Out2Enroll: The Affordable Care Act and LGBT Communities
General Housekeeping

If you experience any technical difficulties during the webinar, please contact GoToMeeting.com Corporate Account Customer Support at:

1-888-259-8414
or
1-805-617-7002
About Us

“Exploration and Intervention for Health Equality…”

Designated a “National Center of Excellence” by the National Institutes of Health, National Institute on Minority Health and Health Disparities
OUT2ENROLL: THE AFFORDABLE CARE ACT AND LGBT COMMUNITIES
• 8 million Americans identify as gay, lesbian, or bisexual
• 700,000 Americans identify as transgender

= at least 9 million LGBT Americans

Source: The Williams Institute
9 Million LGBT Americans
Examples of LGBT Health Disparities

↑ Tobacco and other substance use
↑ Mental health concerns
↑ Cancers
↑ Experiences of violence and abuse
↑ HIV/AIDS infection
↓ Insurance coverage
↓ Access to preventive screenings

Source: The Health of Lesbian, Gay, Bisexual and Transgender People (Institute of Medicine, 2011), Healthy People 2020
Riding the Wave:
LGBT Health in National Policy Since 2010

- Healthy People 2020
- National HIV/AIDS Strategy
- IOM report on LGBT health
- National Partnership for Action to Eliminate Health Disparities
- National LGBT Health Education Center
- National Healthcare Disparities Reports
- CLAS Standards
...And the Affordable Care Act
“The Affordable Care Act may represent the strongest foundation we have ever created to begin closing LGBT health disparities.”

Photo credit: Ted Eytan at the White House launch of Out2Enroll on September 12, 2013
Quotation source: http://www.hhs.gov/secretary/about/speeches/sp20111017.html
Top 3 LGBT Priorities in Health Reform

Photo credit: Emily Polak, Community Catalyst
1. New Options for Coverage

- **Lowest Income People**
  - Medicaid Expansion*
  - *Participating states only

- **Most People**
  - Health Insurance Marketplaces

- **Small Businesses**
  - Small Business Marketplaces

Source: Adapted from Doctors for America, www.drsforamerica.org
Medicaid Expansion

• Affects many LGBT people **for the first time:**
  - Every individual making up to approx. $16,000 per year is eligible for coverage (in states accepting the expansion).
  - States can choose whether to recognize same-sex spouses as “married” for Medicaid eligibility.

• Current questions:
  - Which states are expanding?
  - What benefits are covered?
  - What additional rules govern access?
Health Insurance Marketplaces

- Opened in all 50 states on October 1, 2013.
- Subsidies available to help make coverage affordable.
- LGBT-inclusive nondiscrimination requirements cover:
  - Marketplace staff
  - Qualified Health Plans
  - Navigators
2. Insurance Market Reforms

• Patient’s Bill of Rights helps make private coverage more accessible and higher-quality.

• Some reforms are particularly important for transgender people and people with conditions such as HIV or cancer:
  
  ✓ No lifetime and annual limits on coverage
  ✓ No pre-existing condition exclusions
  ✓ No arbitrary withdrawal of insurance coverage
• Essential benefits standard requires adequate coverage across 10 categories of care.

• Plans offering essential benefits may not discriminate on the basis of gender identity, health condition, etc.

• Essential benefits standard applies to plans covering an estimated 68 million people nationwide.
3. Nondiscrimination

ACA Section 1557

- Civil Rights Act
- Rehabilitation Act
- Age Discrimination Act
- Title IX
- Race, color, national origin
- Disability
- HIV/AIDS status
- Gender identity and sex stereotyping
- Sex
Equal Coverage for Transgender People

• Many transgender people need health care services such as hormone therapy to express who they know they are on the inside.

• Despite the American Medical Association’s recommendation, many insurance carriers routinely exclude these services, and insurers use these exclusions to avoid covering even routine care.

• State and federal regulators are deciding whether plans should be allowed to use transgender-specific exclusions under:
  ✓ State Unfair Trade Practices laws prohibiting sex discrimination
  ✓ State Human Rights laws
  ✓ ACA Section 1557
  ✓ Essential Health Benefits regulations
  ✓ Qualified Health Plan regulations
Five Jurisdictions Now Reject Transgender Insurance Exclusions

Nondiscrimination and Same-Sex Couples

• Post-DOMA, the Marketplaces must treat married same-sex spouses identically to different-sex spouses, no matter where they live.

