



END AIDS. LIVE LIFE.

**MEMORANDUM IN SUPPORT
A372A (Bronson) / S1783A (Hoylman-Sigal)**

Gay Men's Health Crisis, Inc. (GMHC), the world's first and leading provider of HIV and AIDS prevention, care, and advocacy strongly supports the passage of **A372 (Bronson) / S1783A (Hoylman-Sigal)**; a bill that establishes the lesbian, gay, bisexual, and transgender (LGBT) long-term care facility residents' bill of rights.

As an organization that serves HIV- and AIDS-affected communities, GMHC recognizes that the inclusion of barring discrimination on the bases of real or perceived HIV status is essential to support New York State's aging population, especially as HIV stigma and discrimination is an ongoing issue within long-term care facilities. There are reports dating back to the 1990s documenting discrimination faced by elders in these settings, and little progress has been made since then. In addition, there is a growing population of aging New Yorkers with HIV. By 2030, it is projected that 73% of New Yorkers with HIV will be over the age of 50. The pronounced health needs of long-term survivors indicate that residents in the growing demographic of HIV-affected elders are more likely to rely on long-term care settings as they age, further emphasizing the importance of their ability to receive necessary care, free of stigma.

In 2011, a study and report titled, "LGBT Older Adults in Long-Term Care Facilities: Stories from the Field," sought to "better understand the experiences of LGBT older adults in long-term care settings," and surveyed hundreds of LGBT seniors, family members, friends, social service providers, legal service providers and others. The findings of the report showed that 78% of LGBT seniors felt that they could not be open with the staff of a long-term care facility about their sexual orientation or gender identity, and a majority of all respondents identified discrimination by staff (89%), discrimination by other residents (81%), isolation from other residents (77%), and abuse or neglect by staff (53%) as issues that LGBT seniors face in long-term care facilities.

The LGBT Long-Term Care Facility Residents' Bill of Rights would help address the common issues faced by many LGBT seniors in long-term care facilities. Modeled after a recently adopted California law, this bill would build on the existing protections against discrimination found in New York's Human Rights Law by prohibiting specific actions and inactions by long-term care facilities and their staff. Examples include denying admission to a long-term care facility, transferring or denying a transfer within a facility or to another facility, or discharging or evicting a resident from a facility wholly or partially based on a resident's actual or perceived sexual orientation, gender identity or expression, or HIV status.

GMHC strongly supports and recommends passage of A372 (Bronson) / S1783 (Hoylman-Sigal).