

# HB4359/SB2805: Support the Illinois LGBTQ and HIV Long-Term Care Bill of Rights



Representative Nicolle Grasse, Senator Celina Villanueva

## BACKGROUND:

- **122,640** LGBTQ+ individuals aged 50 and older live in Illinois, about one-quarter (**24%**) of the estimated **506,000** LGTBQ adults in Illinois.<sup>1</sup>
- **19,343** or **49%** of the total number of Illinoisans living with HIV are over the age of 50.
- These communities are expected to grow as the state's population ages.

LGBTQ older adults and Illinoisans aging with HIV face significant disparities in access to care rooted in discrimination based on sexual orientation and gender identity, racism, lack of legal and social recognition, reliance on chosen family, and other social determinants of health and well-being. These communities are more likely to rely on institutionalized settings for care because they lack adult children or other family members who can provide informal caregiving.

## THE SOLUTION:

The Illinois LGBTQ+ and HIV Long-Term Care Bill of Rights protects residents of long-term care facilities from discrimination based on their sexual orientation, gender identity, and HIV status. The new legislation builds on existing protections contained in Illinois' Nursing Home Care Act ([210 ILCS 45/](#)), Assisted Living and Shared Housing Act ([210 ILCS 9/](#)), and the Home Health, Home Services, and Home Nursing Agency Licensing Act ([210 ILCS 55/](#)).

### HB4359/SB2805 specifically:

- Bars long-term care, home-based care, senior living and/or assisted living facilities from making discriminatory decisions based on a resident's actual or perceived sexual orientation, gender identity or expression, or HIV status, including denying admission to a care facility, transferring or denying a transfer within a facility or to another facility, or discharging a resident from a facility.
- Provides protections that impact a resident's ability to openly express their identity within a long-term care, home-based care, senior living and/or assisted living facility, including their right to use a restroom that matches their gender identity, to be referred to using their preferred name and pronouns, and to dress or be dressed in any clothing or accessories available to any other resident.
- Requires long-term care, home-based care, senior living and/or assisted living facility staff to complete training to ensure that residents experience nondiscriminatory, affirming, and culturally responsive care.



## THE IMPACT:

- Concerns about long-term care among older LGBTQ+ adults expressed in a survey by AARP include: neglect (67%), abuse (62%), verbal or physical harassment (61%), refusals/ limits on services (61%), and being forced to hide or deny their identity (52%).<sup>ii</sup>
- 70% of older transgender and gender expansive people reported concern that they may have to hide or deny their identity to receive long-term care.<sup>iii</sup>
- HIV-related stigma and discrimination, as well as homophobia and transphobia, are a real and documented problem in long-term care facilities.
- Staff are not always clear on how to provide respectful and appropriate care to residents who identify as LGBTQ+ or are living with HIV.

## ENDORSEMENTS:

The following organizations support an Illinois LGBTQ and HIV Long-Term Care Bill of Rights:

A Just Harvest

Access Living

AgeLinc Area Agency on Aging

AgeOptions

AgeSmart Community Resources

AIDS Foundation Chicago

Asian Human Services DBA Trellus

Bisexual Queer Alliance Chicago

Cannabis Equity IL Coalition

Center for Disability & Elder Law

Center on Halsted

Chicago Black Gay Men's Caucus

Chicago House and Social Service Agency

Chicago Therapy Collective

Chicago Women's AIDS Project

Citizen Action/Illinois

Egyptian Area Agency on Aging

Equality Illinois

EverThrive Illinois

Golden Rainbows of Illinois South

Health & Medicine Policy Research Group

Holistic Healing Source for

Marginalized Society

Housing Action Illinois

Illinois Assistive Technology Program

Illinois Harm Reduction & Recovery Coalition

Illinois National Organization for Women

Illinois Public Health Association

Legal Council for Health Justice

Midwest Access Coalition

Mother and Child Alliance

Naper Pride

National Council of Jewish Women

NCJW Illinois

Open Door Health Center of Illinois

Pride Action Tank

Public Health Institute of Metropolitan Chicago

SAGE

She Votes Illinois

The Porchlight Collective SAP

The Project of the Quad Cities

Trans Up Front Illinois

Vivent Health-TPAN

Wolf Pack Therapy

<sup>i</sup> AARP Illinois & SAGE, "[Disrupting Disparities: Challenges and Solutions for 50+ LGBTQ Illinoisans](#)" (2021).

<sup>ii</sup> Illinois Department of Public Health, HIV Surveillance Unit. eHARS data as of May 2025.

<sup>iii</sup> Angela Houghton, [Maintaining Dignity: A Survey of LGBT Adults Age 45 and Older](#), AARP (2018)

<sup>iv</sup> Ibid.

## FOR MORE INFORMATION:

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