



# News & Views

**Greater Providence Chapter**  
**Parents, Families, Friends and Allies United with**  
**LGBT People to Move Equality Forward**

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## **Supreme Court to Decide Marriage Rights for Gay Couples Nationwide**

by Adam Liptak, *The New York Times*, January 16, 2015

**T**he Supreme Court on Friday, January 16, 2015 agreed to decide whether all 50 states must allow gay and lesbian couples to marry, positioning it to resolve one of the great civil rights questions in a generation before its current term ends in June.

The decision came just months after the justices ducked the issue, refusing in October to hear appeals from rulings allowing same-sex marriage in five states. That decision, which was considered a major surprise, delivered a tacit victory for gay rights, immediately expanding the number of states with same-sex marriage to 24, along with the District of Columbia, up from 19.

Largely as a consequence of the Supreme Court's decision not to act, the number of states allowing same-sex marriage has since grown to 36, and more than 70 percent of Americans live in places where gay couples can marry.

The cases the Supreme Court agreed to hear were brought by some 15 same-sex couples in four states. The plaintiffs said they have a fundamental right to marry and to be treated as opposite-sex couples are, adding that bans they challenged demeaned their dignity, imposed countless practical difficulties and inflicted particular harm on their children.

The pace of change on same-sex marriage, in both popular opinion and in the courts, has no parallel in the nation's history.

Gay rights advocates hailed the court's move as one of the final steps in a decades-long journey toward equal treatment, and

they expressed confidence they would prevail.

"We are finally within sight of the day when same-sex couples across the country will be able to share equally in the joys, protections and responsibilities of marriage," said Jon W. Davidson, the legal director of Lambda Legal.

Supporters of traditional marriage said the Supreme Court now has a chance to return the issue to voters and legislators.

"Lower court judges have robbed millions of people of their voice and vote on society's most fundamental relationship — marriage," said Tony Perkins, the president of the Family Research Council, a conservative policy and lobbying

group. "There is nothing in the Constitution that empowers the courts to silence the people and impose a nationwide redefinition of marriage."

The Supreme Court's lack of action in October and its last three major gay rights rulings suggest that the court will rule in favor of same-sex marriage. But the court also has a history of caution in this area.

It agreed once before to hear a constitutional challenge to a same-sex marriage ban, in 2012 in a case called *Hollingsworth v. Perry* that involved California's Proposition 8. At the time, nine states and the District of Columbia allowed same-sex couples to marry.

(Continued on Page 5.)



### IN THIS ISSUE

- |   |   |   |  |   |  |                           |
|---|---|---|--|---|--|---------------------------|
| <b>2</b> PFLAG GP to co-host RI Pride Open House 2/25 | <b>2</b> 2015 PFLAG National Scholarships Application Open 2/15 | <b>3</b> NEQPOC Conference at Brown University April 2015 | <b>4</b> Increasing Protection via policies for LGBT Workers | <b>5</b> Why Black Lives Should Matter to All LGBT People | <b>6</b> To FDA, Everyone Transgender is a Gay Man | <b>8</b> Member Resources |
|---|---|---|--|---|--|---------------------------|



## Parents, Families, Friends and Allies United with LGBT People to Move Equality Forward

### Our Mission

**PFLAG** promotes the health and well-being of gay, lesbian, bisexual, transgender and inter-sex persons and their families and friends through:

**SUPPORT:** To support parents on their journey to understand and accept their gay, lesbian, bisexual and transgender children; and to help children, of whatever age, to understand and come out into loving relationships with their families;

**EDUCATION:** To enlighten an ill-informed public,

**ADVOCACY:** To end discrimination and to secure equal civil rights.

**PFLAG** provides an opportunity for dialogue about sexual orientation and gender identity and expression, and acts to create a society that is healthy and respectful of human diversity.

**PFLAG** is a volunteer grass-roots, tax-exempt, non-profit organization, not affiliated with any political or religious institution.

**PFLAG** is a welcoming place for parents and friends of all members of the LGBTQ community, but we are much more than that. Those who identify as gay, lesbian bisexual, transgender, or gender non-conforming are also encouraged to attend our meetings., with or without their family members. Parents and friends may come with or without their loved ones who are members of the LGBTQ community.

Confidentiality is assured.

