

REACHING AND ASSISTING LGBT COMMUNITIES

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Out2Enroll Steering Committee

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OUT2ENROLL

Our mission: To connect LGBT people with their new coverage options under the ACA.

“Be out. Be healthy. Get covered.”



Center for American Progress



**Federal
Agencies
Project**



www.Out2Enroll.org

Session Goals

1. Define **terms, identities, and concepts** associated with LGBT communities.
2. Describe systematic **health care access barriers** that LGBT populations have historically faced, and how the Affordable Care Act can help address them.
3. Identify **best practices and practical tips** for addressing LGBT-specific enrollment questions.
4. Develop **skills for enrolling LGBT individuals and families** effectively.

What is LGBT?

- **LGBT:** Lesbian, Gay, Bisexual, Transgender
- **Sexual orientation:** Not just about sexuality or who you are attracted to—also about who you love and who you create a family with
 - Heterosexual or straight
 - Gay or lesbian
 - Bisexual
- **Gender identity:** Each person's deeply felt, internal knowledge of their own gender

Transgender Terminology

- **Transgender:** A person whose gender identity is different from their assigned sex at birth
- **Trans man:** A man who was assigned female at birth – gender pronouns: he/him/his
- **Trans woman:** A woman who was assigned male at birth – gender pronouns: she/her/hers
- **Genderqueer/gender-nonconforming/non-binary:** A person who does not identify as exclusively male or female – gender pronouns might be they/them/theirs, but best to politely ask

Gender Transition

- **Gender transition** is the process in which a transgender person changes from one gender to another
- Usually involves social, legal, and medical steps:
 - **Social** – clothing, hair style, preferred name and pronouns
 - **Legal** – legal name and legal gender
 - **Medical** – hormone therapy, mental health counseling, gender confirmation surgeries
- Transgender people may use a name and/or gender that is different from what's on their legal ID



Sarah, 24



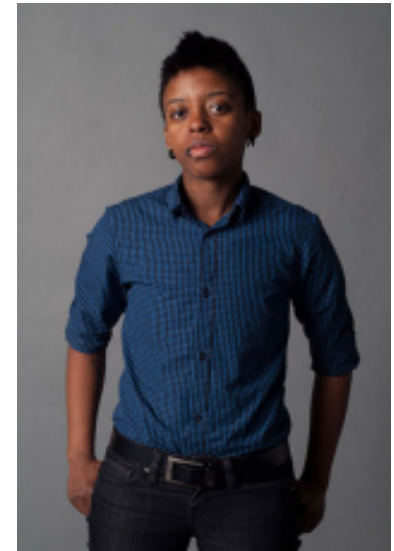
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About Preventive Health

#BeOutBeHealthy

An ounce of prevention >

A pound of cure!

I like to get checked out...

Checked out by my doctor, that is! Going to the doctor for regular checkups is an important part of living a healthy life. And thanks to the Affordable Care Act, my annual checkup is free – including immunizations, an HIV test, and preventive screenings for cancer. What’s more, because the law protects LGBT people from discrimination, my insurance now covers all the preventive screenings I need as a transgender woman!

#ThanksObamacare :-)



Pat transitioned from male to female. How would you describe Pat?

- A. Transgender man
- B. **Transgender woman**

What gender pronouns should you use when talking to or about Pat?

- A. **She / her / hers**
- B. He / him/ his

At least how many people in the United States identify as LGBT?

