

A decorative graphic consisting of several overlapping, curved bands of color in shades of purple, blue, green, yellow, orange, and red, resembling a rainbow, positioned on the left side of the slide.

# Structural Implications for LGBTQ Mental Health

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## Disclosures

No financial disclosures / conflicts of interest

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## Objectives

1. Discuss the impact of laws and policies on the mental health of LGBTQ communities
2. Identify laws and policies at local and organizational levels that may impact the mental health of LGBTQ patients
3. Discuss opportunities for advocating for affirmative policy change

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**#black  
trans  
lives  
matter**

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## What is Structure?

“relating to the arrangement of and relations between the parts or elements of a complex whole”

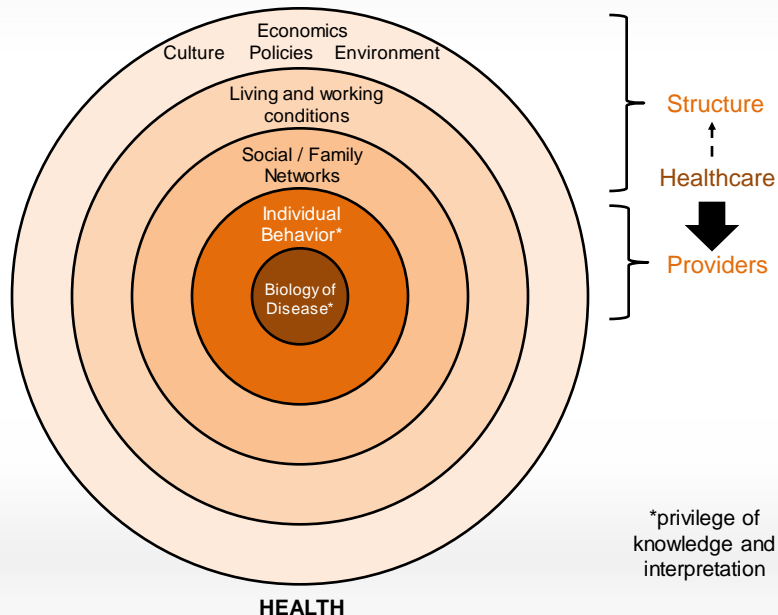


“the structural factors that shape societies influence the health of populations within those societies”

Fink, D. S., Keyes, K. M., & Cerdá, M. (2016). Current Epidemiology Reports, 3(1), 98–105.

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## What is Structure?



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## What is Structural Vulnerability?

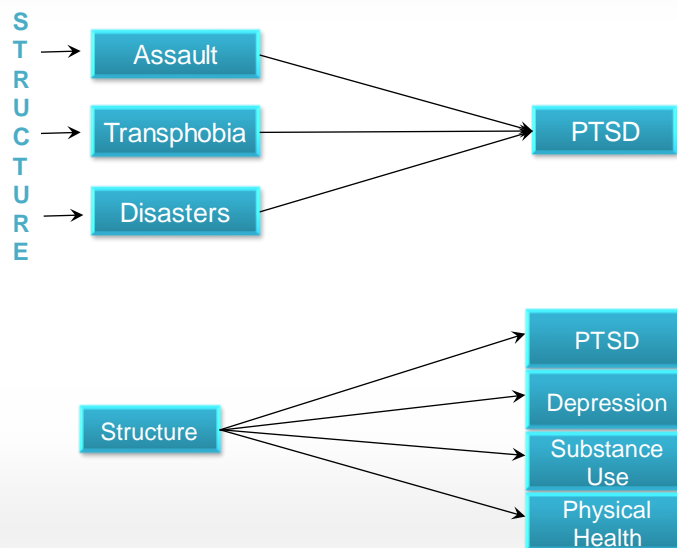
The risk that an individual experiences as a result of structural violence – including their location in multiple socioeconomic hierarchies.

Structural vulnerability is not caused by, nor can it be repaired solely by, individual agency or behaviors.

