



General Assembly  
January Session, 2025

***Substitute Bill No. 6913***



***AN ACT CONCERNING LGBTQ+ DISCRIMINATION IN LONG-TERM CARE FACILITIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2025*) (a) As used in this section:

2 (1) "Gender identity or expression" has the same meaning as  
3 provided in section 1-1n of the general statutes;

4 (2) "Long-term care facility" or "facility" means a nursing home  
5 facility, as defined in section 19a-490 of the general statutes, or a  
6 managed residential community, as defined in section 19a-693 of the  
7 general statutes, with assisted living services regulated by the  
8 Department of Public Health;

9 (3) "Long-term care facility staff" or "facility staff" means all persons  
10 employed by or contracted directly with a long-term care facility; and

11 (4) "Resident" means a resident or patient of a long-term care facility.

12 (b) (1) It shall be unlawful for a long-term care facility or long-term  
13 care facility staff to discriminate against any resident on the basis of such  
14 resident's actual or perceived sexual orientation, gender identity or  
15 expression or human immunodeficiency virus status, including, but not  
16 limited to, by:

17 (A) Denying admission to a long-term care facility, transferring or  
18 refusing to transfer a resident within a facility or to another facility or  
19 discharging or evicting a resident from a facility;

20 (B) Denying a request by residents to share a room;

21 (C) In a facility where rooms are assigned by gender, assigning,  
22 reassigning or refusing to assign a room to a transgender resident other  
23 than in accordance with the transgender resident's gender identity,  
24 unless at the transgender resident's request;

25 (D) Prohibiting a resident from using, or harassing a resident who  
26 seeks to use or does use, a restroom available to other persons of the  
27 same gender identity, regardless of whether the resident has taken or is  
28 taking hormones, has had transition-related surgery or is making a  
29 gender transition or appears to be gender-nonconforming. For the  
30 purposes of this subdivision, "harassing" includes, but is not limited to,  
31 requiring a resident to show identity documents in order to gain  
32 entrance to a restroom available to other persons of the same gender  
33 identity;

34 (E) Wilfully and repeatedly failing to use a resident's preferred name  
35 or pronouns, including when the resident is not physically present;

36 (F) Denying a resident the right to wear or be dressed in clothing,  
37 accessories or cosmetics that are permitted for any other resident;

38 (G) Restricting a resident's right to associate with other residents or  
39 visitors, including the right to consensual expression of intimacy or  
40 sexual relations, unless the restriction is uniformly applied to all  
41 residents in a nondiscriminatory manner; and

42 (H) Denying or restricting a resident from accessing appropriate  
43 medical or nonmedical care, or providing medical or nonmedical care  
44 that unreasonably demeans the resident's dignity or causes avoidable  
45 discomfort.

46 (2) The provisions of this subsection shall not apply to the extent that

47 they are incompatible with any professionally reasonable clinical  
48 judgment regarding the care of a resident.

49 (c) Each long-term care facility shall post in a prominent place in such  
50 facility the following notice printed in at least fourteen-point boldface  
51 capital letters: "(NAME OF FACILITY) DOES NOT DISCRIMINATE  
52 AND DOES NOT PERMIT DISCRIMINATION, INCLUDING, BUT  
53 NOT LIMITED TO, BULLYING, ABUSE, HARASSMENT OR  
54 DIFFERENTIAL TREATMENT ON THE BASIS OF ACTUAL OR  
55 PERCEIVED SEXUAL ORIENTATION, GENDER IDENTITY OR  
56 EXPRESSION OR HIV STATUS. YOU MAY FILE A COMPLAINT  
57 WITH THE OFFICE OF THE LONG-TERM CARE OMBUDSMAN  
58 (PROVIDE CONTACT INFORMATION) IF YOU BELIEVE THAT YOU  
59 HAVE EXPERIENCED THIS KIND OF DISCRIMINATION."