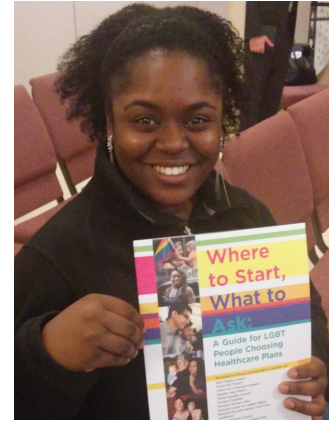
- A. 700,000
- B. 2.2 million
- C. **9 million**
- D. 35 million

9 million LGBT Americans

=



LGBT People Come From Every Community

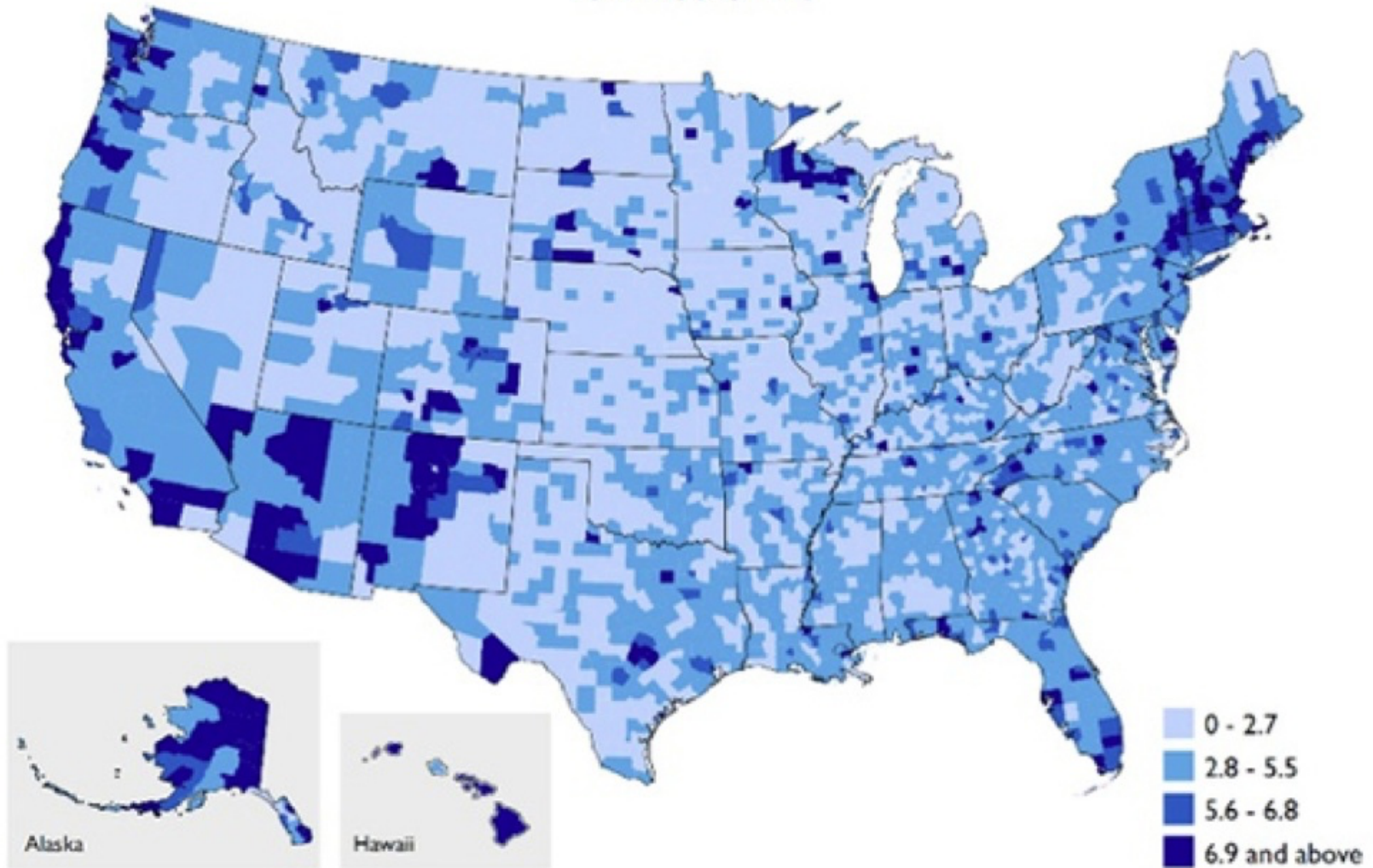