Metzl & Hansen, 2013, Social Science & Medicine

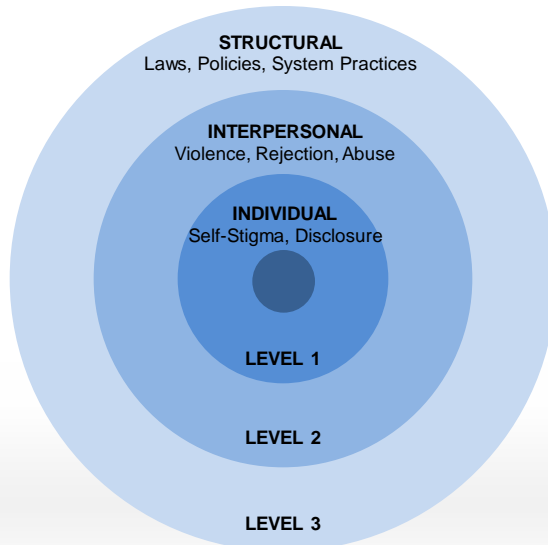
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## What is Structural Vulnerability?



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# Structures Impacting LGBTQ Mental Health

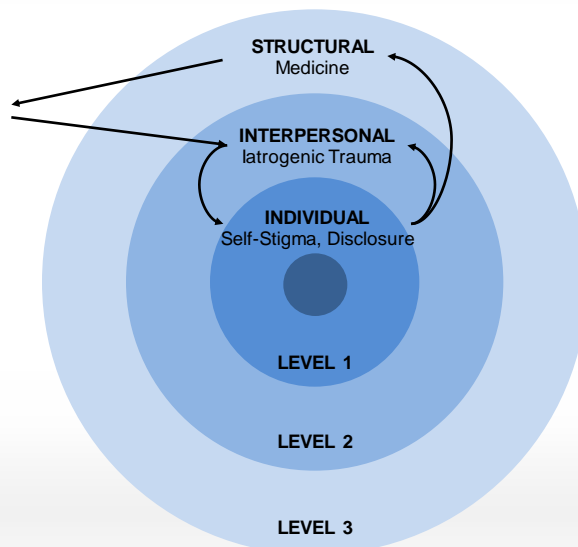


Hatzenbuehler ML, Link BG. *Soc. Sci. Med.* Feb 2014; 103:106

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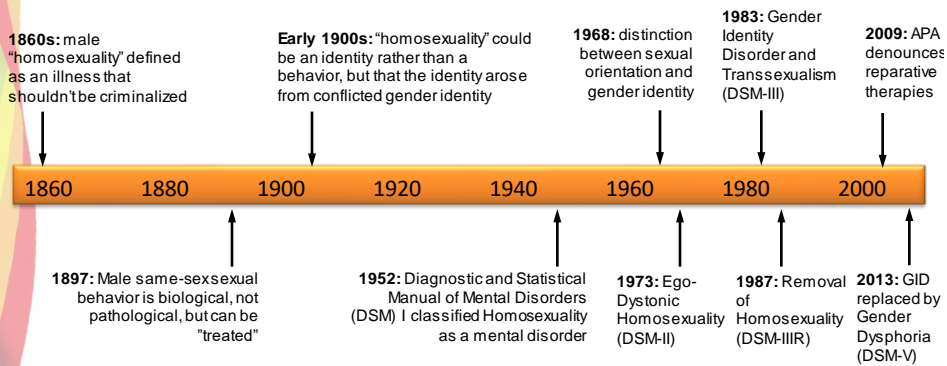
# Structural Impact on LGBTQ Mental Health

We are part of a structure (medicine) that has imparted significant medical trauma, and therefore seen to be capable further harm



