

August 22 2016

Via Email

Greg Link

Administration for Community Living

U.S. Administration of Aging

Department of Health and Human Services

Washington, DC 20201

RE: Request for New Information Collection for a Program Instruction on Guidance for the Development and Submission of State Plans on Aging, State Plan Amendments and Intrastate Funding Formula

Dear Mr. Link:

The undersigned organizations appreciate the efforts the Obama Administration and the Administration for Community Living (ACL) have made, and the leadership they have shown, in addressing the challenges facing lesbian, gay, bisexual, and transgender (LGBT) older adults. As a population that is too often invisible and whose needs go unmet, LGBT older adults need the support of our federal government. This draft Program Instruction continues to demonstrate the Administration's support. From the Midwest to the deep south, from big cities to small towns, it has the potential to make a substantial impact on the lives of LGBT older adults in communities across the country.

In particular, we appreciate the efforts in which ACL has engaged to ensure that the voices of LGBT older adults, as well as those who work with and care for them, are being heard. To that end, we are submitting this letter in response to the Notice published in the Federal Register on June 21, 2016, which seeks comment regarding the inclusion of a provision in ACL's Program Instruction that would provide guidance regarding the obligation of State Units on Aging to target resources to older adult populations that have the "greatest economic and social need."

We commend ACL for this very constructive proposal, which expressly recognizes that sexual orientation and gender identity "can limit the degree to which older adults experience full inclusion in society and are able to access available services and supports." However, while the proposed guidance requires the States to describe approaches for assessing the need of isolated populations, we are concerned that it does not unambiguously require the States to assess the need of LGBT older adults.

LGBT older adults are at heightened risk of greatest social need. The Older Americans Act ("OAA") defines "greatest social need" as the need caused by "physical and mental disabilities" and by "cultural, social or geographic isolation, including isolation caused by racial or ethnic status." There is substantial evidence that the LGBT older adult population has poorer

physical and mental health outcomes than their heterosexual and cis gender contemporaries.¹ At the same time, LGBT elders are more likely to be isolated than their peers: they are twice as likely to live alone, half as likely to have close relatives to call for help, and four times less likely to have children to assist them.²

LGBT older adults also are at heightened risk of greatest economic need. The OAA defines “greatest economic need” as “the need resulting from an income level at or below the poverty line.” LGBT older adults are more likely to live in poverty than other older adults. Indeed, 15.9 percent of single gay men over 65 lived in poverty, compared to just 9.7 percent of single heterosexual men their age, while six percent of lesbian couples age 65 and older have incomes below the poverty line, compared to 3.5 percent for heterosexual married couples in the same age group.³

Although LGBT older adults are at heightened risk of greatest economic and social need, many are not receiving the services they need to live independently. Indeed, a 2001 Administration on Aging study found that LGBT older adults are 20 percent less likely than other older adults to access government services such as housing assistance, meal programs, food stamps, and senior centers.⁴ Yet, despite this evidence, most State Units on Aging are not making any systematic effort to assess and address the needs of LGBT older adults.

We strongly believe that only a Federal mandate requiring State Units on Aging to assess the needs of LGBT older adults will ensure the maximum inclusion of LGBT older adults in programs funded under the OAA. We therefore urge ACL to modify the proposed guidance to expressly require States to describe the actions taken to assess the needs of LGBT older individuals. While each State would retain the right to determine, based on the data collected, whether LGBT older adults have greatest economic and social need, we expect that after engaging in a comprehensive, good-faith, needs assessment, most States will conclude that they do. We further believe that, by targeting this population, States will ultimately save resources by allowing more LGBT older adults to live independently. We stand ready to assist in this effort.

Respectfully submitted,

A Better Balance

Action Wellness, (formerly ActionAIDS), Philadelphia, PA

AFFIRM: Psychologists Affirming Their LGBT Family, Stony Brook, NY

AIDS Alabama

¹ Fredriksen-Goldsen, K. I., Kim, H.-J., Emler, C. A., Muraco, A., Erosheva, E. A., Hoy-Ellis, C.P., Goldsen, J., Petry, H., Seattle: Institute for Multigenerational Health, *The Aging and Health Report: Disparities and Resilience among Lesbian, Gay, Bisexual, and Transgender Older Adults* (2011).

² LGBT Movement Advancement Project & Services and Advocacy for Gay, Lesbian, Bisexual and Transgender Elders (MAP & SAGE), *Improving the Lives of LGBT Older Adults* (2010), available at <http://www.lgbtmap.org/file/improving-the-lives-of-lgbt-older-adults.pdf>

³ M.V. Lee Badgett, et al., Williams Inst., *New Patterns of Poverty in the Lesbian, Gay and Bisexual Community* (June 2013).

