



DEPARTMENT OF HEALTH AND HUMAN SERVICES, (HHS) OFFICE ON AGING: OLDER AMERICAN'S ACT 2006

ISSUE: INCLUDE LESBIAN, GAY, BISEXUAL AND TRANSGENDER (LGBT) PEOPLE AS “VULNERABLE SENIOR CONSTITUENCIES AND IDENTITIES” AND AS “THOSE WITH GREATEST SOCIAL NEED.”

POLICY DESCRIPTION: OAA currently allows the Administration on Aging to allot monies to the states at their discretion to fund programs that carry out vulnerable elder rights protection activities. In reference to vulnerable constituencies and others, the phrase “greatest social need” is used numerous times in the legislation and remains undefined. Usually the phrase is followed by “with particular emphasis on,” or “with particular attention to,” then “low-income minority individuals” or “people living in rural areas,” or some variation thereof. The Older Americans Act of 2006 defines neither ‘vulnerable elder’ nor ‘greatest social need,’ leaving the decision about which programs may receive financial assistance at the discretion of each state receiving funding from the Administration on Aging.

LGBT elders, who are among the most vulnerable of the nation’s aging populations, remain invisible and underserved by the federal support system. LGBT elders are especially vulnerable for many reasons that make them disproportionately more dependant on public services, yet they often remain unseen and underserved. LGBT elders are more likely to age alone, without children to provide primary care giving, and with less financial resources to manage aging and chronic illnesses. It is estimated that one to three million Americans over 65 are gay, lesbian, bisexual or transgender, based on a range of 3% to 8% percent of the population. By 2030, this part of the elder population will expand to approximately 2 to 6 million. And yet, LGBT seniors are less likely to utilize government-aging services as currently provided out of fear. Seniors who are 65 and older may be extremely reticent to open up to medical and social service professionals because of their fears of being misjudged, marginalized or ridiculed. This generation grew up in an era that did not tolerate the notion of being gay or lesbian and many had found themselves ostracized and sometimes criminalized and jailed for being LGBT. Transgender elders are especially worried that care providers will not respect who they are and will create an unwelcome



environment to aging independently. Most aging network providers have no specific referral resources available for LGBT elders and their friends.

Adding the LGBT senior population to the Administration on Aging designations for special populations/minority populations' status would immediately add a level of importance to the needs of LGBT elders right down to the local levels of planning and funding, including the utilization of federal dollars spent in state aging plans and local services for the elderly.

There is a specific action that should be taken by the Administration on Aging to address this issue on the federal level.

RECOMMENDATIONS FOR CHANGE

Administration on Aging should create administrative regulations defining the term “vulnerable elder” and “greatest social need” to include LGBT elders as a vulnerable population. Encouraging all aging network agencies to include LGBT inclusive and identifying questions on participant intake forms would be a great asset for also providing local Area Agencies on Aging and senior service providers and agencies the demographic numbers needed to track the growth and understand the distinct needs of each local community.

PROCESS FOR MAKING CHANGES

Since the terms are not defined in the legislation, the Administration on Aging has the authorities to interpret which programs do and don't fit in the “vulnerable elder” and “greatest social need” categories via administrative regulation. Further, each time the term “greatest social need” is used in the legislation, it should be amended to add “lesbian, gay, bisexual, or transgender individuals.”