Where LGBT People Live

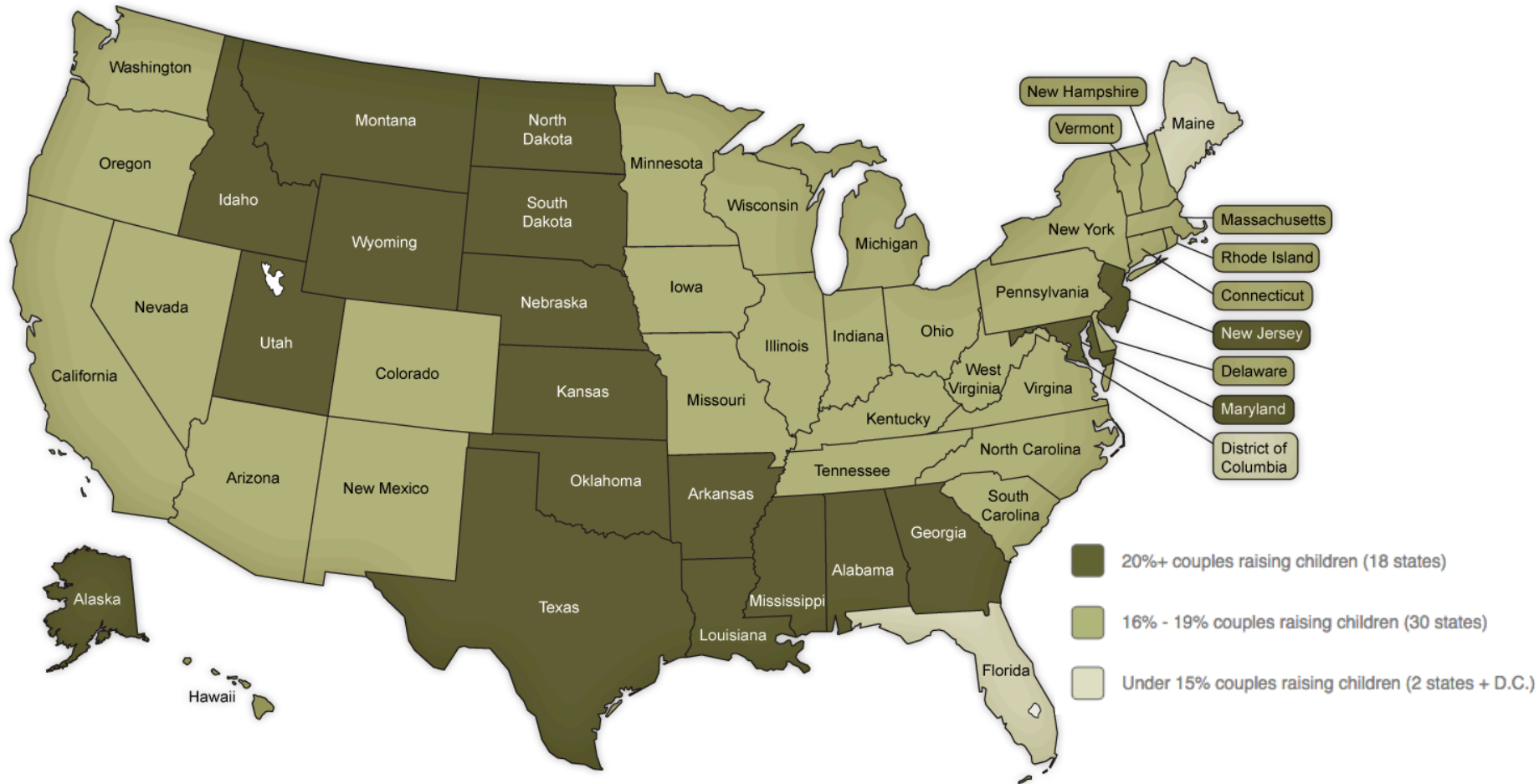


Source: Movement Advancement Project

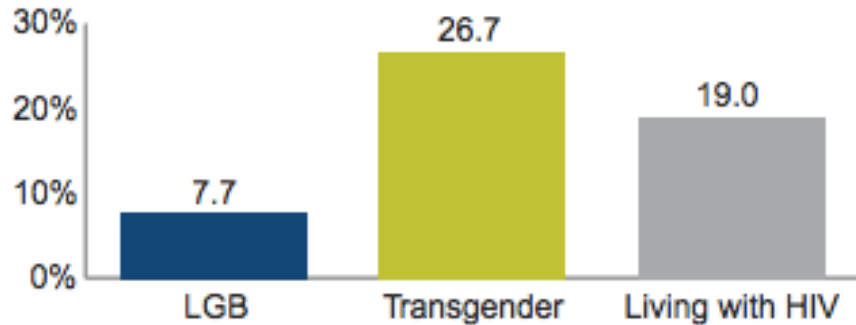
Same-Sex Couples By County



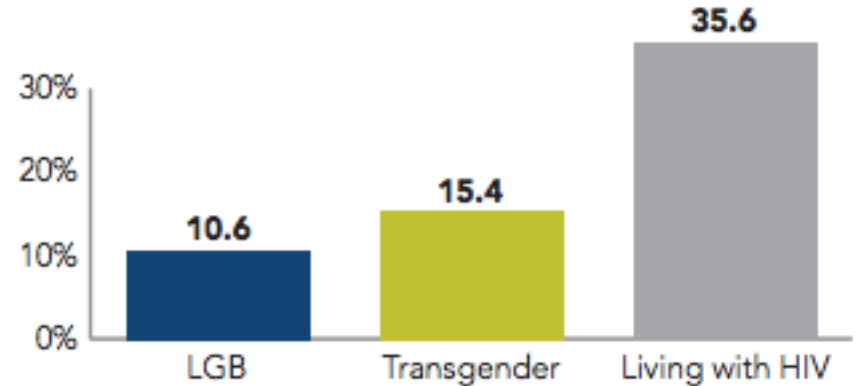