### PFLAG/Greater Providence

**President:** Sandra Richard

**Vice-President:** Jane Eastman

**Treasurer:** Peter Sharkey

**Secretary:** Denise Messier Reynolds

**Members-at-Large:** Jill Duff, Roy Eastman, Barbara Metz, Scott Mirani, Christine Noel, Dianne & Joe Ordog, James Rotondo

**Ex-Officio Past President:** Myra Shays

**Newsletter Editor:** Sandra Richard

**WE'RE  
HERE  
FOR YOU!**



## news from our chapter



**PFLAG President Sandra Richard describing PFLAG's mission to members attending Interweave meeting at Channing Memorial Church in Newport on January 18th. To her immediate left is PFLAG Board member Jane Eastman and far left PFLAG Greater Providence Chapter Founder Myra Shays. On the far right are PFLAG Board members Dianne and Joe Ordog.**

### Our Productive Visit to the Interweave Group at Channing Memorial Church

by Myra Shays

**O**n Sunday afternoon, January 18th, chapter president Sandie Richard piled Dianne and Joe Ordog, Jane Eastman and me into her van and drove us all to Channing Memorial Church, a Unitarian-Universalist congregation in Newport. The church's advocacy group for LGBT people, called Interweave, had invited us to speak about our experiences with PFLAG.

Interweave describes itself as "a membership organization for the spiritual, political and social well-being of LGBTQ persons, and their allies, confronting oppression." They had formed originally to spearhead the church's campaign to become officially "Welcoming" -- that is, welcoming of LGBTQ people. Some other denominations call this "Open and Affirming," or "O&A." Channing's campaign was quickly successful, and the group continued meeting for social and advocacy purposes.

In the parish house of this beautiful, historic church building, about 25 members -- mostly straight allies -- served us refreshments, sat informally in a circle with us, and drew us out about what it's like to be a PFLAG member and leader. We described the founding of the chapter, our relationship to the PFLAG region and to National PFLAG, our activities beyond support meetings, and sources of financial support. Since they are exploring the idea of forming a chapter for their locality -- possibly meeting at their church -- we advised them how to do that, including our recommendation that they seek the help of Amy Mesirow, our regional director, who had asked us to give them her contact information for this purpose.

Some Interweave members are involved in running the "Born This Way" prom for teenagers each spring. It's an exciting event supported in part by local colleges and organizations, to

which same-gender or opposite gender couples are welcome, as well as youth coming stag. It grows larger every year and finds great acceptance in the community.

We felt quite welcome in this activist church and enjoyed our afternoon with Interweave and will follow with interest their efforts at forming a PFLAG chapter.



### General Meeting and Open House, Wednesday, February 25, 2015 at 7:00 p.m.

**O**ur PFLAG Chapter is honored to be co-hosting RI Pride's February Open House on Wednesday, February 25<sup>th</sup>. Please spread the word and come join us for a fun evening where you can learn more about both organizations! The Open House will be at the RI Pride Center located at Hope Artists Village, 1005 Main Street, Unit #1105, Pawtucket RI 02860. For more information email [info@prideri.com](mailto:info@prideri.com) or call 401-467-2130.

Can't make it to the Open House but want to give more time to Pride? Consider attending their monthly Events Committee meeting on the 2nd Wednesday of each month where you will learn more specifics about various events and have the opportunity to participate in meaningful ways!



**Lesbian? Gay?  
Bi? Trans?  
Queer? Ally?**

**PFLAG** National wants to support your leadership with their **2015 PFLAG National Scholarships!** Now available: Scholarships up to \$5,000 each! To qualify, you need to:

- Be a graduating senior entering higher education for the first time in 2015. (If you graduated in 2014 and took a year off you are still eligible to apply.)
- Self-identify as gay, lesbian, bisexual, transgender, queer (LGBTQ), or as a straight ally.

(Continued on Page 3.)



## PFLAG National Scholarship

(Continued from Page 2.)

- Have proven or demonstrated an interest in service to the LGBTQ community.
- Apply to an accredited higher education institution.

The scholarship is open to U.S. and non-U.S. citizens. (Non-U.S. citizens are eligible as long as they attend an accredited institution in the United States.)

Applications open February 15, 2015 at [www.pflag.org/scholarships](http://www.pflag.org/scholarships). All materials must be submitted and signed by April 30, 2015.