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## LGBTQ Medical Trauma



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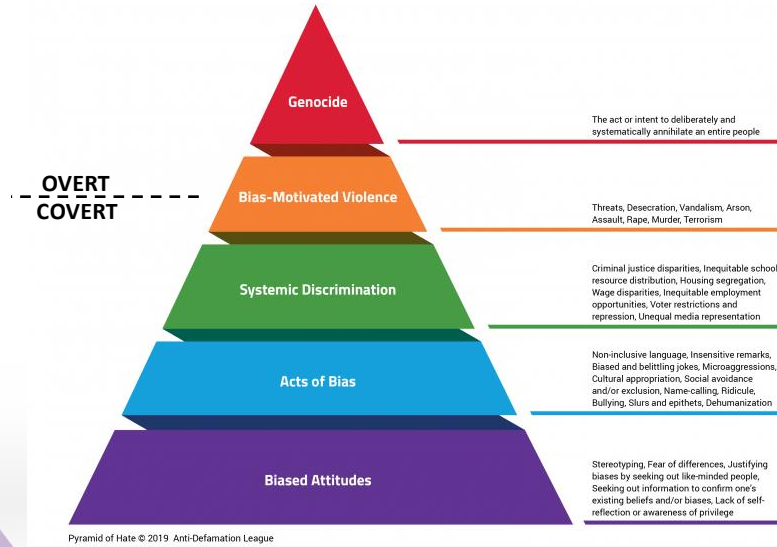
## Structural Impact on LGBTQ Mental Health

**Gatekeeping:** practices that control access to resources to gender affirming resources or require people to prove they are "trans enough" to access resources



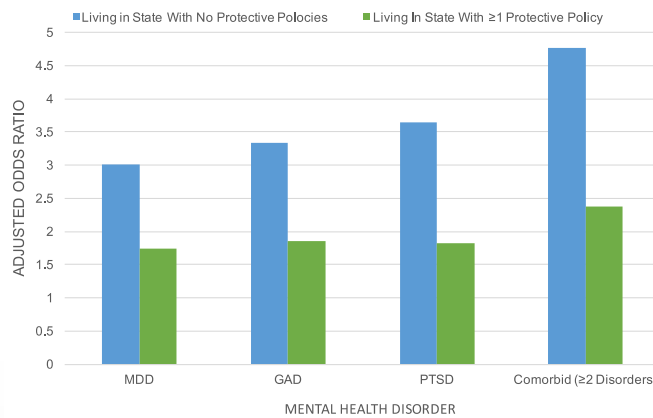
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# Structural Impact on LGBTQ Mental Health



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# Structural Impact on LGBTQ Mental Health

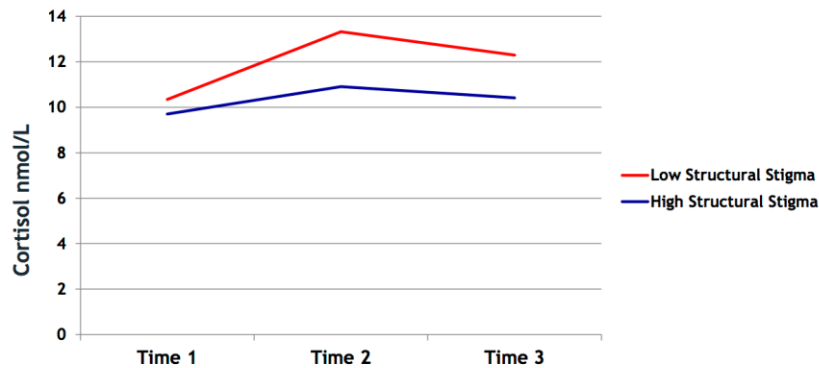


**Mental Health Comorbidity is Greater Among LGB Individuals Living in States with Structural Stigma**

Hatzenbuehler ML, Keyes KM, Hasin DS. State-level policies and psychiatric comorbidity in lesbian, gay, and bisexual populations. *Am J Public Health*. 2009;99(12):2275-2281

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## Structural Impact on LGBTQ Mental Health