LGBT Parents



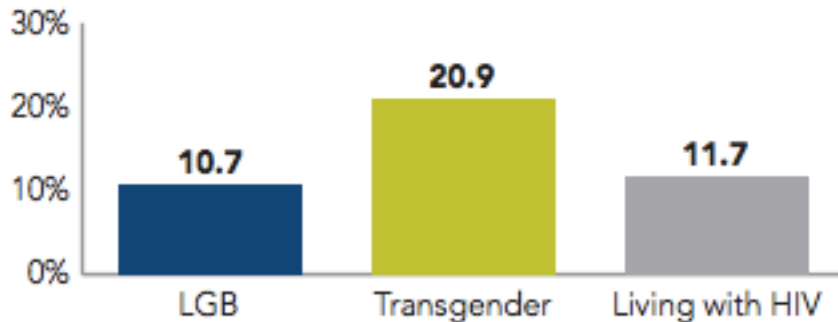
I was refused needed health care.



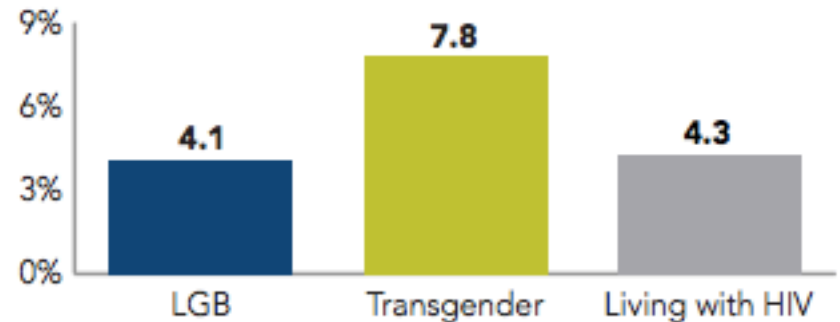
Health care professionals refused to touch me or used excessive precautions.

