

SENATE No. 1358

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to LGBTQ health equity.

PETITION OF:

NAME:

Julian Cyr

DISTRICT/ADDRESS:

Cape and Islands

SENATE No. 1358

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 1358) of Julian Cyr for legislation relative to LGBTQ health equity. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to LGBTQ health equity.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 6A of the General Laws, as appearing in the 2020 Official Edition
2 is hereby amended after section 16AA by inserting the following new section:-

3 Section 16AA ½. (a) The Executive Office of Health and Human Services, the Executive
4 Office of Housing and Economic Development, the Executive Office of Labor and Workforce
5 Development, the Executive Office of Education, and any other state agencies, offices, or
6 departments designated by the Governor that directly or by contract collect demographic
7 information via form documents or systems from commonwealth residents, such as information
8 collected through the Massachusetts Virtual Epidemiologic Network, and from commonwealth
9 residents seeking services, shall provide all persons providing such information or seeking such
10 services who are either at least 14 years old or identify as the heads of their own households with
11 a standardized, anonymous and voluntary demographics information survey that contains
12 questions regarding sexual orientation, including heterosexual, lesbian, gay, bisexual or asexual

13 status or other, with an option to write in a response and gender identity, including transgender,
14 cisgender or intersex status or other, with an option to write in a response.

15 The survey shall be created by the Executive Office of Health and Human Services and
16 may be updated as deemed necessary based on changing demographics.

17 (b) Not later than 180 days after the effective date of this section, the Executive Office of
18 Health and Human Services shall submit to the legislature a plan to provide a mandatory training
19 program and develop a manual for agency staff on how to invite persons served by state agencies
20 to complete the survey. Such training and manual shall include, but not be limited to, the
21 following:

22 (i) an overview of the categories of sexual orientation and gender identity;

23 (ii) providing constituents the option of completing the survey in a private space and
24 filling out any paperwork without guidance from staff;

25 (iii) explaining to constituents that completing the survey is voluntary;

26 (iv) explaining to constituents that any data collected from such survey will not be
27 connected to the individual specifically; and

28 (v) discussions regarding addressing constituents by their self-identified gender.

29 (c) Not later than 180 days after the effective date of this section, and annually thereafter,
30 the offices, agencies, and departments described in paragraph a, and any other agencies so
31 designated by the Governor, shall conduct an internal review and provide a report of all forms
32 and systems being used that: collect demographic information addressing the questions contained
33 on the survey, are completed by persons seeking services, and contain content or language in

34 relation to collecting such information that is within the administering agency's authority to edit
35 or amend. The report shall include a list of all forms and systems reviewed, all forms and
36 systems eligible for updating, an explanation of why any forms or systems are not eligible for
37 updating, and a list of forms and systems to be updated. When practicable, when such forms are
38 updated they shall request voluntary responses to questions about sexual orientation, including
39 heterosexual, lesbian, gay, bisexual or asexual status, or other, and gender identity, including
40 transgender, cisgender and intersex status or other. All forms identified as eligible for updating
41 during the review required pursuant to this paragraph shall be updated to invite responses to
42 questions about sexual orientation and gender identity no later than five years from the effective
43 date of this section. All forms not eligible for updating shall be provided in conjunction with the
44 standardized, anonymous and voluntary demographics information survey as established by this
45 section.

46 (d) Not later than 18 months after the effective date of this section, and annually
47 thereafter, the offices, agencies, and departments described in paragraph a, and any other
48 agencies so designated by the Governor shall make available to the public data for the prior fiscal
49 year that includes, but is not limited to, the total number of individuals who have identified their
50 sexual orientation or gender identity on the survey form described in paragraph (a) of this section
51 and any forms and systems updated pursuant to paragraph (c) of this section, disaggregated by
52 response option, agency and program. Such data shall be made available to the public through
53 the state's website.

54 (e) Each office, agency, and department that provides the survey form required pursuant
55 to paragraph a of this section shall evaluate its provision of services in consideration of the data
56 collected pursuant to this section and shall publish a report on any new or modified services

57 developed based on such data. Such reports shall be submitted no earlier than 18 months after
58 passage.

59 7. No information that is otherwise required to be reported pursuant to this section shall
60 be reported in a manner that would violate any applicable provision of federal, state or local law
61 relating to the privacy of information respecting students and families serviced by Massachusetts
62 public schools.