



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
250 Washington Street, Boston, MA 02108-4619

MAURA T. HEALEY  
Governor

KIMBERLEY DRISCOLL  
Lieutenant Governor

KATHLEEN E. WALSH  
Secretary

ROBERT GOLDSTEIN, MD, PhD  
Commissioner

Tel: 617-624-6000  
[www.mass.gov/dph](http://www.mass.gov/dph)

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Title: American Community Survey Methods Panel Tests

To Whom it May Concern:

On behalf of the Massachusetts Department of Public Health (DPH) data standards subject matter experts, we are providing crucial feedback on the initial proposed test of Sexual Orientation and Gender Identity (SOGI) questions for the American Community Survey published on the federal register under the OMB control number 0607-0936. DPH's input represents the perspectives of various collaborators impacted by these questions and can potentially shape the future of public health policies.

DPH's unwavering commitment is to create "An equitable and just public health system that supports optimal well-being for all people in Massachusetts, centering those with systemically and culturally oppressed identities and circumstances." Our mission is "To promote and protect health and wellness and prevent injury and illness for all people, prioritizing racial equity in health by improving equitable access to quality public health and health care services and partnering with communities most impacted by health inequities and structural racism." This commitment is at the heart of our feedback on the proposed SOGI questions.

Building a public health system that delivers on its promise to support optimal health for all people involves focusing on those most impacted by systemic inequities, directly engaging local public health, organizing across government agencies, calling for health equity in all policies, and influencing key industry leaders to address the social, economic, and cultural factors perpetuating inequities. At DPH, we deliberately and intentionally center our public health work on equity and embed equity in how we think about public health. Recognizing racism and other forms of oppression as a public health issue, our equity models, approaches, and tools allow us to lift inequities, act, and create solutions to address inequities that enable everyone to reach their maximum health potential.

As part of our mission and vision, we have launched a strategic plan to advance racial equity in all the work DPH undertakes and oversees, providing an action-oriented roadmap to address

underlying concerns perpetuating health inequities across the state. DPH's plan recognizes the pervasive and destructive impact of racism on health. It centers racial equity across all its work, programs, practices, and initiatives, from the Department's efforts on emergency preparedness and response to strengthening the public health workforce to modernizing the public health infrastructure and enhancing public service.

[The Strategic Plan to Advance Racial Equity](#) is a call for action and accountability to address the systemic inequities faced by people who identify as Black, Indigenous, Latino, Asian, or Pacific Islander. It also looks into the intersectionality of individuals belonging to the LGBTQI+ community and the health disparities they experience. It seeks to acknowledge, transform, and improve the public health outcomes of all people in Massachusetts.

The proposed SOGI questions will directly influence our ability to address these inequities and improve health outcomes across the Commonwealth. Our approach to health equity at DPH includes having a vision of health equity, embedding that in all our work, and following the DPH Health Equity Pathway to leverage data to assess, identify, and address the inequities affecting our priority populations. DPH seeks to accomplish this by focusing on outcomes across populations, prioritizing data collection, analysis, and responsible dissemination that protects individuals' privacy, focusing on populations rather than diseases, stratifying data, addressing the social determinants of health, developing action plans based on our findings, and measuring outcomes.

#### **General Comments:**

- DPH surveillance tools have found mixed utility in providing an 'other, specify: \_\_\_' option for survey questions. While the responses can be utilized to inform any future updates to the response options, they also hinder the accurate identification of communities.
- The current phrasing of this option in both the gender identity and sexual orientation questions, 'this person uses a different term – specify' erases the importance of individuals' identities.
- Responding to these two concerns (respectively, to improve the usability of the data *and* be more culturally sensitive, DPH subject matter experts suggest updating the wording of these options as follows:
  - Sexual Orientation: My identity aligns with a term not included in the listed options: [specify] or 'I am part of the LGB community, and my identity is:'
  - Gender Identity: 'My identity aligns with a term not included in the listed options: [specify]' or 'I am part of the transgender/nonbinary community, and my identity is: [specify].'
- Question order: We suggest moving the gender identity question before the sex assigned at the birth question as the current structure de-emphasizes the importance of individuals' gender identities.
- We would recommend considering the logic of separating the sexual orientation question from the first set of demographic questions, including the gender identity and sex assigned at birth questions.

**Sexual Orientation Question Comments:**

- Add response options:
  - Asexual
  - Queer
  - Questioning/I am not sure of my sexuality
- The use of the phrasing 'straight, that is, not gay or lesbian' is clunky and ignores the existence of orientations aside from straight or gay/lesbian. We suggest removing the phrase and including 'straight' as the response option.

**Gender Identity Question Comments:**

- Update the language of the question, using language such as 'best represents.' For example, the DPH standard reads: 'Please select the gender identity that best describes you.'
- Add response options:
  - I am questioning/not sure of my gender identity
  - Update Nonbinary to: 'Not exclusively male or female, nonbinary, and/or something additional'
- What is the utility of including 'transgender', which is an orientation to gender, not an identity, as an option in the gender identity question, particularly with select all that apply?
- Will assumptions be made based on incongruence between the sex assigned at birth question and the gender identity question during analysis?
- Use Man/Boy and Woman/Girl as response options for gender identity rather than male and female, as male and female are used primarily for sex or sex assigned at birth.

Thank you for considering these important issues. We are appending the DPH SOGI Data Standard to this comment and would be more than happy to assist if there is any further information we can provide as you move forward.

Sincerely,



**Sai Cherala, MD MPH**

Assistant Commissioner,  
Director, Office of Population Health  
MA Department of Public Health



**Robert Goldstein, MD, PhD**

Commissioner  
MA Department of Public Health