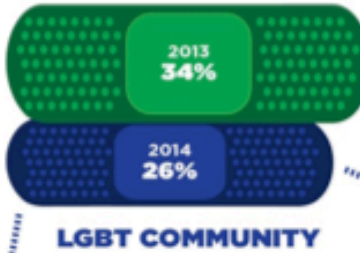
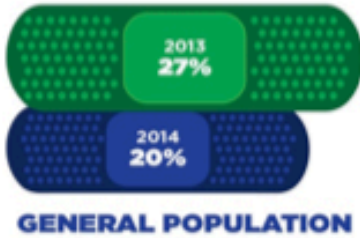


Health care professionals used harsh or abusive language.

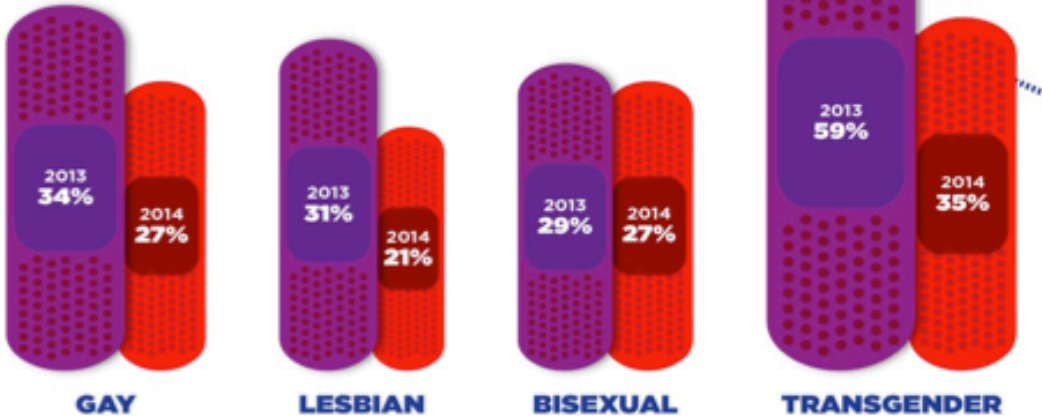


Health care professionals were physically rough or abusive.





1 in 4 low- and middle-income LGBT people are uninsured.



SOURCES: CENTER FOR AMERICAN PROGRESS AND THE COMMONWEALTH FUND.

LGBT communities have a lot to gain by enrolling in health insurance

the facts

> LGBT people are:

2x more likely to smoke

> Lesbian + bisexual women:

10x less likely to get cancer screening

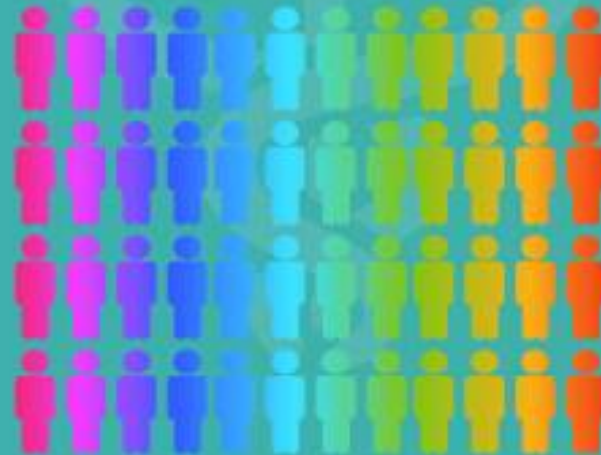
> Gay + bisexual men:

79x more likely to be diagnosed with HIV



1 in 4 low- & middle-income LGBT people are uninsured

all LGBT people
are protected from discrimination.



