Proskauer

LGBT Advocates Issue Revised Hospital Guide for Treating Transgender Patients

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May 25, 2016 (NEW YORK) – Last week, the U.S. Department of Health and Human Services (HHS) finalized new rules confirming that lesbian, gay, bisexual and transgender (LGBT) people are protected against health care discrimination under Section 1557 of the Affordable Care Act. Proskauer joined with Lambda Legal, the Human Rights Campaign, the LGBT Rights Committee of the New York City Bar Association, as well as Hogan Lovells, to lend pro bono assistance in updating the ground-breaking 2013 publication that provided guidance to hospitals seeking to improve health care for transgender patients.

The original 2013 publication, "Creating Equal Access to Quality Health Care for Transgender Patients: Transgender-Affirming Hospital Policies," was a pioneering document designed to help all hospital personnel align themselves with best practices in transgender health care. It answered hospital employees' questions about transgender patients, showed them how to reduce bias and insensitivity, and addressed other important issues such as confidentiality, room assignments, bathroom access and admitting/registration procedures.

The newly revised publication reflects the significant changes in the legal landscape that have occurred since 2013 concerning the rights of transgender individuals in the health care context – including court victories, new state insurance bulletins and evolving policies, all culminating in the recently finalized HHS Section 1557 rules. Furthermore, the new publication incorporates best practice information regarding access to hormone therapy and collection of gender identity data in electronic health records.