60 (d) (1) Each long-term care facility shall develop and implement  
61 procedures for recordkeeping, including, but not limited to, records  
62 generated at the time of a resident's admission that include the resident's  
63 gender identity, correct name and pronouns, as indicated by the  
64 resident. Each facility shall keep such records up to date.

65 (2) The State Ombudsman shall establish policies and procedures for  
66 recording complaints filed by or on behalf of residents of long-term care  
67 facilities pursuant to the provisions of this section.

68 (e) Long-term care facilities shall protect personally identifiable  
69 information regarding residents' sexual orientation, whether a resident  
70 is transgender, a resident's transition history and a resident's human  
71 immunodeficiency virus status from unauthorized disclosure in  
72 accordance with the Health Insurance Portability and Accountability  
73 Act of 1996, P.L. 104-191, as amended from time to time, if applicable,  
74 and any other applicable provision of federal or state law. A facility shall  
75 take any steps reasonably necessary to minimize the likelihood of  
76 inadvertent or incidental disclosure of such information to other  
77 residents, visitors or facility staff, except to the minimum extent  
78 necessary for facility staff to perform their duties.

79 (f) Long-term care facility staff not directly involved in providing  
80 direct care to a resident, including, but not limited to, a transgender or  
81 gender-nonconforming resident, shall not be present during physical  
82 examination or the provision of personal care to such resident if such  
83 resident is partially or fully unclothed without the express permission  
84 of such resident or such resident's legal guardian, legal representative  
85 or other legally responsible party. A facility shall use doors, curtains,  
86 screens or other effective visual barriers to provide bodily privacy for  
87 all residents, including, but not limited to, transgender or gender-  
88 nonconforming residents, whenever such residents are partially or fully  
89 unclothed. All residents, including, but not limited to, lesbian, gay,  
90 bisexual, transgender or gender-nonconforming residents, shall be  
91 informed of and have the right to refuse to be examined, observed or  
92 treated by any facility staff when the primary purpose of such  
93 examination, observation or treatment is educational or informational  
94 rather than therapeutic, or for the evaluation or reevaluation of a  
95 resident's health. Such refusal shall not diminish the resident's access to  
96 care for the primary purpose of diagnosis or treatment.

97 (g) (1) At least once every two years, a long-term care facility shall  
98 ensure that every facility staff member who works directly with  
99 residents receives training, developed by the Commissioner of Public  
100 Health pursuant to subdivision (2) of this subsection, on cultural  
101 competency focusing on residents who identify as lesbian, gay, bisexual,  
102 transgender or gender-nonconforming or who are living with human  
103 immunodeficiency virus.

104 (2) Not later than January 1, 2026, the Commissioner of Public Health  
105 shall develop training materials for the purposes of subdivision (1) of  
106 this subsection. Such training materials (A) may be developed in  
107 consultation with entities with expertise in the legal and social  
108 challenges faced by aging persons who identify as lesbian, gay, bisexual  
109 or transgender or gender-nonconforming or who are living with human  
110 immunodeficiency virus, and (B) shall provide facility staff with the  
111 knowledge and skills necessary to provide effective care, in compliance  
112 with the provisions of this section, for such persons.

113 (3) Each long-term care facility shall ensure that a facility staff  
114 member required to receive training pursuant to the provisions of this  
115 subsection receives such training not more than six months after such  
116 facility staff member is hired unless such facility staff member provides  
117 proof of having received comparable training within the prior two years  
118 that the facility determines complies with the provisions of this  
119 subsection. If a facility determines that a facility staff member's prior  
120 training complies with the provisions of this subsection, a record of the  
121 content of such training sufficient to determine its compliance with the  
122 provisions of this subsection shall be kept on site at such facility.

123 (h) If the Commissioner of Public Health finds that a long-term care  
124 facility has failed to comply with the provisions of this section, the  
125 commissioner may take any disciplinary action against such long-term  
126 care facility permitted under section 19a-494 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2025	New section

**Statement of Legislative Commissioners:**

In Subsec. (d)(2), "filed from" was changed to "filed by or on behalf of" for clarity.

**AGE** Joint Favorable Subst. -LCO