Key ACA Benefits for LGBT People

1. LGBT Nondiscrimination
2. Relationship Recognition
3. Quality Coverage
4. Financial Help
5. Free In-Person Help



LGBT Nondiscrimination

- Section 1557 of the Affordable Care Act prohibits discrimination on the basis of sex in the Marketplaces, hospitals, doctor's offices, and health insurance plans
- Sex includes gender identity and sex stereotyping
- Example of a sex stereotype: that men should only date or marry women, or women should only date or marry men
- Section 1557 protects:
 - Transgender people
 - Lesbian, gay, and bisexual people
 - Gender-nonconforming people
 - People who don't identify as male or female (non-binary)
 - Intersex people

HEALTH CARE ISN'T A PRIVILEGE.
IT'S A RIGHT.



Treated unfairly? You have rights.

VISIT out2enroll.org/category/faqs/discrimination

Making These Protections a Reality

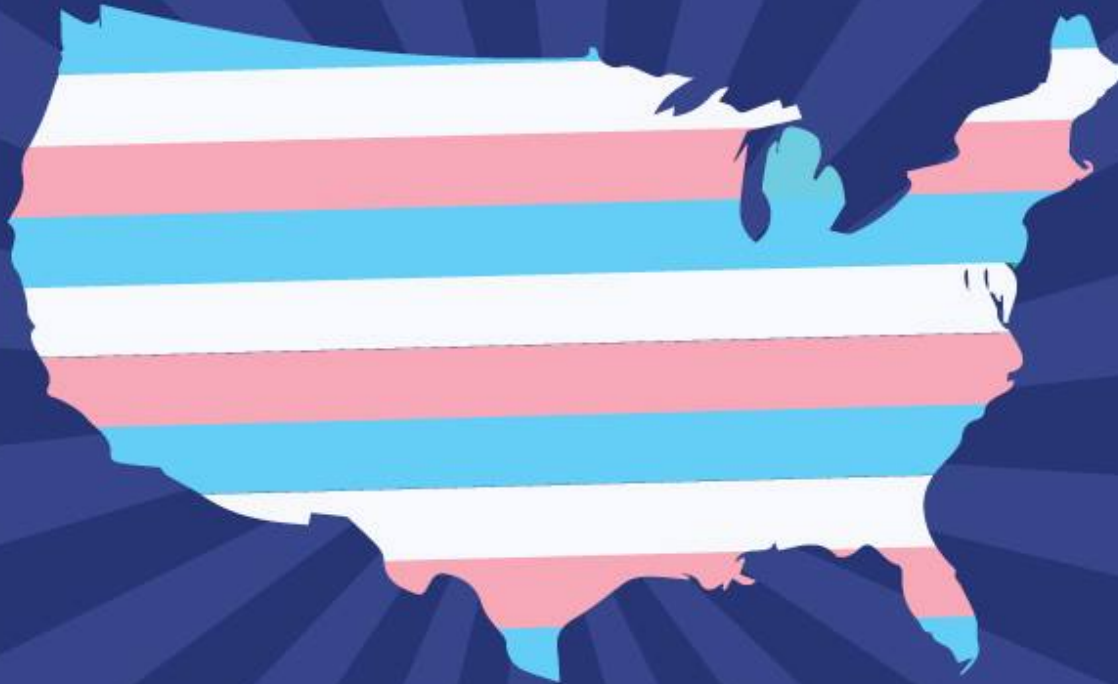
- “Under federal law, discrimination is not permitted on the basis of race, color, national origin, sex, age, sexual orientation, gender identity, or disability” (HC.gov application)
- Individuals who experience discrimination in accessing coverage or care can file complaints with the Office for Civil Rights at the U.S. Department of Health and Human Services by visiting www.hhs.gov/ocr
- Individuals can also file complaints with their state insurance commissioner and state attorney general
- Can also notify HealthCare.gov by calling 1-800-318-2596