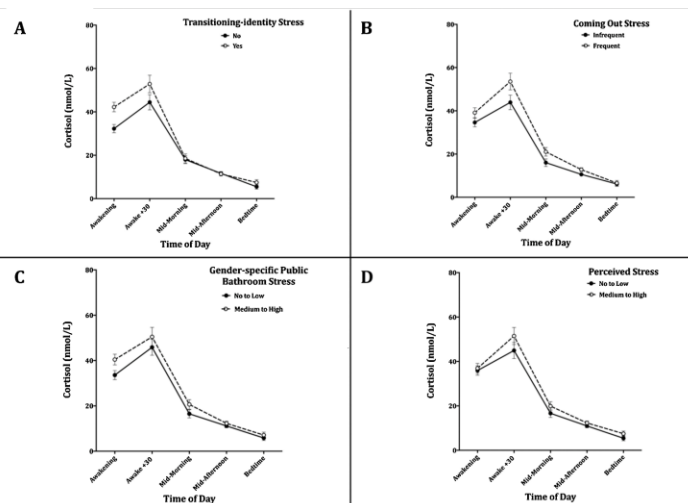


Minority stress is associated with abnormal function of the hypothalamic-pituitary-adrenal (HPA) axis

Hatzenbuehler ML et al. *Annals Behav Med.* 2014; 47(1):39-47

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## Structural Impact on LGBTQ Mental Health



DuBoiset al. 2017. *Psychoneuroendocrinology*

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## Structural Impact on LGBTQ Mental Health

Mental & Behavioral Health	Disparity
Suicidal ideation and attempts	1.5-7x increased risk
Non-suicidal self-injury	2.0-19x increased odds
Depression	1.5-4x increased odds
Anxiety	1.5-4x increased odds
Post-traumatic stress disorder	2x increased risk
Disordered eating	2-4x increased odds
Tobacco, alcohol, and illicit drug use	2-5x increased lifetime odds
Psychotic experiences	1.1-3x increased odds

**Structural factors have all been shown to be mediators**

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## Federal Healthcare Response to LGBTQ Structural Factors

### Affordable Care Act



ACCESS TO  
COVERAGE AND CARE



Medicaid  
Expansion &  
Exchanges



NONDISCRIMINATION  
PROTECTIONS



Section 1557,  
Federal & State  
Statutes



PROVISIONS FOR  
DATA & RESEARCH



CDC, NIH,  
BRFSS, US  
Census, States,  
Healthcare  
Institutions

Slide Credit: Klint Peebles, MD

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# Importance of ACA & Medicaid Expansion to LGBTQ Individuals

**Pre-ACA Medicaid barriers:** Variable eligibility by income, family status, disability, pre-existing conditions

**Implications of the ACA:** 1) Expanded access to coverage and care; 2) Nondiscrimination protections; 3) Data collection and research

## Poverty & Uninsurance

- 1/3 of trans/non-binary Americans are living in poverty (2x average)
- Trans/NB POC live in poverty at 3x the general population
- Trans/NB individuals have a 15% unemployment rate (3x average)
- 1/3 of gender nonconforming people who had a job in the last year report being fired, denied promotion/advancement, or other form of mistreatment related to gender identity/expression

Slide Credit: Klint Peebles, MD

Gates, GJ. "In US, LGBT more likely than non-LGBT to be uninsured." (2014). James, SE, et al. (2016). The Report of the 2015 U.S. Transgender Survey, Washington, DC: National Center for Transgender Equality.

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# ACA Section 1557: Nondiscrimination

## The Law

- Section 1557: The "Health Care Rights" Law; Part of the Affordable Care Act (ACA) that prohibits discrimination in healthcare on the basis of numerous protected characteristics, including sex.
- Practically extends nondiscrimination provisions of existing federal civil rights statutes to healthcare
- First federal civil rights law to prohibit discrimination in health care based on sex

## vs Regulations

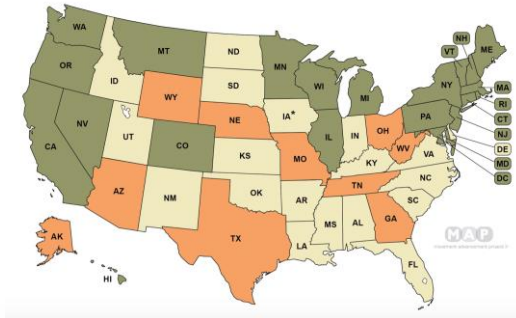
- The law must have an accompanying regulatory definition
- Key word in Section 1557: "Sex"
- Obama-era regulatory guidance: "Sex" is interpreted to include gender identity and sex stereotypes, which has effectively afforded nondiscrimination protections and coverage to SGM individuals

