

Written Statement of
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To the
House Committee on Human Services
Vermont General Assembly
2/12/2020

Re: An act relating to the Older Vermonters Act

Honorable Chairperson Pugh and Members of the Committee:

My name is Robin Maril, and I am the Associate Legal Director for the Human Rights Campaign, America's largest civil rights organization working to achieve lesbian, gay, bisexual, transgender, and queer (LGBTQ) equality. On behalf of our over 3 million members and supporters nationwide, including more than 17,000 Vermonters, I am honored to present this statement today in support of House Bill 611, "An act relating to the Older Vermonters Act." This legislation provides critical supports for a diverse and vulnerable population that is growing nationwide, but particularly in Vermont. In order to more fully realize the intent of this legislation, I encourage the Committee to consider incorporating several additions designed to specifically reach LGBTQ older Vermonters.¹

There are an estimated 2.4 million LGBTQ older adults living in America today. By 2030, this number is expected to double.² Systemic discrimination in housing, employment, and healthcare results in an increased risk for poverty, and exacerbates health disparities and social isolation among our community's most vulnerable. Harassment by peers and healthcare providers also silences many LGBTQ older adults and their families. Lesbians over the age of 65 are twice as likely to be living in poverty as different-sex married couples, and older African American lesbian couples report the highest incidence of poverty of any family type.³ Governmental social service programs provide critical support for families facing these crises across the lifespan.

In 2010 the Department of Health and Human Services commissioned a report from the National Academy of Sciences (formerly the Institute of Medicine, or IOM) to assess the health status of

¹ HRC notes its agreement with the suggestions included in the testimony of Chris Erchull of GLAD on February 6, 2020.

² American Psychological Association, Lesbian, Gay, Bisexual and Transgender Aging. Available at: <https://www.apa.org/pi/lgbt/resources/aging>.

³ Poverty in the Lesbian, Gay, and Bisexual Community, March 2009. Randy Albelda, M.V. Lee Badgett, Alyssa Schneebaum, Gary J. Gates; The Williams Institute. Available at: <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Albelda-Badgett-Schneebaum-Gates-LGB-Poverty-Report-March-2009.pdf>.

LGBTQ people.⁴ The report’s findings were clear and telling. It specifically addressed the health disparities and unique needs facing older LGBTQ adults including barriers to healthcare services – like those provided under the Older Americans Act. The report highlighted several areas of concern regarding transgender older adults including high rates of sexual assault and violence, a general absence of data and invisibility in research and surveys, and rates of family rejection and isolation higher than any other population within the LGBTQ community.⁵ The report also found that “the combined stigma of being elderly and transgender can serve as a strong traumatizing force, potentially exacerbating both forms of discrimination and stigma.”⁶

The HHS report specifically addressed transportation, isolation, and the failure of government programs to meet the needs of LGBTQ older adults as factors that undermine the health status of this population. Older LGBTQ adults living in rural areas faced even more extreme barriers to obtaining culturally competent care and social supports. In addition to facing anti-LGBTQ stigma, many in our community struggle to find necessary services and support because of HIV status. Half of individuals living with diagnosed HIV are 50 years or over and 17% of all new infections are in this age group.⁷

In response to the pervasive social, health, and economic disparities facing the older LGBTQ population, HHS published sub-regulatory guidance providing that it is a population of “greatest social need” for purposes of Older Americans Act funded programs.⁸ Including LGBTQ older adults as a population of “greatest social need” is a meaningful step towards empowering Area Agencies on Aging to engage in targeted outreach and ensuring that programs and services are both available and welcoming to this highly vulnerable population.

I encourage the Committee to include LGBTQ older Vermonters within the definition of “greatest social need.” For example, revise the text of Bill §6203 (6)(c) to read:

C) cultural, social, or geographic isolation, including isolation caused by racial and ethnic status, **sexual orientation, gender identity, or HIV status.**

The Older Vermonters Act provides an important opportunity for the legislature to stand up for one of Vermont’s most vulnerable, isolated, and at risk communities. I appreciate your consideration for these additions and hope you will support H. 611.

⁴ IOM (Institute of Medicine). 2011. *The Health of Lesbian, Gay, Bisexual, and Transgender People: Building a Foundation for Better Understanding*. Washington, DC: The National Academies Press.

⁵ Id.

⁶ Id.

⁷ Centers for Disease Control and Prevention, *HIV and Older Americans*, September 2019.

⁸ Department of Health and Human Services, Administration on Aging (now the Administration on Community Living), *Guidance to Area Agencies on Aging under “targeting,”* Published July 10, 2012. This guidance provided that the definition of greatest social need may include isolated populations other than racial and ethnic minorities, including religious minorities, individuals isolated due to sexual orientation or gender identity or other special populations, depending on the planning and service area in question.