Focus on Transgender Coverage

- Many plans have exclusions that deny transgender people access to preventive care, mental health counseling, hormone therapy, and gender affirmation surgeries
- Examples of transgender exclusions include:
 - *“Procedures or medical care performed in connection with sex reassignment”*
 - *“Procedures, services, and supplies related to sex transformation”*
 - *“Transsexual surgery, regardless of medical necessity”*
- These exclusions cannot be seen in the Summary of Benefits and Coverage – they can only be found in the full Evidence of Coverage

The Affordable Care Act

bans trans exclusions in health insurance nationwide



Marketplace plans, Medicaid, and Medicare
aren't allowed to discriminate against trans people.


LEARN MORE AT
www.out2enroll.org/1557

Things to Know for OE4

- Under ACA Section 1557, Marketplace plans and Medicaid programs can no longer:
 - Have transgender exclusions that deny all health services related to gender transition
 - Deny coverage because a person is transgender
 - Limit access to “sex-specific” services based on sex assigned at birth, gender identity, or recorded gender
- Plans must use nondiscriminatory criteria for determining coverage for transgender people but are not required to cover any particular procedure or treatment
- 18 states (incl. DC) + Medicare also prohibit trans exclusions

Relationship Recognition

- Straight and gay married couples are treated exactly the same by the Marketplace and Medicaid
- Family/spousal coverage and APTCs are equally available to straight/gay spouses
- A child's eligibility is tied to the parent that claims the child on their federal taxes



SPECIAL ENROLLMENT #GETCOVERED

Getting Hitched?

BIG CHANGES CAN BE BIG OPPORTUNITIES TO... #GETCOVERED!
See if you qualify to enroll in health insurance at www.healthcare.gov.

OUT2ENROLL www.out2enroll.org

The advertisement features a photograph of two brides in white dresses standing on a bridge with a city skyline in the background. The text is overlaid on the image in various colors and fonts.

Free In-Person Help

- 50% of low- and middle-income LGBT people have never shopped for coverage before
- 80% want enrollment help from assisters with training on LGBT-specific concerns



FIND FREE LOCAL HELP

Need help with your health insurance application? Enter your ZIP code below to find local assisters. The rainbow logo indicates an organization is trained to work with LGBT people and committed to creating an affirming environment.

Enter Your ZIP Code:

Search Within:

Language:

[Search For Help](#)

Brought to you by **OUT2ENROLL**

To sign up after this training, visit www.bit.ly/O2Eassisters

Ways to Reach LGBT People

- Partner with LGBT organizations
- Use relevant images, language, and content
- Participate in LGBT-friendly events, like LGBT Pride



Key Messages to Share

- The ACA prohibits discrimination based on sexual orientation and gender identity
- LGBT people should not face discrimination in health care or health insurance coverage
- Plans cannot have transgender exclusions and cannot deny coverage solely because someone is transgender
- If someone faces discrimination, they should file a complaint with the HHS Office for Civil Rights, HealthCare.gov, or state insurance department

Now that you've reached out...

What's next?

Create a Safe & Welcoming Environment

- ✓ Display nondiscrimination policies
- ✓ Post “safe space” or rainbow stickers and posters
- ✓ Have LGBT reading materials available in waiting areas
- ✓ Provide unisex bathrooms
- ✓ Allow people to point or write down answers themselves on the application



Don't Make Assumptions

✓ Remember that LGBT people are diverse:

- Gender and gender identity
- Sexual orientation
- Relationship status
- Family configuration



✓ Use gender-neutral language for families, such as “partner,” “spouse,” and “parent”

Be Aware of Language

- ✓ Don't make assumptions about people's gender on the basis of voice or what's on their ID documents
- ✓ When in doubt, politely ask rather than guessing
- ✓ "How would you like me to refer to you?" "What pronoun do you use?" "How would you like to be addressed?"
- ✓ Write down and consistently use the appropriate name and gender pronoun
- ✓ Simply apologize and move on in case of a mistake

