

## Healthcare Equality Index: 2010 Survey Updates

The Healthcare Equality Index rates participants on their policies and practices related to the lesbian, gay, bisexual and transgender community and serves as a benchmarking tool for identifying emerging best practices in this field.

To that end, the HEI survey is updated annually to capture practices identified as emerging or positive trends in healthcare equality for the LGBT community. Many new questions and the data that is gathered from them are used for informational and reporting purposes only. In some cases, new questions may become rating criteria for future HEI surveys.

### HEI 2010 RATING CRITERIA

Only responses to rated survey questions will be made public in the HEI 2010 report; all other questions are asked for informational purposes only. Rated questions are indicated as such within the online survey. Answers to non-rated questions may be included in the report in aggregated form without identifying any specific participant's responses. The list of rated questions, or "rating criteria," for the HEI 2010 survey is follows:

Healthcare Equality Index 2010 Rating Criteria	
Criterion	Description
<b>1a</b>	Patients' Bill of Rights and/or Patient Non-Discrimination Policy inclusive of "sexual orientation"
<b>1b</b>	Patients' Bill of Rights and/or Patient Non-Discrimination Policy inclusive of "gender identity"
<b>2a</b>	Visitation policies <i>explicitly</i> grant same-sex couples (partners/spouses/significant others) the same access as different-sex couples and next-of-kin
<b>2b</b>	Visitation policies <i>explicitly</i> grant same-sex parents the same access as different-sex parents for visitation of their minor children
<b>3</b>	Cultural competency training that addresses sexual orientation, gender identity and healthcare issues related to LGBT community
<b>4a</b>	Employment Non-Discrimination Policy inclusive of "sexual orientation"
<b>4b</b>	Employment Non-Discrimination Policy inclusive of "gender identity"

For more information on the HEI 2010 Rating Criteria visit [www.hrc.org/issues/13606.htm](http://www.hrc.org/issues/13606.htm).

### OVERVIEW OF HEI 2010 SURVEY UPDATES

The Healthcare Equality Index 2010 survey includes updates to the following survey sections:

- Visitation Policies
- Decision-Making Policies
- Cultural Competency Training and Client Services
- Employment Policies & Benefits

## Visitation Policies

In the HEI 2009 survey, we required documentation of visitation and decision-making policies for the first time. Through this benchmarking of policies, we identified best-practice visitation policies which include a definition of family that is explicitly inclusive of same-sex couples (partners/spouses/significant others) and same-sex parents. Explicit policy language decreases the possibility of staff members interpreting these policies based on their own biases.

- **Documentation of a visitation policy that is *explicitly inclusive of the LGBT community* is required for credit for criteria 2a and 2b.**
- For more information on LGBT-inclusive visitation policies and model policy language, visit [www.hrc.org/issues/9814.htm](http://www.hrc.org/issues/9814.htm).

## Decision-Making Policies

Due to the lack of relationship recognition laws and because most default medical decision-making laws are not LGBT-inclusive, advance healthcare directives are especially important for same-sex couples. Healthcare facilities are required to recognize all validly executed advance healthcare directives (AHDs) (e.g. durable powers of attorney for healthcare, healthcare proxies or living wills). This is demonstrated by the fact that in the HEI 2009 survey every one of our participating facilities for which the question was applicable indicated that it recognizes AHDs allowing same-sex partners/spouses/significant others decision-making authority for their same-sex partner/spouses/significant other under care.

At the same time, we know of tragic incidents involving hospitals refusing to honor valid AHDs because the directives involved same-sex couples. This indicates a breakdown in the implementation and enforcement of compliance policies due to inadequate staff training or insufficient policy language. The HEI is working to identify policies and practices that remedy the problem of subjective enforcement of compliance policies around AHDs due to staff ignorance or bias.

