A person who is female-identified and who is emotionally and/or physically attracted to some other females.

Gay: A person who is emotionally and/or physically attracted to some members of the same gender, typically referring to a male-identified person.

Bisexual: A person who is attracted to more than one gender.

Pansexual: A person who is attracted to some people, regardless of gender identity.

Asexual: A person who does not experience sexual attraction, but may experience other forms of attraction (e.g., intellectual, emotional).

Terminology - Sex and Gender



Assigned Sex: The classification of people as male, female, or intersex, often based on physical anatomy at birth.

Gender Identity: An internal sense of being male, female, or something else. Since gender identity is internal, one's gender identity is not necessarily visible to others.

Transgender: An identity of a person whose gender identity is not aligned with their sex assigned at birth.

Cisgender: Person whose gender identity is congruent with their sex assigned at birth.

Gender Expression: An individual's characteristics and behaviors such as appearance, dress, mannerisms, speech patterns, and social interactions that are perceived as masculine or feminine.

Terminology - Gender Cont'd



Gender Expansive: An identity of a person who has gender characteristics and/or behavior that does not conform to traditional or societal gender expectations.

Nonbinary: An identity of a person who identifies as somewhere on the continuum between male and female, or entirely outside of the gender binary system. Additional terms nonbinary people use to describe their identity include genderqueer, agender, or bigender.

Nonbinary individuals may ask that others use **they/them/their or other gender neutral pronouns when referring to them.*

Queer: An umbrella term used to describe a sexual orientation, gender identity, or gender expression that does not conform to dominant societal norms.

Understanding Transition



Social

- Pronoun use
- Change in gender presentation
- Name consistent with identity

Legal

- Petition for Change of Name
- Petition for Decree of Legal Gender Identity
- Update all identity documents

Pharmacological

- Blocking hormones of the birth sex
- Applying hormones of the identified gender

Surgical

- Affirming medical procedures

All of these are individualized to each person - no transition is exactly the same!

Context and Standards of Care for Trans People: Let's talk about it!

2015 U.S. Transgender Survey

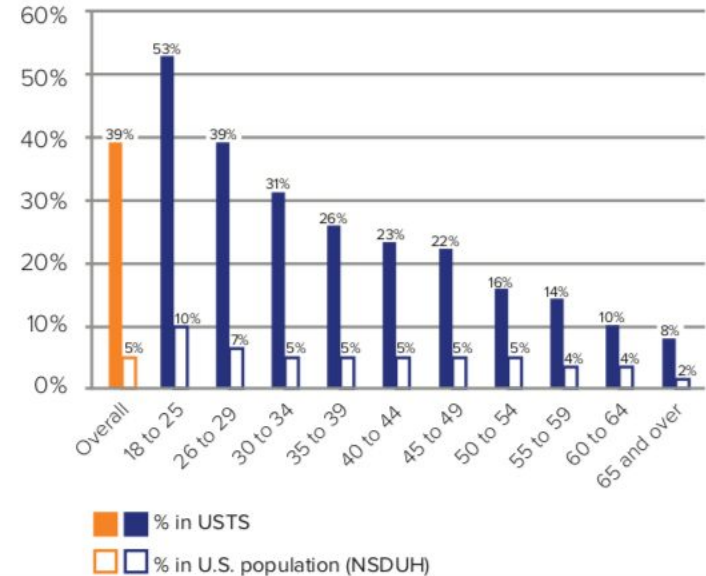
Context

~1.4 million adults identify as transgender in the United States.

Relevant Findings:

- There is a well-documented link between experiences of discrimination and marginalization and poor physical and mental health outcomes
- **39%** of respondents were currently experiencing serious psychological distress,
 - Nearly **8 times** the rate in the overall U.S. population

Figure 7:22: Currently experiencing serious psychological distress
CURRENT AGE (%)



Experiences with Healthcare Providers

- Nearly **one-quarter (23%)** said they did not seek the health care they needed due to fear of being mistreated
- **24%** of respondents had to teach their healthcare provider about transgender people to get appropriate care
- Nearly **one-third (31%)** of respondents reported that none of their health care providers knew they were transgender

Table 7.3: Negative experiences when seeing a health care provider in the past year

Negative experience	% of those who had seen a provider in the past year
They had to teach their health care provider about transgender people to get appropriate care	24%
A health care provider asked them unnecessary or invasive questions about their transgender status that were not related to the reason for their visit	15%
A health care provider refused to give them transition-related care	8%
They were verbally harassed in a health care setting (such as a hospital, office, or clinic)	6%
A health care provider used harsh or abusive language when treating them	5%
A health care provider refused to give them care not related to gender transition (such as physicals or care for the flu or diabetes)	3%
A health care provider was physically rough or abusive when treating them	2%
They were physically attacked by someone during their visit in a health care setting (such as a hospital, office, or clinic)	1%
They were sexually assaulted ⁹ in a health care setting (such as a hospital, office, or clinic)	1%
One or more experiences listed	33%

“Healthcare providers routinely do not understand or even know the definitions of non-binary identities. The providers I’ve worked with are friendly but completely uneducated, and offer support like ‘we’ll treat you just like anybody else!’ There are times when misguided attempts to be inclusive and treat trans folks ‘like anybody else’ results in us being misgendered or excluded from services we need. There are issues that are specific to our demographic and I hope awareness and education among healthcare professionals improves.”

Insurance

- **14%** of respondents reported being uninsured
- **1 in 4 (25%)** of respondents reported having problems with their insurance in the past year related to being transgender, such as being denied coverage for care related to gender transition
- **One-third (33%)** of respondents reporting that there was at least one time in the past year when they needed to see a doctor or other health care provider but did not because of cost.

