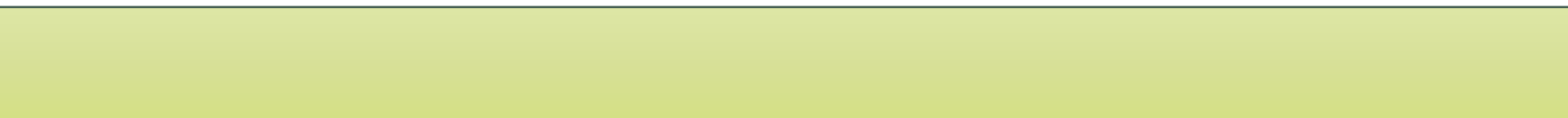




Core Curriculum Module Sensitivity to LGBT Issues

California Office of the State Long-Term Care Ombudsman
Joseph Rodrigues, State Long-Term Care Ombudsman



Purpose

- To fulfill California requirements for Ombudsman training, prior to certification, in cultural competency and sensitivity to the underserved aging lesbian, gay, bisexual, and transgender (LGBT) community (Assembly Bill 663, Gomez, Chapter 675, Statutes of 2013).
- Curriculum chapter added to the Core Curriculum.
- This new chapter discusses issues encountered by LGBT older adults to enable Ombudsman representatives to provide competent and sensitive services to LGBT individuals.
- Content builds on knowledge and skills taught in previous chapters of the core curriculum, e.g. the problem-solving process.

Chapter 10

Equipping California Long-Term Care Ombudsman Representatives for Effective Advocacy: A Basic Curriculum

**CULTURAL COMPETENCY and SENSITIVITY in ISSUES
RELATING to the UNDERSERVED AGING LESBIAN, GAY,
BISEXUAL, and TRANSGENDER COMMUNITY**

Curriculum Resource Material for
Local Long-Term Care Ombudsman Programs

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Purpose: Learning Objectives

Ombudsman representatives will know:

- Basic definitions of terms,
- LGBT concerns related to long-term care services,
- Tips for working with LGBT individuals, and
- Tools and resources to use in advocacy and education.



Overview of Curriculum Materials

- Development
 - Core content based on nationally recognized training.
 - Uses resources from the National Resource Center on LGBT Aging, National Long-Term Care Ombudsman Resource Center, and others.
 - Focused on Ombudsman program services.
- Curriculum Components for Chapter 10
 - Curriculum Resource Material.
 - Curriculum Teaching Notes.
 - PowerPoint presentation with notes.

Curriculum Teaching Notes

- Agenda, 90 minutes without breaks.
- Teaching outline with space for notes.
- Links to videos to use.
- Handouts.
- PowerPoint presentation with notes.

LGBT RESIDENTS' BILL OF RIGHTS

California Health Safety Code §1439.50 – 1439.54

§1439.51 (a) It is unlawful for a long-term care facility or facility staff to take any of the following actions wholly or partially on the basis of a person's actual or perceived sexual orientation, gender identity, gender expression, or human immunodeficiency virus (HIV) status:

- (1) Deny admission to a long-term care facility, transfer or refuse to transfer a resident within a facility or to another facility, or discharge or evict a resident from a facility.
- (2) Deny a request by residents to share a room.
- (3) Where rooms are assigned by gender, assigning, reassigning, or refusing to assign a room to a transgender resident other than in accordance with the transgender resident's gender identity, unless at the transgender resident's request.
- (4) Prohibit a resident from using, or harass a resident who seeks to use or does use, a restroom available to other persons of the same gender identity, regardless of whether the resident is making a gender transition or appears to be gender-nonconforming. Harassment includes, but is not limited to, requiring a resident to show identity documents in order to gain entrance to a restroom available to other persons of the same gender identity.
- (5) Willfully and repeatedly fail to use a resident's preferred name or pronouns after being clearly informed of the preferred name or pronouns.
- (6) Deny a resident the right to wear or be dressed in clothing, accessories, or cosmetics that are permitted for any other resident.
- (7) Restrict a resident's right to associate with other residents or with visitors, including the right to consensual sexual relations, unless the restriction is uniformly applied to all residents in a nondiscriminatory manner. This section does not preclude a facility from banning or restricting sexual relations, as long as the ban or restriction is applied uniformly and in a nondiscriminatory manner.
- (8) Deny or restrict medical or nonmedical care that is appropriate to a resident's organs and bodily needs, or provide medical or nonmedical care in a manner that, to a similarly situated reasonable person, unduly demeans the resident's dignity or causes avoidable discomfort.

§1439.51 (b) This section shall not apply to the extent that it is incompatible with any professionally reasonable clinical judgment.

§1439.51 (c) Each facility shall post the following notice alongside its current nondiscrimination policy in all places and on all materials where that policy is posted:
"[Name of facility] does not discriminate and does not permit discrimination, including, but not limited to, bullying, abuse, or harassment, on the basis of actual or perceived sexual orientation, gender identity, gender expression, or HIV status, or based on association with another individual on account of that individual's actual or perceived sexual orientation, gender identity, gender expression, or HIV status. You may file a complaint with the Office of the State Long-Term Care Ombudsman [provide contact information] if you believe that you have experienced this kind of discrimination."

§1439.53 (a) Long-term care facilities shall protect personally identifiable information regarding residents' sexual orientation, whether a resident is transgender, a resident's transition history, and HIV status from unauthorized disclosure.