



When Health Care Isn't Caring: Transgender and Gender-nonconforming People

Results from Lambda Legal's Health Care Fairness Survey

In 2009, Lambda Legal conducted a survey with the help of over 100 partner organizations as part of a national Health Care Fairness Campaign. **This survey is the first to examine experiences with refusal of care and barriers to health care access among LGBT and HIV communities on a national scale.** The information in this report is gleaned from the valid 4,916 surveys. Approximately 12 percent of the total survey respondents or 617 people identified as transgender or gender-nonconforming (TGNC).

Transgender is a word commonly used to describe people who live in a gender different from the one assigned to them at birth. **Gender-nonconforming** refers to individuals whose external manifestation of their gender identity does not conform to society's expectations of gender roles.

This fact sheet includes information about TGNC survey respondents. Because a person's gender identity (inner sense of gender) and gender expression (outward

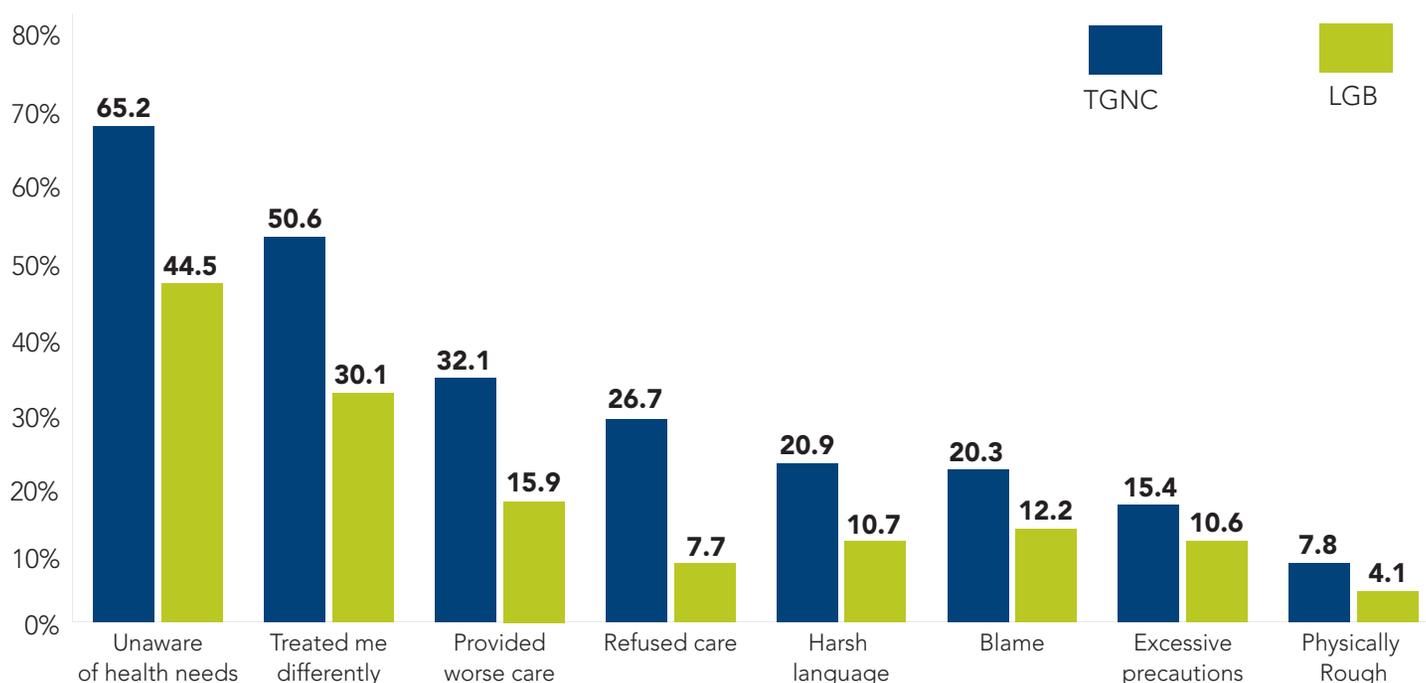
expression of gender) may similarly have an impact on people's experiences of discrimination, we have grouped transgender and gender nonconforming respondents together. In cases where these two groups reported significantly different experiences, this has been noted.

Discrimination and Substandard Care

In almost every category of discrimination measured in this survey, transgender or gender-nonconforming respondents reported experiencing the highest rates of discrimination and barriers to care compared to those who reported discrimination based on sexual orientation or HIV status.

