

**Please read this "Bill of Rights" carefully.**

**P.L. 2021, c.033 (S2545) prohibits discrimination against LGBTQI and HIV+ people living in long-term care (LTC) facilities in New Jersey. It also requires LTC facilities to provide training for all staff on the requirements and how to better treat and care for LGBTQI and HIV+ residents.**

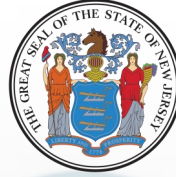
**The law protects residents of nursing homes, assisted living residences, comprehensive personal care homes, residential healthcare facilities, and dementia care homes.**

All LTC facilities should be working to create welcoming and affirming homes for LGBTQI and HIV+ residents and all LTC facility staff must receive training every two years on caring for LGBTQI and HIV+ residents, including:

- LGBTQI and HIV+ terminology.
- Best practices for communication.
- History and impact of discrimination, bias, and health disparities.
- Affirming and welcoming practices.
- The requirements of the LGBTQI Senior Bill of Rights (described inside).

Training must be provided by an entity with demonstrated expertise in LGBTQI and HIV+ LTC resident rights.

LTC facilities must post a sign in a visible place stating that the facility does not allow LGBTQI or HIV+ discrimination, including bullying, abuse or harassment. The sign must include contact information for the Office of the Long-Term Care Ombudsman to report complaints. Call the LTCO at 1-877-582-6995 to request a sign or copies of this brochure.



**1-877-582-6995**  
Guidance. Support. Advocacy.

**P.O. Box 852**  
**Trenton, NJ 08625-0852**  
**Fax: (609) 943-3479**  
**ombudsman@ltco.nj.gov**  
**www.nj.gov/ltco**

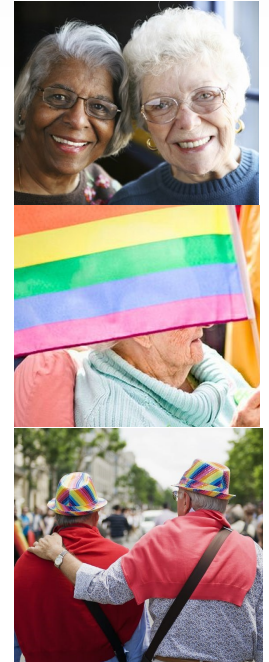


*Please Follow Us!*

**LGBTQI Residents**  
**HAVE RIGHTS!**

**and**  
**Residents with HIV**  
**HAVE RIGHTS!**

**In**  
**Long-Term**  
**Care**  
**Facilities**



**VISIT OUR WEBSITE**  
**FOR MORE INFORMATION**

**Facebook/NJelderombudsman**  
**LinkedIn@NJ LTC Ombudsman**  
**Twitter@NJOmbudsman**  
**YouTube.com/NJelderombudsman**  
**Instagram@NJelderombudsman**

# List of Residents' Rights

As a LGBTQI or HIV+ resident of a long-term care facility in New Jersey, you have the following rights:



Based on a resident's sexual orientation, gender identity, intersex status or HIV status, a facility cannot:

- Deny admission.
- Transfer or refuse to transfer within the facility or to another facility.
- Discharge or evict.
- Make room assignments for transgender and non-binary residents based on any gender other than their chosen gender.
- Deny residents' requests to share a room.
- Keep a resident from using a bathroom that other residents of the same gender identity use.
- Fail repeatedly to use the resident's chosen name or pronouns when staff have been informed of them.
- Stop the resident from wearing clothes, accessories or cosmetics or grooming in ways that are permitted for others.
- Keep residents from getting together with other residents or visitors.
- Forbid residents from having consensual sexual relations.
- Refuse to provide medical or non-medical care that is appropriate to the resident's organs and bodily needs.
- Provide care that unduly demeans the resident's dignity or causes avoidable discomfort.
- Refuse or willfully fail to provide any service, care or reasonable accommodation.
- Omit the resident's gender identity, chosen name, or pronouns in resident records.
- Disclose information about a resident's sexual orientation, transgender status/identity, transition history, intersex status, or HIV status (unless required by state or federal law).
- Have staff present other than staff needed to provide direct care to the resident, when the resident is partially or fully unclothed.
- Fail to use visual barriers when residents are fully or partially unclothed.
- Fail to get informed consent for non-therapeutic exams or observations of treatment.
- Prohibit access to transition-related assessments, therapies and treatments that a transgender health care provider has recommended.

If you or your loved one in a LTC facility feel you are being discriminated against because you are LGBTQI or HIV+, please call the Office of the Long-Term Care Ombudsman (LTCO) at 1-877-582-6995 or email [ombudsman@ltco.nj.gov](mailto:ombudsman@ltco.nj.gov). The LTCO will investigate and attempt to resolve the complaint to your satisfaction and, with the consent of the resident or legal representative, may refer any legal violations to the Department of Health for enforcement.