Slide Credit: Klint Peebles, MD

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# Discrimination in State Medicaid

- State Medicaid policy explicitly covers health care related to gender transition for transgender people (21 states, 1 territory + D.C.)
- State Medicaid has no explicit policy regarding transgender health coverage and care (19 states, 4 territories)
- State Medicaid policy explicitly excludes transgender health coverage and care (10 states, 0 territories)



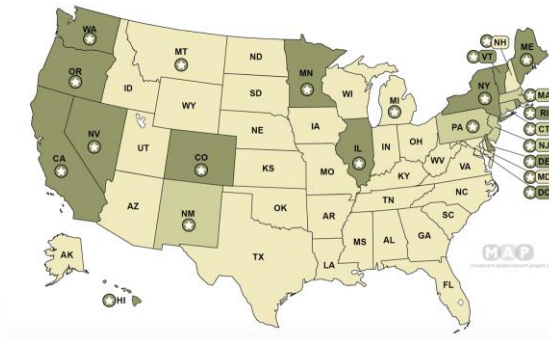
Movement Advancement Project. "Equality Maps: Healthcare Laws and Policies." [https://www.lgbtmap.org/equality-maps/healthcare-laws\\_and\\_policies](https://www.lgbtmap.org/equality-maps/healthcare-laws_and_policies). Accessed June 1 2020

Slide Credit: Klint Peebles, MD

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# Private Insurance Nondiscrimination Laws & Policies

- Transgender exclusions in health insurance service coverage prohibited (22 states, 0 territories + D.C.)
- Law prohibits health insurance discrimination based on sexual orientation and gender identity (13 states, 1 territory + D.C.)
- Law prohibits health insurance discrimination based only on gender identity only (5 states, 0 territories)
- Law prohibits health insurance discrimination based only on sexual orientation only (1 states, territories)
- No law providing LGBTQ inclusive insurance protections (32 states, 4 territories)

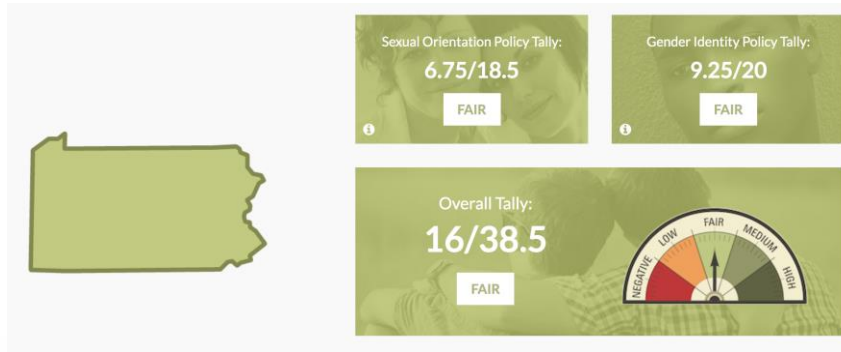


Movement Advancement Project. "Equality Maps: Healthcare Laws and Policies." [https://www.lgbtmap.org/equality-maps/healthcare-laws\\_and\\_policies](https://www.lgbtmap.org/equality-maps/healthcare-laws_and_policies). Accessed June 1 2020

Slide Credit: Klint Peebles, MD

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# PA Structure & LGBTQ Disparities



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# PA Structure & LGBTQ Disparities