Overall, 70 percent of all TGNC respondents had experienced at least one of the following types of discrimination:

Experiences of Discrimination and Substandard Care: Transgender or Gender-nonconforming Compared to Lesbian, Gay and Bisexual



- being refused needed care (nearly 27 percent);
- being subjected to harsh or abusive language by health care providers (nearly 21 percent);
- experiencing the refusal of providers to touch them, or the use of excessive precautions during treatment (over 15 percent);
- being blamed for the medical problem for which they sought care (20 percent); or
- being subjected to physically rough or abusive treatment by providers (almost 8 percent).

In addition, over 65 percent of TGNC respondents had encountered health care professionals who were unaware of the specific health needs of transgender people; over half (51 percent) believed health care professionals had treated them differently from other patients; and 32 percent believed that health care providers provided worse care to them than to other patients.

While both transgender and gender-nonconforming respondents experienced significant discrimination in health care, **transgender survey respondents were four to seven times more likely than gender-nonconforming respondents to experience discrimination based on their gender identity.**

- More than half of all transgender respondents (57 percent) had been refused specific transgender health services.
- 21 percent of transgender respondents were denied needed sexual health services.
- 15 percent of transgender respondents had been denied needed fertility services.
- 8 percent of transgender respondents were denied needed emergency care.

- 8 percent of transgender respondents were denied needed surgery.

Barriers to Care

TGNC respondents also reported concerns about their ability to obtain needed health care. These concerns are **barriers to care** and can lead to a reluctance to seek care, and as a result, poorer health outcomes. **More than other groups, transgender or gender-nonconforming respondents experience alienation from the health care system. Overall, nearly 90 percent of TGNC respondents experienced one or more barriers to care.**

- Nearly all (89 percent) are concerned that there are not enough health care professionals who are adequately trained to care for TGNC people.
- Nearly three-quarters (73 percent) believe they will be treated differently by health care professionals because of their gender identity or expression.
- Over half (52 percent) are concerned about being refused services.

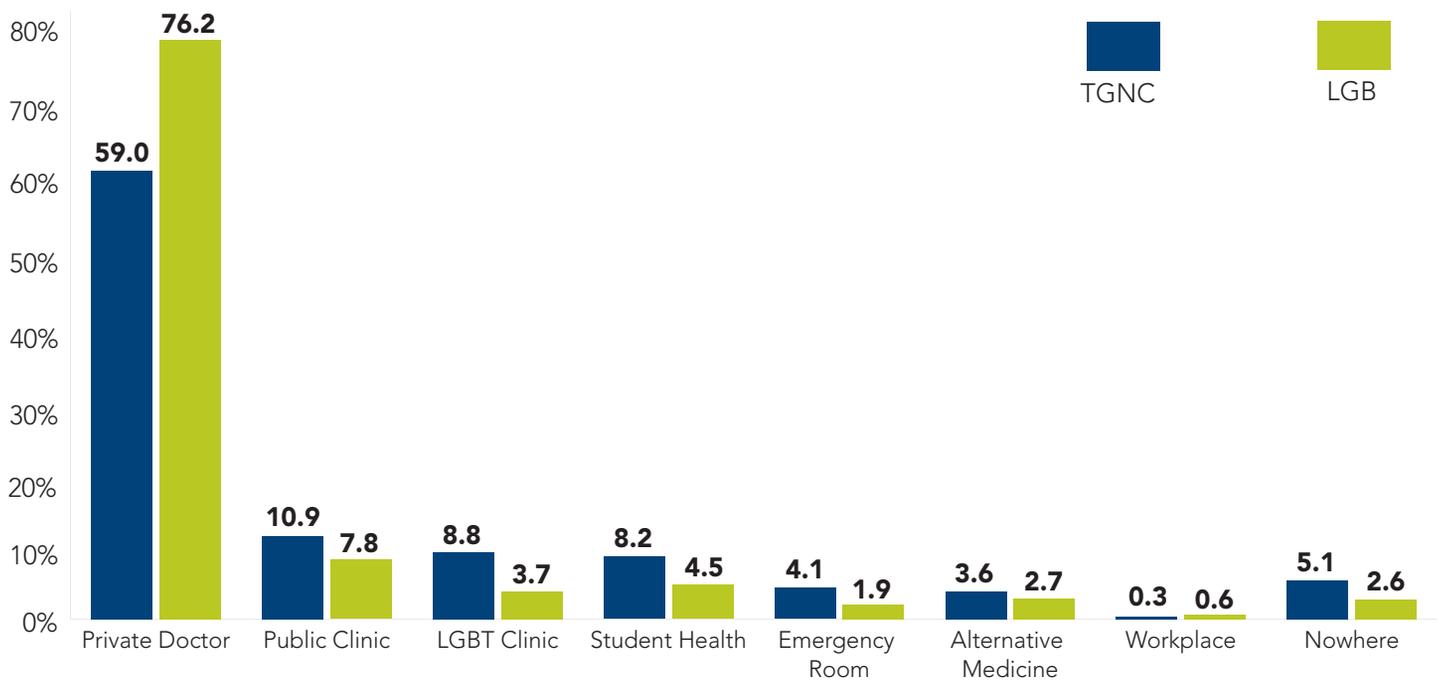
In addition, 42 percent of TGNC respondents reported that they lack access to needed mental health services.