## New England Queer People of Color Conference to Take Place at Brown University April 3rd and 4th, 2015

The New England Queer People of Color (NEQPOC) conference strives to provide visibility, liberation, and empowerment for queer-identifying people of color in the New England Area. The conference provides a space where self-identifying POC can build and strengthen social connections and critically engage in dialogue about the intersecting social, political, and theoretical dimensions of QPOC identity and community both in the New England area and beyond.

This year's conference will be the second annual NEQPOC and will be hosted by the Brown Queer Alliance at Brown University, located in Providence, RI on Friday, April 3th, and Saturday, April 4th. The first conference was hosted on March 21- 22, 2014 at the University of Vermont, located in Burlington, VT.

This year's theme for NEQPOC2015 is: *Healing. Visibility. Community.*

Check out their FB page for notification of latest updates: [www.Facebook.com/NewEnglandPeopleofColorConference](http://www.Facebook.com/NewEnglandPeopleofColorConference).



Email Sandie at [svrichard0104@gmail.com](mailto:svrichard0104@gmail.com) to sign up to receive the PFLAG newsletter by email only and help us save a tree (and postage too!)



## Blue Cross & Blue Shield of Rhode Island Awarded Perfect Score in 2015 Corporate Equality Index

Blue Cross & Blue Shield of Rhode Island (BCBSRI) received a score of 100 percent on the 2015 Corporate Equality Index (CEI), a national benchmarking survey and report on corporate policies and practices relating to lesbian, gay, bisexual, and transgender (LGBT) workplace equality, administered by the Human Rights Campaign Foundation. BCBSRI is one of only two Rhode Island companies to receive a perfect score, a reflection of its commitment to LGBT workplace equality with respect to tangible policies, benefits, and practices.

BCBSRI was recognized for its workplace practices including a non-discrimination policy, an Executive performance appraisal model containing a diversity & inclusion component, and offering health coverage for spouses and domestic partners, as well as gender reassignment surgery. Active in the community, BCBSRI also provides philanthropic support to local LGBT non-profit organizations.

"As a company, one of Blue Cross' priorities is building and maintaining a diverse workforce. Creating an environment that is rich with multiple perspectives and ideas enables us to relate to the diverse populations we serve," said Visael (Bobby) Rodriguez, Vice President of Organization Development and Chief Diversity Officer at BCBSRI. "We are proud to have improved our score from 90 percent last year to 100 percent; this progress reflects our continued commitment to an inclusive workplace."

The 2015 CEI rated 781 corporations and evaluates LGBT-related policies and best practices including non-discrimination workplace protections,

domestic partner benefits, transgender-inclusive health care benefits, competency programs, and public engagement with the LGBT community. BCBSRI's efforts in satisfying all of the CEI's criteria resulted in a 100 percent ranking and the designation as a Best Place to Work for LGBT Equality.

For more information on the 2015 Corporate Equality Index, or to download a free copy of the report, visit [www.hrc.org/cei](http://www.hrc.org/cei).

About Blue Cross & Blue Shield of Rhode Island:

Blue Cross & Blue Shield of Rhode Island is the state's leading health insurer and covers more than 550,000 members. The company is an independent licensee of the Blue Cross and Blue Shield Association. For more information, visit [www.bcbsri.com](http://www.bcbsri.com), follow us on Twitter @BCBSRI, and like us on Facebook at [fb.com/bcbsrhodeisland](http://fb.com/bcbsrhodeisland).

Credit: Webmaster, Get Rhode Island Magazine, December 19, 2014



## Greater Providence Chapter

**Our chapter has a new mailing address and phone number!**

**Our new mailing address is:**  
**PFLAG Greater Providence**  
**P. O. Box 41344**  
**Providence, RI 02940**

**Our new phone number to call or text us is:**  
**(401) 307-1802.**

**Watch for our new brochures coming soon!**

## news from all over



### Lesbian, gay, transgender workers increasingly protected by bias policies

**A** growing number of U.S. employers are expanding their non-discrimination policies to include lesbian, gay, bisexual and transgender employees, even when they are not legally compelled to do so.

Employers are responding as the federal government has taken a stand defending LGBT employees, even though federal laws do not explicitly prohibit employment discrimination on the basis of sexual orientation or gender identity.