NON-DISCRIMINATION LAWS		HATE CRIMES & CRIMINAL JUSTICE LAWS	
Employment	<input type="checkbox"/>	Enumerated Hate Crimes Laws	<input type="checkbox"/>
Housing	<input type="checkbox"/>	Mandatory Reporting of Hate Crimes Statistics	<input type="checkbox"/>
Public Accommodations	<input type="checkbox"/>	Elimination of Bias Rage or Panic Defense for Criminal Acts	<input type="checkbox"/>
Education	<input type="checkbox"/>	Prohibiting Profiling Based on Actual or Perceived LGBTQ Status by Law Enforcement	<input type="checkbox"/>
Adoption	<input type="checkbox"/>	Sodomy Laws	<input type="checkbox"/>
Foster Care	<input type="checkbox"/>	HIV/AIDS Criminalization Laws	<input checked="" type="checkbox"/>
Insurance	<input type="checkbox"/>	<b>RELIGIOUS REFUSAL &amp; RELATIONSHIP RECOGNITION</b>	
Credit	<input type="checkbox"/>	State Religious Freedom Restoration Act	<input checked="" type="checkbox"/>
Jury Selection	<input type="checkbox"/>	Religious Exemptions for Professional Training/Practice	<input type="checkbox"/>
Colleges & Universities	<input checked="" type="checkbox"/>	First Amendment Defense Act	<input type="checkbox"/>
Non-Discrimination Policy for State Employees	<input checked="" type="checkbox"/>		

HRC. 2019 State Equality Index. <http://www.hrc.org/sei>

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# PA Structure & LGBTQ Disparities

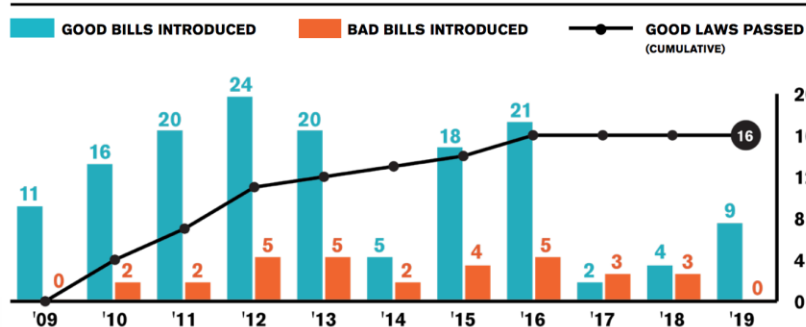
PARENTING LAWS		YOUTH LAWS	
Second Parent Adoption	<input checked="" type="checkbox"/>	Anti-Bullying Laws	<input type="checkbox"/>
Surrogacy Laws	<input type="checkbox"/>	• Enumerated Categories in Law	<input type="checkbox"/>
Foster Care Non-Discrimination	<input type="checkbox"/>	• Enumerated Model Policy	<input type="checkbox"/>
Foster Parent Training Required	<input type="checkbox"/>	• Alternative Discipline	<input type="checkbox"/>
Parental Presumption for Same-Sex Couples	<input type="checkbox"/>	• Cyberbullying	<input checked="" type="checkbox"/>
Consent to Inseminate	<input type="checkbox"/>	School Suicide Prevention Policies Required	<input checked="" type="checkbox"/>
De Facto Parent Recognition	<input checked="" type="checkbox"/>	Transgender Inclusion in Sports	<input type="checkbox"/>
		Protection from Conversion Therapy	<input type="checkbox"/>
		Laws to Address LGBTQ Youth Homelessness	<input type="checkbox"/>
		LGBTQ Inclusive Sex Education Laws	<input type="checkbox"/>
		LGBTQ Inclusive Juvenile Justice Policies	<input type="checkbox"/>

HRC. 2019 State Equality Index. <http://www.hrc.org/sei>

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# PA Structure & LGBTQ Disparities