- The decision-making policy section of the HEI 2010 survey has been updated to focus on compliance training for staff related to advance healthcare directives. **These questions will not be rated this year.**
- For more information on decision-making policies, visit [www.hrc.org/issues/9819.htm](http://www.hrc.org/issues/9819.htm) and
- Download the HRC Foundation's *Breaking Down Barriers: An Administrator's Guide to State Law and Best Policy Practice for LGBT Healthcare Access* at [www.hrc.org/issues/12668.htm](http://www.hrc.org/issues/12668.htm).

## Cultural Competency Training and Client Services

Inclusive policies alone do not ensure LGBT individuals and families feel safe, welcome and respected in healthcare settings. Everyone who works in healthcare facilities should receive training on LGBT cultural competence because an individual's experience accessing healthcare is influenced by everyone with whom they interact.

Since the HEI 2009 survey and report were released, we have identified key training topics for LGBT cultural competence. These topics include basic information related to the LGBT community (e.g. LGBT terminology and LGBT history) as well as more nuanced information on patient-provider interactions and barriers to care for the LGBT community.

To further identify best practices around LGBT cultural competency training, the HEI 2010 asks participants to provide more details on training than in years past.

- The HEI 2010 survey asks participants to provide more details describing their LGBT cultural competence training for staff including information on staff receiving training, topics covered in trainings, mode in which training is delivered and frequency of training.
- The HEI 2010 survey asks training questions for five personnel groups: administrative staff, medical assistants and technicians, allied health professionals, nursing staff and physicians. For credit on this criterion, training must be offered for every group applicable but need not be mandatory.
- The HEI 2010 survey combines lesbian, gay and bisexual training with transgender-specific training rather than asking two separate questions, one related to sexual orientation and one related to gender identity.
- For more information and resources on LGBT cultural competence see [www.hrc.org/issues/8250.htm](http://www.hrc.org/issues/8250.htm).

### **Employment Policies & Benefits**

The primary focus of the HEI is on the experiences of LGBT patients and their families when accessing healthcare. However, a look at a facility's employment policies and benefits related to LGBT employees can inform an assessment of its overall climate. Therefore, since its inception the HEI has asked questions pertaining to a participant's employment policies and benefits, including non-discrimination policies, health benefits and the existence of an LGBT employee group. Unlike the HRC Corporate Equality Index, which is focused squarely on workplace policies and practices, the HEI asks the majority of these questions for informational purposes only..

The HEI 2010 survey includes new questions specific to transgender-inclusive health benefits. Transgender people face many forms of discrimination in the provision of health insurance. Because of “transgender exclusions,” many health insurance plans in the U.S. regularly deny transgender people coverage for not only transgender-related care, but also for basic medical treatments unrelated to being transgender, or would only cover harmful, so-called “reparative therapy.”

Employers, as consumers of group health insurance products, can advocate on behalf of the transgender people (employees and their dependents) insured on their group health insurance plans. The Human Rights Campaign Foundation works with employers to end health insurance discrimination against transgender people. Reflecting the progress made on these issues in recent years, the HEI survey now includes questions on transgender-inclusive health benefits.

- The HEI 2010 survey asks participants whether or not they offer at least one health insurance plan that does not exclude coverage for medically-necessary treatment related to gender identity disorder. These questions are asked for informational purposes only and will not be rated.
- The HEI 2010 survey continues to ask questions pertaining to partner benefits. These questions are asked for informational purposes only and will not be rated.
- For more information on health insurance discrimination for transgender people, visit [www.hrc.org/issues/transgender/9568.htm](http://www.hrc.org/issues/transgender/9568.htm).
- For more information on transgender-inclusive health insurance, see [www.hrc.org/issues/transgender\\_inclusive\\_benefits.htm](http://www.hrc.org/issues/transgender_inclusive_benefits.htm).
- For more information about LGBT workplace climate as it relates to policies and benefits, see [www.hrc.org/degreesofequality](http://www.hrc.org/degreesofequality).