Table 7.2: Negative action or policy by health insurer

Negative action or policy	% of respondents who made such a request of their insurer
Denied coverage for transition-related surgery	55%
Covered only some of the surgical care needed for transition (respondent could not get coverage for treatment they needed)	42%
Denied coverage for transition-related hormone therapy	25%
Covered surgery for transition, but had no surgery providers in their network	21%
Refused to change records to list current name or gender	17%
Denied coverage for care often considered gender-specific because of transgender status	13%
Denied other routine health care because of transgender status	7%

“When I was in college, I had my health insurance list me as male, and then they denied coverage for my routine pap smear and a gynecological prescription due to my gender.”

Discrimination When Accessing Emergency Services



Sam Dylan Finch



@samdylanfinch

This is not about politics. This is about fundamental human rights. I want you to imagine getting into a serious car accident, and as you are literally dying before someone's eyes, they are **MOCKING** you when you thought they had come to help you.



Sam Dylan Finch



@samdylanfinch

And these are just the stories we know of. There are more transgender people who simply didn't call 911, didn't go to the doctor, didn't ask for help because they truly believed that no one would help them. Because it was too traumatic to take that risk again.



Sam Dylan Finch



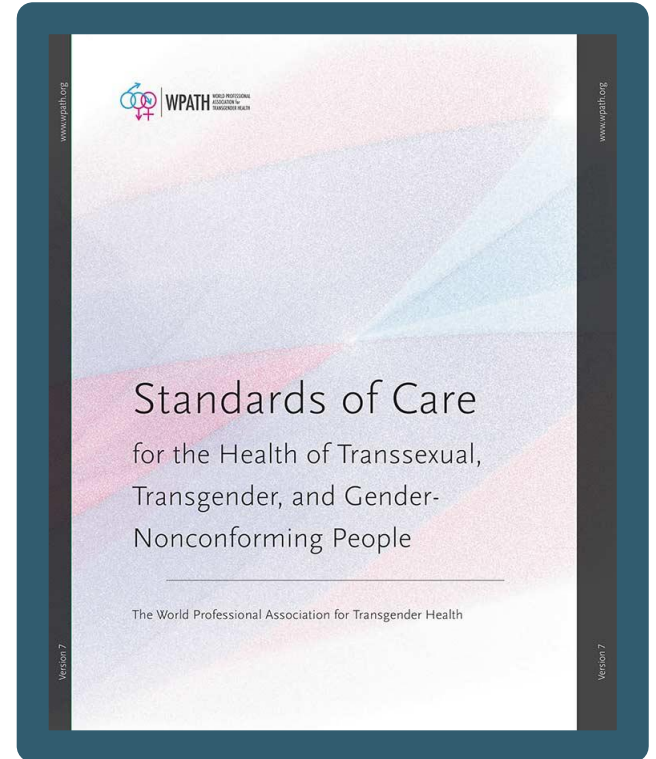
@samdylanfinch

That's not even the worst story that I know of. A transgender woman in DC named Tyra Hunter was seriously injured in a car accident, and ambulance workers, upon realizing she was trans, outright refused to treat her. They mocked her. She later **DIED** from those wounds.

“I revealed my status, which no one knows usually until I tell them. And then things got weird. The doctors were very rude, barely treated me, and tried to get rid of me as quickly as possible. And worst of all, when I tried to use the women's restroom before I left, they threatened to call security on me. It was humiliating. I would die before I went back there again.”

Standards of Care for Transgender Patients

1. World Professional Association for Transgender Health (“WPATH”) Standards of Care, www.wpath.org
2. Primary Care Protocol for Transgender Patient Care (Center of Excellence for Transgender Health at UCSF), www.transhealth.ucsf.edu



Best Practices:

What are they? And how do we do it?

Best Practices when Working with LGBTQ People



- Use proper names and pronouns in **all** correspondence
- Respect confidentiality
- Educate yourself and others
- Connect folks to resources

BEING CALLED OUT / IN

C

CENTRE YOURSELF

You're not being attacked. You're a good person. This is about your behavior and stopping harm to others.

L

LISTEN

Don't interrupt or think of ways to defend yourself. Focus on learning what was harmful and being empathetic/compassionate.

A

ACKNOWLEDGE/APOLOGIZE

Instead of explaining why you did it, acknowledge what happened and apologize, if needed or requested, for the harm you caused.

(I)

(INQUIRE)

(If they consent and have the time and resources, ask what you could have done instead and how to make amends for what happened.)

M

MOVING FORWARD

"The best apology is changed behavior." If they gave you reasonable recommendations and amends, do them. Don't do the harm again. Use this experience to help others learn too.

Key Reminders for the Future

Respect

- Confidentiality, privacy, name/pronouns
- Leave your personal opinions at the door

Inclusive policies

- Gender neutral facilities, healthcare, intakes
- Nondiscrimination policy w/ gender identity
- Use your privilege to help marginalized communities in all spaces that you occupy

Educate and Support

- As a team, on your own, and alongside clients
- Challenge your assumptions and those of people around you

Questions?



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Resources

- National Center for Transgender Equality (NCTE)
- Transgender Law Center (TLC)
- National Center for Lesbian Rights (NCLR)
- Lambda Legal
- American Civil Liberties Union (ACLU)
- The Trans Language Primer
- WPATH Standards of Care
- Human Rights Campaign's "Transgender Inclusion in the Workplace: A Toolkit for Employers"
- Motivational Interviewing Network of Trainers (MINT)