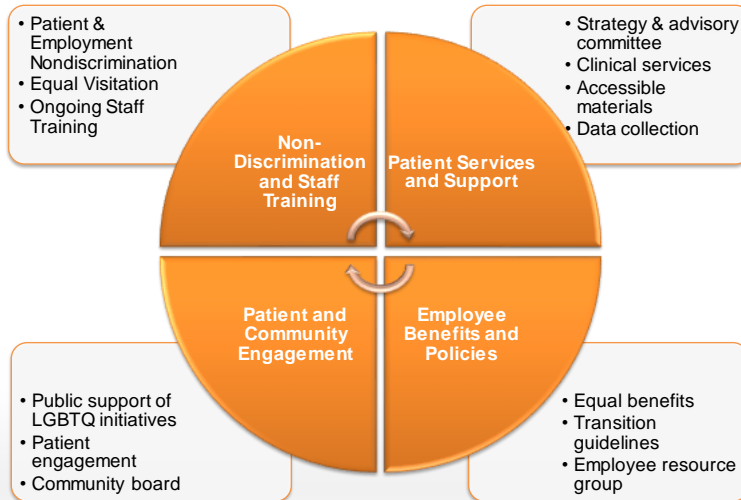
## ANNUAL PROGRESS



HRC. 2019 State Equality Index. <http://www.hrc.org/sei>

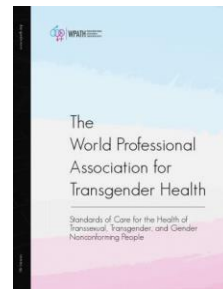
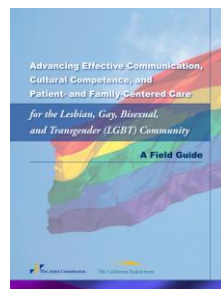
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# Health Care Organizational Policies



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# Health Care Organizational Policies



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## What Can I Do?

### REFLECTION QUESTION 1

What am I doing for LGBTQ health in my area?

### REFLECTION QUESTION 2

What could I be doing for LGBTQ health in my area?



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## What Can I Do?

### *Narrative Humility*

- Every story holds some element of the unknowable
- Cultivate curiosity for the lived experiences of individuals
- Awareness of which, and whose, stories are told and heard and which are silenced or marginalized in hospitals and other institutions
- We start by learning about ourselves and how our life stories have built our own prejudices and preferences

Sayantani DasGupta. Narrative Medicine, Narrative Humility: Listening to the Streams of Stories.

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## What Can I Do?



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## What Can I Do?

### Affirmative Treatment Approach

Approach to therapy that embraces a positive view of LGBTQ+ identities and relationships and addresses the negative influences of homo/bi/trans-phobia and hetero/cis-sexism

Avoids discrimination by embracing and individuals identity, attraction and behavior

Avoids harm by validating feelings and emphasizing individual value

Acknowledges lack of data while treating the patient in an ethically appropriate manner

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# What Can I Do?

Let us know what you are seeing/hearing!

The screenshot shows the UPMC website's "Resources for LGBTQ+ Patients, Caregivers" page. The page has a navigation bar with links for "Affiliations", "Careers", "Contact Us", "MyUPMC", "Newsroom", and a search bar. Below the navigation bar, there are tabs for "Find a Doctor", "Locations", "Patient & Visitor Resources", "Services", and "More". The main content area is titled "UPMC - Patient and Visitor Resources - Information for Patients - Resources for LGBTQ+ Patients, Caregivers". It features a large rainbow brushstroke graphic. To the left of the graphic is a list of resources, including "Patient and Visitor Resources", "Classes and Events", "Employment Education Program", "Information for Patients", "Before Your Appointment, Test, or Procedure", "During Your Stay", "After Your Stay", "MyUPMC", "Patient Rights and Responsibilities", "Patient Forms", "Resources for LGBTQ+ Patients, Caregivers", "Advance Care Planning", "Patient and Family Advisory Council", "Patient Relations", "Disabilities Resource Center", "Plus - Frequently Asked Questions", "Inpatient vs. Outpatient Status - Frequently Asked Questions", "Information for Visitors", "Medical Records", "Paying My Bill", and "Privacy Information". To the right of the graphic is a section titled "Resources for LGBTQ+ Patients and Caregivers" with a sub-section "Patient Rights" that says "Learn more about Patient Rights & Responsibilities at UPMC Healthplan." Below this is a "Contact Us" section with contact information for UPMC's LGBTQ+ community support services. At the bottom, there are several expandable sections: "LGBTQ+ Health Clinical Providers", "Leaders in LGBTQ+ Health Care Equality", "Helpful LGBTQ+ Education", "For UPMC Health Plan Members", and "Additional Resources".

LGBTQHealth@upmc.edu

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# THANK YOU!

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