

# Advancing Equity for LGBTQ Elders

SB 1319 (Sen. Villivalam & Rep. Mah)

LGBTQ people face unique challenges as they age because of their sexual orientation, gender identity, and/or gender expression. SB 1319 would help cultivate an affirming environment for LGBTQ older adults.

## **SB 1319 Designates LGBTQ Older Adults & People Living with HIV as Target Populations in Aging Programs**

By designating LGBTQ older adults and people living with HIV as groups of “greatest social need” (a target population) in the Illinois Act on the Aging, SB 1319 would educate and highlight to service providers the importance of including these groups in the planning of programming funded through the federal Older Americans Act. Racial and ethnic communities are already designated as groups of “greatest social need” in Illinois. SB 1319 does not change that designation.

## **SB 1319 Protects All Illinoisans from Discrimination in Assisted Living and Shared Housing Facilities**

SB 1319 applies non-discrimination language to the Assisted Living and Shared Housing Act. This non-discrimination language would protect residents from discrimination on the basis of the enumerated classes in the Illinois Human Rights Act, including race, color, religion, national origin, ancestry, age, sex, marital status, disability, sexual orientation, and gender identity. The language is the same as that found in the Illinois Nursing Home Care Act.

## **There is no fiscal impact, and SB 1319 does not impact the current funding formula for programs funded through the Older Americans Act.**

According to AARP’s 2018 report “Maintaining Dignity: A Survey of LGBT Adults Age 45-plus”:

- 34% of LGBT older adults are concerned that they will have to hide their identity in order to access suitable housing as they age
- 67% are concerned about neglect, 62% are concerned about abuse, and 60% are concerned about verbal or physical harassment
- 61% are concerned about being refused or having limited access to services
- 52% are concerned about being forced to hide or deny their authentic selves
- 88% want long-term care providers who are trained in the needs of LGBT older adults

According to the CDC, nearly half of people in the United States living with diagnosed HIV are aged 50 and older.

Illinois is also the site of a major federal court case about anti-LGBTQ discrimination in long-term care facilities. Residents at a long-term care facility in Niles harassed and discriminated against Marsha Wetzel because she is a lesbian. Marsha filed a lawsuit, claiming the long-term care facility failed to protect her from discrimination. In August 2018, the 7<sup>th</sup> Circuit Court of Appeals ruled that a landlord may be held liable under the Fair Housing Act for failing to protect an LGB tenant from known, discriminatory harassment at the hands of other tenants. The case demonstrates that discrimination still takes place against LGBTQ older adults in long-term care facilities – even now, even in Illinois.



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## **SB 1319 is supported by:**

AARP

AIDS Foundation of Chicago

Alzheimer's Association

Center on Halsted

Equality Illinois

Housing Action Illinois

Illinois National Organization for Women

Local 881 UFCW

MAZON: A Jewish Response to Hunger

National Association of Social Workers – Illinois Chapter

Planned Parenthood Illinois Action

Pride Action Tank

SAGE: Advocacy and Services for LGBT Elders

SEIU Healthcare Illinois & Indiana

SEIU Illinois Council