



Legislation Text

File #: Int 0564-2022, **Version:** *

Int. No. 564

By Council Members Cabán, Hudson, Hanif, Menin, Nurse, Joseph, Gutiérrez, Velázquez, Barron, Avilés, Sanchez, Krishnan, Narcisse, De La Rosa, Abreu, Ossé, Won, Bottcher, Lee, Brooks-Powers, Ung, Brannan, Riley, Restler, Williams, Powers, Farías, Schulman, Rivera, Marte, Brewer, Richardson Jordan, Stevens, Gennaro, Ayala, Louis and Mealy

A Local Law in relation to establishing a commission on LGTBQIA+ older adults within the department for the aging

Be it enacted by the Council as follows:

Section 1. Definitions. For the purposes of this local law, the following terms have the following meanings:

City. The term “city” means the city of New York.

Commission. The term “commission” means the commission on LGBTQIA+ older adults and aging within the department for the aging.

LGBTQIA+ older adults. The term “LGBTQIA+ older adults” means adults 55 years of age or older who are lesbian, gay, bisexual, transgender, intersex, gender non-conforming, two-spirit, non-binary, same-gender-loving, queer or any other diverse sexual orientation or gender identity.

§ 2. Commission on LGBTQIA+ older adults and aging established. The department shall establish a commission on LGBTQIA+ older adults and aging within the department.

§ 3. Membership. a. The commission shall consist of the following members:

1. One person who is a member of an organization based in New York city that advocates for LGBTQIA+ older adults;

2. One person who is a member of a community-based, multi-site healthcare organization based in New

York city which was founded to serve LGBTQIA+ people;

3. One person who is a member of an HIV/AIDS service organization;

4. One person who is a member of a trans-led advocacy organization focused on action that leads to improved outcomes and opportunities for transgender and gender non-conforming communities;

5. One person who is a member of a labor organization that represents workers that provide care and services for older adults in long-term care facilities or older adult care centers;

6. Three persons who are members of organizations that serve Black, Asian-American, Pacific Islander, Indigenous or Latinx LGBTQIA+ people;

7. One person who is a member of an organization based in New York city which serves people with disabilities; and

8. Any other person or persons appointed by the commissioner.

b. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.

c. At its first meeting, the commission shall select a chair from among its members by majority vote.

d. No member of the commission may be removed except for cause and upon notice and hearing by the appropriate appointing or designating official or delegation. Any vacancy shall be filled in the same manner as the original appointment.

e. Members of the commission shall serve without compensation.

§ 4. Duties. The commission created pursuant to this local law shall investigate, analyze and study the health, housing, financial, psychosocial, home-and-community-based services, assisted living and long-term care needs of LGBTQIA+ older adults and their caregivers. Such commission shall make recommendations to improve access to benefits, services, and supports for LGBTQIA+ older adults and their caregivers. The commission, in formulating its recommendations, shall take into account the best policies and practices in other municipalities and jurisdictions. Specifically, the commission shall:

a. Examine the impact of State and local laws, policies and regulations on LGBTQIA+ older adults and make recommendations to ensure equitable access, treatment, care and benefits and overall quality of life;

b. Examine best practices for increasing access, reducing isolation, preventing abuse and exploitation, promoting independence and self-determination, strengthening caregiving, eliminating disparities and improving overall quality of life for LGBTQIA+ older adults;

c. Examine the impact of race, ethnicity, sex assigned at birth, socioeconomic status, disability, sexual orientation, gender identity, and other characteristics on access to services for LGBTQIA+ older adults and make recommendations to ensure equitable access, treatment, care, benefits and overall quality of life;

d. Examine the experiences and needs of LGBTQIA+ older adults living with HIV/AIDS and make recommendations to ensure equitable access, treatment, care, benefits and overall quality of life;

e. Examine strategies to increase provider awareness of the needs of LGBTQIA+ older adults and their caregivers and to improve the competence of and access to treatment, services, and ongoing care, including preventive care;

f. Examine the feasibility of developing citywide training curricula to improve provider competency in the delivery of culturally responsive health, housing and long-term support services to LGBTQIA+ older adults and their caregivers;

g. Assess the funding and programming needed to enhance services to the growing population of LGBTQIA+ older adults;

h. Examine whether certain policies and practices, or the absence thereof, promote the premature admission of LGBTQIA+ older adults to institutional care, and examine whether potential cost-savings exist for LGBTQIA+ older adults as a result of providing lower cost and culturally responsive home and community-based alternatives to institutional care;

i. Examine outreach protocols to reduce apprehension among LGBTQIA+ older adults and caregivers of utilizing mainstream providers; and

j. Examine citywide strategies for the collection of sexual orientation and gender identity data and the impact of these strategies on the provision of services to LGBTQIA+ older adults.

§ 5. Meetings. The commission shall meet no less than once each quarter to carry out the duties described in section 4.

§ 6. Report. a. No later than one year after the effective date of this local law, the commission shall submit a report to the mayor, the commissioner of aging and the speaker of the council, setting forth its recommendations, including, but not limited to, recommendations for legislation and policy relating to LGBTQIA+ older adults. The report shall include a summary of information the commission considered in formulating its recommendations.

b. No later than two years after the submission of the first report required by subdivision a of this section, the commission shall submit a second report to the mayor, the commissioner of aging and the speaker of the council containing updates to the findings and recommendations contained in the first report.

c. The commissioner shall publish the commission's reports electronically on the website of the department for the aging no later than 10 days after their submissions to the mayor and the speaker of the council.

d. The commission shall terminate 180 days after the date on which it submits the report required by subdivision b of section 6.

§ 2. This local law takes effect immediately and is deemed repealed four years after it becomes law.