- Over half (51 percent) of TGNC respondents believe that there are not enough mental health support groups.
- 59 percent of TGNC respondents believe that there are not enough substance abuse providers with specific knowledge of transgender issues.

Fears and Concerns About Accessing Health Care: Transgender or Gender-nonconforming People



Usual Source of Care



Demographics and Health Care Access

Twenty-five percent (146 people) of the TGNC people who took the survey identified as transmasculine (individuals assigned the sex “female” at birth, but whose gender identity is along the masculine spectrum of gender); 37 percent (215 people) were transfeminine (individuals assigned the sex “male” at birth, but whose gender identity is along the feminine spectrum of gender) and 45 percent (265 people) identified as gender-nonconforming. People could identify in the survey as both transgender and gender non-conforming.

Nearly half (49 percent) of TGNC respondents, or 275 people, identified as queer; 15 percent (83 people) identified as gay; 30 percent (169 people) as lesbian; 26 percent (147 people) as bisexual; 9 percent (52 people) as heterosexual and 8 percent (42 people) as same-gender loving. Percentages add to more than 100 percent because respondents could select more than one way to identify their sexual orientation.

Nearly one-fifth, or 20 percent of TGNC survey respondents were people of color (116 people). Four percent of TGNC respondents (22 people) reported they were living with HIV.

TGNC respondents were more likely than other survey respondents to have a very low income and less likely to have access to quality health care.

- 7 percent have no income at all.
- 25 percent have an annual household income of under \$20,000.
- 16 percent of TGNC respondents are uninsured or underinsured.
- Over 9 percent of TGNC respondents use the emergency room as their usual source of care or have no usual source of care; 11 percent use public clinics; 9 percent use LGBT-specific clinics and 59 percent use private doctors.

While, respondents to this survey represent a diverse sampling of the larger community of LGBT people and people living with HIV, survey respondents were somewhat more privileged than the LGBT population as a whole in terms of income level, educational level, and access to health insurance. **Because those who are affluent, educated and insured are more likely to be well-served by health care systems, this report likely understates the discrimination and barriers to health care experienced by transgender and gender-nonconforming people.**

Key Recommendations

Health care institutions and providers should:

- Establish nondiscrimination, fair visitation, employment and other policies that prohibit bias and discrimination based on gender identity and expression, recognize families of LGBT people and their wishes and provide a process for reporting and redressing discrimination if it occurs.
- Mandate cultural competency training for all staff and health profession students about gender identity and expression; include information about the ways TGNC people who are also living with HIV, are people of color, low income, seniors or members of other underserved populations may experience discrimination in health care settings; and provide strategies to eliminate such discrimination.
- Advocate for improved laws and accreditation standards.

Governments should:

- Include equal coverage of TGNC people in all antidiscrimination and equal opportunity mandates.
- Pass laws that explicitly protect transgender and gender-nonconforming people from discrimination in health care settings.
- Prohibit discriminatory practices that deny coverage of medically necessary transition-related care for transgender people in Medicaid policies.
- Prohibit discriminatory practices by insurance providers that deny or limit coverage for medically necessary care for transgender people including transition-related care and/or cross-gender health care such as pap smears for transgender men or prostate screenings for transgender women.
- Provide health insurance coverage for transition-related care for government employees.

Individuals and organizations should:

- Educate themselves and each other about transgender rights, and when possible, educate health care providers about the needs of TGNC patients.
- Start a community activist group to organize around improving access to health care for TGNC people in your town or city.
- Advocate for improved laws and policies.

- Report unfriendly and discriminatory practices, share stories of health care discrimination, and pass on referrals to friendly providers and institutions.
- Use existing mechanisms — such as advance directives and other documents — to create as much protection as possible for themselves and their loved ones.
- Push for education in the medical community about transgender issues, starting with medical schools and public hospitals.

From *When Health Care Isn't Caring: Lambda Legal's Survey of Discrimination Against LGBT People and People with HIV* (New York: Lambda Legal, 2010). Available at www.lambdalegal.org/health-care-report.

For the complete survey report, visit www.lambdalegal.org/health-care-report.

If you feel you have been discriminated against, contact Lambda Legal's Help Desk at 866-542-8336 or send an email via our web form at www.lambdalegal.org/help/online-form.