⁴ LGBT Movement Advancement Project & Services and Advocacy for Gay, Lesbian, Bisexual and Transgender Elders (MAP & SAGE), *Improving the Lives of LGBT Older Adults* (2010), available at <http://www.lgbtmap.org/file/improving-the-lives-of-lgbt-older-adults.pdf>

AIDS Foundation of Chicago
AIDS Service Association of Pinellas, Pinellas County, Florida
ALISS Aging Lesbians in South Seattle, Seattle, WA
Alzheimer's Association
AMAZULU Collections
American Civil Liberties Union
Any Lab Test Now Wilmington NC
Apicha Community Health Center, New York, NY
At Home Fitness LLC, Pinellas County, FL
Aurora Mental Health Center, Aurora, CO
Austin Prime Timers, Austin, TX
Barton's Angels, Inc., Northhampton, MA
Better Living for Seniors, Pinellas County, Florida
BodyPride
Boulder County Area Agency on Aging
Bradbury-Sullivan LGBT Community Center, Allentown, PA
CareLink, Providence, RI
Center in the Park, Philadelphia, PA
Center on Halsted, Chicago, IL
Chicago House and Social Service Agency, Chicago, IL
CJE SeniorLife Chicago, IL
Cleveland LGBT Community Center
Clinton County Office for the Aging, Clinton County, NY
Council on Aging of Volusia County, Volusia County, Florida
County of Santa Clara, Office of LGBTQ Affairs, San Jose, CA
CrescentCare, New Orleans, LA
Equality Federation
Equality Florida Institute
Equality Illinois
Equality Pennsylvania
Ethos, Jamaica Plain, MA
Family Values @ Work
Finger Lakes Health Systems Agency, Rochester, NY
FORGE, Inc., Milwaukee, WI
Friendly House, Inc, Portland, OR
Gay Alliance, Rochester, NY
GLBTQ Legal Advocates & Defenders (GLAD)
GLMA: Health Professionals Advancing LGBT Equality
Hispanic Health Network
Hiv 55 and over
Hudson Pride Foundation, Hudson, NY
Hudson Valley LGBTQ Community Center, Kingston, NY
Latino Commission on AIDS
Let's Kick ASS

LGBT Elder Initiative, Philadelphia, PA
LGBT Elder Initiative of Pinellas/Pasco Co, Florida
LGBT Elders Now, Miami Beach, FL
LifePath, Turners Falls, MA
Log Cabin Republicans
Martin Law Office LLC, Boulder CO
Mary's House for older Adults, Washington, DC
Mass Home Care Association
Massachusetts Councils on Aging
MassEquality
Metro Wellness & Community Centers, St. Petersburg / Tampa, FL
Metropolitan Community Churches
Milwaukee County Department on Aging
Milwaukee LGBT Community Center
Mushpa + Mensa
National Alliance for Caregiving
National Asso. for Hispanic Elderly
National Association of Nutrition and Aging Services Programs (NANASP)
National Association of Social Workers (NASW)
National Center for Lesbian Rights
National Coalition for LGBT Health
National Committee to Preserve Social Security and Medicare
National Council of Jewish Women
National LGBTQ Task Force
National LGBTQ Task Force Action Fund
NCRC
NMAC
Open Door Health Center of IL
OutFront Minnesota
PFLAG National
RAD Remedy
Rainbow Health Initiative, Minneapolis, MN
Resource Center, Dallas, TX
Right at Home Hinsdale/Oak Park/ Chicago
Right at Home St. Petersburg
Rural AIDS Action Network (RAAN), St. Cloud, MN
Rush University Mecial Center - Department of Health & Aging, Chicago, IL
SAGE Maine
SAGE of PROMO Fund, Saint Louis, MO
SAGE Wilmington of the Cape Fear Coast affiliated w/ The Frank Harr
Foundation
San Francisco AIDS Foundation
SAVE, Miami, FL
Seniors Helping Seniors West L.A.

Sexuality Information and Education Council of the U.S. (SIECUS)
ShareTheCaregiving, Inc. aka Share The Care™
Southern Jewish Resorce Network for Gender and Sexual Diversity (SOJOURN),
Atlanta, GA
SU Aging Studies Institute, Syracuse, NY
The Bland Law Firm, LLC, Clearwater, FL
The Center Project, Columbia, MO
The Global Justice Institute
The Human Rights Campaign
The Jewish Federation of North America
The LGBT Center Orange County, Santa Ana, CA
The LOFT: LGBT Center, White Plains, NY
The National Consumer Voice for Quality Long-Term Care
The Pride Center at Equality Park, Wilton Manners, FL
The Pride Center of New Jersey
The Virginia Equality Bar Association
Tompkins County Office for the Aging, Ithaca, NY
Touching Hearts at Home, Florida
Training to Serve, St. Paul, MN
TransOhio
United Church Homes, Marion, OH
Utah Sage
Voycetress Media. LLC, Harrisburg, PA
Westminster Presbyterian Church, Washington, DC
WhatAIDSsurvivorsNeed.com
William Way LGBT Community Center, Philadelphia, PA
WLH, LLC dba Front Range Hospice & Palliative Care, Frederick, CO