

May 4, 2022

William N. Parham
Centers for Medicare & Medicaid Services
Office of Strategic Operations and Regulatory Affairs
Division of Regulations Development
Room C4-26-05
7500 Security Boulevard
Baltimore, MD 21244-1850

**Re: Comment Request on the Medicare Current Beneficiary Survey, CMS-P-0015A
(2022-04-04)**

Dear Mr. Parham:

The undersigned 37 organizations are committed to advancing equity for lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI) people. We appreciate the opportunity to comment on the revisions to the Medicare Current Beneficiary Survey (MCBS). As you know, the MCBS is the most comprehensive and complete survey of Medicare populations, and it is vital to understanding and evaluating the Medicare program. Given that the number of LGBTQI people who will access Medicare is expected to grow substantially in the coming years, it is critical that the experiences of these beneficiaries are included in the survey.

To this end, **we are excited and applaud the addition to the survey of demographic questions allowing for the identification of sexual minorities and transgender people.** These additions will make it possible to assess health equity for LGBTQ people. And especially given that the survey also asks about perceived discrimination by health care providers, these questions are important for examining the different experiences of sexual and gender minorities. Prior private research and surveys have demonstrated that LGBTQ people anticipate and experience disparately high levels of discrimination in the health care setting.¹ Collecting this data on the MCBS will broaden the scope of data available and make a profound impact on our ability to understand and address the specific discrimination that LGBTQ Medicare beneficiaries face.

We appreciate the time and effort that went into the testing of the questions, as outlined in the supplementary materials. We agree that the release of the 2022 National Academies of Science, Engineering, and Medicine (NASEM) report makes clear that these questions can function well, and they are critical for advancing the understanding of health for LGBTQ people. We are excited to see how CMS utilizes this data as it is collected to better understand the experiences of LGBTQ Medicare beneficiaries.

¹ See, e.g., Services and Advocacy for GLBT Elders (SAGE). 2014. *Out & Visible: Experiences and Attitudes of Lesbian, Gay, Bisexual, and Transgender Older Adults Ages 45-75*, <https://www.sageusa.org/wp-content/uploads/2018/05/sageusa-out-visible-lgbt-market-research-full-report.pdf>.

We also would like to encourage you to begin work to test ways to identify individuals with variations in sex characteristics (e.g. people who may identify as intersex). Particularly for a survey about healthcare experiences and utilization, including these questions is both appropriate and necessary to better understand how intersex people experience healthcare as they age and in services covered by Medicare. Hostile, incompetent, or discriminatory health care experiences can result in differences in health outcomes and quality of care.

The March 2022 National Academies of Science, Engineering, and Medicine (NASEM) consensus report recommends specific questions that can be used within the general adult population to identify people with intersex traits and specific directions for research that CMS could undertake to work toward the inclusion of such questions in the future.²

Thank you for your consideration. If you have any questions or would like to discuss the information in this comment, please contact Naomi Goldberg at naomi@lgbtmap.org or 734-277-4575.

Sincerely,

AIDS Foundation Chicago
Alzheimer's Association
American Psychological Association
Be a Hero
Center for Elder Law & Justice
Center for Medicare Advocacy
Colorado Consumer Health Initiative
Community Catalyst
Democratic Disability Caucus of Florida
Fenway Health
The Gerontological Society of America
Heart to Heart Family Support center
Justice in Aging
Kentucky Voices for Health
Mano a Mano Family Resource Center
Medicare Rights Center
Metro New York Health Care for All
MomsRising
Movement Advancement Project
NASTAD
National Alliance on Mental Illness
National Association of Social Workers (NASW)
National Consumers League
National Council on Aging
National Disability Rights Network (NDRN)
National Health Law Program
National LGBT Cancer Network

² National Academies of Sciences, Engineering, and Medicine. 2022. *Measuring Sex, Gender Identity, and Sexual Orientation*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/26424>.

National Partnership for Women & Families
National Patient Advocate Foundation
NCOA
Ohio Grandparent Kinship Coalition
SAGE
SASH Medical Group PLLC
SC Appleseed Legal Justice Center
Tennessee Justice Center
The Trevor Project
Whitman-Walker Institute