

Joint Commission & the LGBT Patient

<http://www.jointcommission.org/lgbt/>

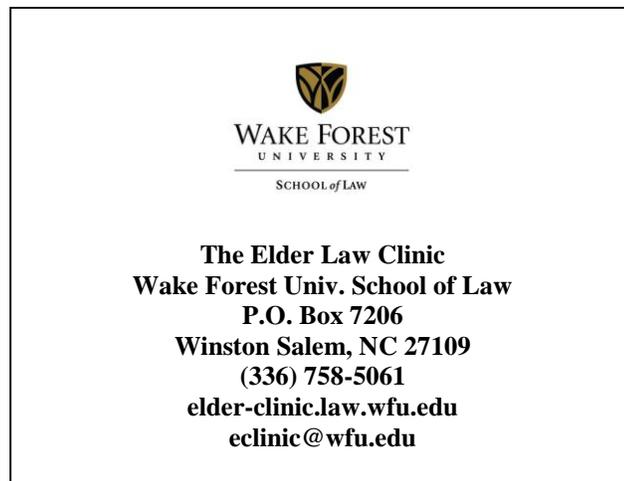
Summary of **positions taken by the Joint Commission:**

- Hospitals must prohibit discrimination based on sexual orientation and gender identity or expression, and this requirement applies regardless of local law.
- Hospitals may not refuse care because of sexual orientation or gender identity or expression.
- Hospitals should recognize same-sex partners as the patient's family, including recognizing same-sex marriages, even if not recognized by the law of the state in which the hospital is located.
- Patients may designate same-sex partners as surrogate decision-makers, including in advance directives.
- Hospitals should involve same-sex parents in their children's care, even those parents who lack legal custody.
- Hospitals should not permit a patient's parents who disapprove of the patient's same-sex relationship from excluding the patient's partner against the patient's wishes.
- A patient may designate a same-sex partner as family for visitation and other purposes.
- Health care providers should use neutral language when taking sexual histories.
- Hospitals should use a transgender patient's preferred name even if not the legal name.
- Hospitals should refer LGBT patients to welcoming health care providers for follow-up.
- Hospitals should maintain the confidentiality of information about sexual orientation and gender identity or expression.
- Hospitals should use available research data to understand LGBT community needs.
- Hospitals should consider modifying data systems to permit the capture of sexual orientation and gender identity or expression information in electronic medical records.
- Intake forms should be inclusive of LGBT patients.

- Hospitals should create a welcoming environment for LGBT staff and patients.
- LGBT hospital staff should be protected from discrimination.
- Key terms, such as ‘family,’ ‘gender expression,’ ‘gender identity,’ and ‘sexual orientation,’ are defined in ways affirming to LGBT people, and the LGBT community’s preferred and expansive phraseology important for transgender people – “gender identity or expression,” is adopted throughout.

In 2010, the Joint Commission, which issues performance standards and guidelines followed by most hospitals, released [*Advancing Effective Communication, Cultural Competence, and Patient and Family-Centered Care: A Roadmap for Hospitals*](#). This 93-page report addresses a wide range of issues identified by health experts as critical to delivering quality health care to diverse populations, including LGBT patients and their families.

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Related Resources:

- Human Rights Campaign: www.hrc.org
- Gay and Lesbian Medical Association: www.glma.org
- American Geriatrics Society Feb. 2015 Position Statement: www.americangeriatrics.org/press/news_press_releases/id:5418
- SAGE (Services and Advocacy for LGBT Elders) www.sageusa.org/issues/health.cfm
- LGBT Health & Well-Being: <http://www.hhs.gov/programs/topic-sites/lgbt/index.html>