• How Marketplaces can treat same-sex couples like heterosexual couples:
  ✓ Allowing use of tax credits to buy family plans
  ✓ Keeping couples’ records together in Marketplace IT systems
  ✓ Encouraging plans to offer benefits for same-sex couples on the same basis as spousal benefits for different-sex couples

The Challenge:
Connecting LGBT People with Their Options

Photo credit: www.spp.com.au/about
LGBT Consumer Messaging Research

• Commissioned from Perry Undem Research & Communications by CAP’s LGBT State Exchanges Project in spring 2013

• Conducted in May-August 2013

• 8 LGB/T focus groups in 4 states

• National survey of 860+ LGBT people with incomes under $45,000 per year
Among LGBT people with annual incomes under 400% FPL
Source: Center for American Progress
67% of uninsured LGBT respondents have been without coverage for 2+ years.

Less than half of insured LGBT individuals (43%) have coverage through their employer.

Among LGBT people with annual incomes under 400% FPL
Source: Adapted from a report by Perry Undem for the Center for American Progress
Where Uninsured LGBT People Live

Among LGBT people with annual incomes under 400% FPL

Source: Center for American Progress
Experiences of Discrimination

1 in 3 respondents in a same-gender relationship has tried to get partner coverage through an employer plan (31%).

Of those who have tried, 50% had trouble getting partner coverage and 72% felt discriminated against in the process.

Transgender focus group participants face significant and constant discrimination from insurance companies.

Among LGBT people with annual incomes under 400% FPL
Source: Adapted from a report by Perry Undem for the Center for American Progress
“If you had to look for health insurance coverage, how would you feel?”

Among LGBT people with annual incomes under 400% FPL
Source: Adapted from a report by Perry Undem for the Center for American Progress
Key Focus Group Findings: Transgender

- Health care is about daily survival.
- Few can get the care they need.
- Insurance experiences overwhelmingly involve exclusion(s).
- Health care experiences frequently involve hostility and discrimination.
- Resulting reluctance to engage
- Mistrust of plan offerings and consumer assistance programs

Among uninsured transgender people with annual incomes under 400% FPL
Source: Adapted from a report by Perry Undem for the Center for American Progress
Transgender Focus Group Concerns when Calling Help Lines/at Front Desks

• I might be mis-gendered.
• I might experience discrimination and hostility.
• Staff might be incredulous about my voice matching my name.
• Staff might not be able or willing to answer my questions.
• Staff might ask me inappropriate questions about being transgender.

“…I’m sure going to need to be in a good mood to take it. They’re not going to understand at all what I’m talking about. I mean, if I say “trans,” are they going to be thinking trans-fat? [laughter]” – LA participant

Among uninsured transgender people with annual incomes under 400% FPL
Source: Adapted from a report by Perry Undem for the Center for American Progress
“What will you do if you face discrimination on the help line?”

“[I will] shut down.” – Colorado participant

Source: Adapted from a report by Perry Undem for the Center for American Progress
Key Findings: LGB Focus Groups

• Skepticism is a major challenge.
• Many are used to thinking of insurance as individuals rather than family coverage.
• Want indicators that LGBT people are included:
  ✓ Pictures showing LGBT people
  ✓ Key terms (“partner,” “spouse” rather than “husband” or “wife,” LGBT-inclusive nondiscrimination statements)
  ✓ Partnerships with LGBT community organizations
  ✓ Advertising in LGBT media and at LGBT venues such as Pride Festivals

Among uninsured LGB people with annual incomes under 400% FPL
Source: Adapted from a report by Perry Undem for the Center for American Progress
LGBT People Don’t Know about Their Coverage Options

Knows about the mandate: 64%
Knows about new coverage options: 29%

Among LGBT people with annual incomes under 400% FPL
Source: Center for American Progress
Key Motivations

1. If you or a family member gets sick, you won’t have to worry about big medical bills or going into bankruptcy. (42% say this is a major reason to look into new options)

2. You will be able to find a plan that fits your budget. (40%)

3. The insurance plan you choose will be there to cover all of the care you need. (38%)

1 in 4 LGBT respondents (24%) say a major reason to look into new options is learning that plans can’t discriminate in benefits or costs based on sexual orientation or gender identity.

