



WHAT DOES THE EQUALITY ACT MEAN FOR LGBTQ OLDER ADULTS?

What is the Equality Act?

The Equality Act prohibits discrimination based on an individual's sexual orientation or gender identity at work and in the context of housing, credit, education, and jury service. It also prohibits discrimination based on sexual orientation, gender identity, and sex in programs that receive federal funding and places of public accommodations, while also expanding the list of protected places of public accommodations to include retail stores, transportation services like airports, taxis and bus stations, and service providers like accountants.

How does the Equality Act reach LGBTQ older adults?

The Equality Act amends Titles II and VI of the Civil Rights Act of 1964 by adding sex, sexual orientation, and gender identity to the list of protected categories. It explicitly protects against discrimination in public spaces and prohibits exclusion from participation in, denial of benefits, and discrimination under federally assisted programs on the basis of sex, sexual orientation, and gender identity. Any healthcare or service provider receiving federal funding would not be able to discriminate against recipients of its services or against prospective or current employees.

How does this protect LGBTQ older adults?

Under the Equality Act LGBTQ people and their families would be ensured equal access to critical federally funded programs like Meals on Wheels, caregiver and family support, and home based programs. For example, an LGBTQ person caring for a same-sex spouse with Alzheimer's disease or dementia could not be turned away from caregiver or spousal support groups funded by the Department of Health and Human Services.

How does the Equality Act impact placement in and access to facilities and health care?

The Equality Act would ensure that LGBTQ patients and same-sex couples are protected from discrimination when seeking healthcare—including in a nursing home or long term care facility. Under the Equality Act facilities could not discriminate against or refuse to serve an LGBTQ older adult or same-sex couple. It would ensure that patients have access to gender appropriate room assignments and are able to have their marriage respected in the context of living arrangements.