Filling Out the Application

- **Name and gender** – In conversations with the person, use the name and gender pronoun the person prefers; on the application, recommend that the person use the name and gender that they use to file their federal taxes
- **Relationship status** – Married same-sex couples have the same rights to joint financial assistance and family coverage as married heterosexual couples
- **Eligibility for financial assistance** – All spouses must file joint federal income taxes in order to be eligible for APTCs and cost-sharing reductions

Filling Out the Application

- **Plan exclusions** – Transgender exclusions cannot be found in the Summary of Benefits and Coverage; they can only be seen in the Evidence of Coverage or Certificate of Coverage
- **Plan formularies** – Make sure that medications used to treat conditions such as HIV are not in high/unaffordable cost-sharing tiers
- **Provider networks** – Ways to identify LGBT-friendly providers include asking local LGBT organizations, looking at the provider directory at www.glma.org, and looking up local Ryan White providers at www.hab.hrsa.gov

Case Studies

Case Study #1: Maria and Jenny

Maria and Jenny just got married. They want to sign up for health insurance coverage together as a family.

Does their wedding count as a Special Enrollment Period?

- A. No
- B. **Yes *NOTE: same-sex couples can now get married in every state***
- C. It depends on the state they got married in

What determines whether Maria and Jenny can receive joint APTCs?

- A. Whether they are married
- B. What state they live in
- C. **Whether they file their federal income taxes jointly**
- D. Whether they have children

Maria and Jenny have a 16-year-old daughter, Sarah. How can Sarah get coverage?

- A. Only with the parent who gave birth to her
- B. **Together with Maria and Jenny as a family**
- C. Only with the parent with a higher income
- D. Only through a child-only plan that's separate from her parents' plan

Case Study #2: Sam

Sam comes into your office to ask about health insurance coverage.

When you see Sam, you're not sure what Sam's gender is. What should you do?

- A. Ask to see Sam's ID before providing any assistance
- B. **Say hello and ask, "How can I help you today?"**

When you refer to Sam as “sir,” Sam says, “actually, it’s ma’am.” What should you do?

- A. **Apologize and begin referring to Sam as “she” and “ma’am”**
- B. Ask to see Sam’s ID for proof of gender

Sam shares that the gender on her ID is male. What gender should go on the application form?

- A. The gender that Sam uses to file federal income taxes (male) *NOTE: gender data are not used by the federal data hub in identity proofing and eligibility verification, but state systems may use these data*
- B. The gender that Sam identifies as (female)
- C. Leave the question blank

Sam says she needs help getting coverage for gender transition. How can you help her? **(select all that apply)**

- A. **Look at the Evidence of Coverage for the plans she's considering to see whether they have transgender exclusions**
- B. Tell her that she can't get coverage for gender transition through the Health Insurance Marketplace
- C. **Remind her that she can file a complaint of discrimination with the HHS Office for Civil Rights if her plan has a transgender exclusion**

Online LGBT Resources

- **Out2Enroll:** www.Out2Enroll.org
- **HealthCare.Gov Page on Transgender Health Care** (HHS, 2016): <https://www.healthcare.gov/Transgender-Health-Care/>
- ***Key Lessons for LGBT Outreach and Enrollment Under the Affordable Care Act*** (Out2Enroll, 2014): http://out2enroll.org/wp-content/uploads/2014/07/O2E_KeyLessons_FINAL.pdf
- ***Moving the Needle: The Impact of the Affordable Care Act on LGBT Communities*** (Center for American Progress, 2014): <https://www.americanprogress.org/issues/lgbt/report/2014/11/17/101575/moving-the-needle/>
- ***Where to Start, What to Ask: A Guide for LGBT People Choosing Healthcare Plans*** (Strong Families Coalition, 2014): <http://strongfamiliesmovement.org/lgbt-health-care-guide>

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Thank you!

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