Among LGBT people with annual incomes under 400% FPL
Source: Adapted from a report by Perry Undem for the Center for American Progress
The Most Important Facts

1. What plans cover – 32%
2. You can’t be denied coverage based on a pre-existing condition – 19%
3. Financial help is available – 15%
4. Rules around partner/family coverage – 14%

A message with these four facts will reach 80% of an LGBT audience. That is, 80% of LGBT people exposed to the message will hear the fact they consider most important.

Among LGBT people with annual incomes under 400% FPL
Source: Adapted from a report by Perry Undem for the Center for American Progress
### Top Messengers

Percent LGBT respondents “definitely” or “probably” trust as messenger about new coverage options under health reform:

<table>
<thead>
<tr>
<th>Mesenger</th>
<th>Total</th>
<th>Uninsured</th>
</tr>
</thead>
<tbody>
<tr>
<td>Someone like you who has already gotten insurance from these new options</td>
<td>53</td>
<td>53</td>
</tr>
<tr>
<td>A doctor</td>
<td>50</td>
<td>45</td>
</tr>
<tr>
<td>A family member</td>
<td>48</td>
<td>45</td>
</tr>
<tr>
<td>Someone from a state government agency like the Department of Health</td>
<td>51</td>
<td>46</td>
</tr>
<tr>
<td>A local LGBT health center</td>
<td>45</td>
<td>45</td>
</tr>
<tr>
<td>Someone from a federal government agency like the Department of Health</td>
<td>44</td>
<td></td>
</tr>
<tr>
<td>Someone from your local Medicaid office</td>
<td>48</td>
<td>42</td>
</tr>
</tbody>
</table>

**Which family member?**
- If in a relationship: Partner
- If single: Mom

Source: Adapted from a report by Perry Undem for the Center for American Progress.
Suggested Best Practices

✓ Develop and display nondiscrimination policies that include sexual orientation and gender identity and expression.

✓ Provide unisex bathrooms.

✓ Post “safe space” or rainbow stickers and posters.

✓ Have LGBT magazines or newspapers available in waiting areas.

✓ Consider using surveys & evaluation forms to collect optional demographic data that includes SO/GI.

Source: Adapted from a report by Perry Undem for the Center for American Progress, and the LGBT Task Force of the New York State Healthcare for All New York Campaign
Suggested Best Practices

✓ Give applicants the option to point or write down answers themselves.

✓ Document preferred pronoun and name in file if different from the legal record.

✓ Use gender-neutral language such as “partner” rather than “husband/wife” and “parent” rather than “mother/father.”

Source: Adapted from a report by Perry Undem for the Center for American Progress, and the LGBT Task Force of the New York State Healthcare for All New York Campaign
Some LGB/T Questions

✓ How do I find the best plan if:
  • I am transgender?
  • I am in a same-sex relationship, legally recognized or not?
  • I am living with HIV?
  • I need coverage for my children or my partner’s children?
✓ What services are covered for transgender people?
✓ Are there LGB/T-competent physicians in-network?

Source: Adapted from a report by Perry Undem for the Center for American Progress, and the LGBT Task Force of the New York State Healthcare for All New York Campaign
Got Questions?
Out2Enroll is here to help!

out2enroll.org
Out2Enroll is a joint project of the Center for American Progress, the Sellers Dorsey Foundation, and the Federal Agencies Project, in partnership with the White House and HHS.

Our mission is to help connect LGBT community members with their new coverage options under the ACA.

Visit us at www.out2enroll.org

Be out. Be healthy. Get Covered.

out2enroll.org
BE OUT. BE HEALTHY.

COVERAGE IS JUST STEPS AWAY

Out2Enroll is a collaborative effort from the Sellers Dorsey Foundation, the Center for American Progress, and the Federal Agencies Project to educate the lesbian, gay, bisexual, and transgender community about their options under the Affordable Care Act.

GET STARTED

Why should getting covered matter to the LGBT community?

What do I really need to know about Obamacare?

What if I’m transgender?

Can I apply for financial assistance with my same-sex spouse?

Join Out2Enroll. Receive news and updates about enrollment.

JOIN US
Thank you!

Kellan Baker, MPH, MA
Associate Director of the LGBT Research and Communications Project at the Center for American Progress

kbaker@americanprogress.org
info@out2enroll.org

www.americanprogress.org/issues/lgbt/view
www.out2enroll.org