Late last year, the U.S. Labor Department issued a final rule prohibiting federal contractors from discriminating against employees and job applicants based on their sexual orientation or gender identity.

The final rule applies to all employers holding government contracts valued at \$10,000 or more on or after April 15, 2015.

Additionally, the U.S. Equal Employment Opportunity Commission in recent years repeatedly has declared its intent to use existing gender nondiscrimination rules under Title VII of the Civil Rights Act to sue employers engaging in — or failing to prevent — workplace bias and harassment toward LGBT employees and potential hires.

In particular, experts say the federal government devoted considerable energy in 2014 to establishing employment protections for transgender workers under existing federal laws. Those efforts culminated in an Dec. 18 statement from the U.S. Department of Justice formally permitting federal regulators and prosecutors to pursue litigation against public employers — but not private employers — for gender identity discrimination claims under Title VII.

"This will help to foster fair and consistent treatment for all claimants," U.S. Attorney General Eric Holder said in the statement. "It reaffirms the Justice Department's commitment to protecting the civil rights of all Americans."

For its part, the EEOC took arguably its most aggressive action so far toward achieving that end by filing federal lawsuits last September against private companies in Michigan and Florida on behalf of employees who allege they were fired after informing their employer they planned to transition from one gender to the other.

"The cases involving transgender employees in particular are

something I've been watching, where we're starting to see the extension of sex discrimination protection to transgender individuals," said Todd Solomon, a Chicago-based partner at McDermott Will & Emery L.L.P. "That's kind of the new frontier in terms of employment discrimination. Not that the issue of equal employment rights for gays and lesbians is exactly settled, but I'd say they're more stable today than they have been, so a lot of the focus lately has been on transgender rights in the workplace."

While the EEOC's lawsuits, as well as individual federal suits against private employers, should offer some encouragement to transgender employees seeking nationwide protection from workplace discrimination, experts say it could be years before the U.S. Supreme Court renders a definitive ruling on the issue or Congress passes legislation barring discrimination based on sexual orientation and gender identity.

Still, experts said many employers aren't waiting for the courts or Congress to extend nondiscrimination protections to transgender workers. Two-thirds of Fortune 500 employers currently include explicit gender identity protections in their corporate nondiscrimination policies, according to Washington-based nonprofit the Human Rights Campaign.

"Regardless of what the law requires, it's really become an employment best practice to have these kinds of policies on the books," said Sarah Warbelow, the Human Rights Campaign's Washington-based legal director. "It helps create a more settled and stable work environment in which your people can focus on getting their jobs done without having to worry that someone is going to find out who they are and who they love. That's just good for business."

However, experts say that while some employer clients are philosophically receptive to the idea of adding gender identity-specific provisions to their nondiscrimination policies, they have been reluctant to do so.

"Gender identity is a newer issue for a lot of employers," said Laura Maehtlen, a partner at Seyfarth Shaw L.L.P. in San Francisco. "What we're finding is that a lot of employers want to do the right thing, but they feel like they don't understand the specific issues facing that community, so they're scared to address it because they don't want to make a mistake."

To avoid complications — including potential discrimination claims under state and/or federal laws — Ms. Maehtlen said she has advised clients to establish clear guidelines for supervisors and human resources professionals "outlining how they should respond and what their responsibilities are in the event that an employee comes forward and announces that they plan to transition genders."

"Some of the trickier situations we've seen come up involve companies where there aren't a lot of resources in place for handling it, and it just creates a lot of frustration in the moment," Ms. Maehtlen said. "It makes it a lot easier to have thought through that process in advance."

*Credit: Matt Dunning, Business Insurance--Risk Management,*

*February 1, 2015*

**PFLAG makes the world better, family by family. Become a member of our family. Use the form on the back page to join today!**

## Supreme Court to Decide Marriage Rights

(Continued from Page 1.)

When the court's ruling arrived in June 2013, the justices ducked, with a majority saying that the case was not properly before them, and none of them expressing a view on the ultimate question of whether the Constitution requires states to allow same-sex marriage.

But a second decision the same day, in *United States v. Windsor*, provided the movement for same-sex marriage with what turned out to be a powerful tailwind. The decision struck down the part of the Defense of Marriage Act that barred federal benefits for same-sex couples married in states that allowed such unions.

The *Windsor* decision was based partly on federalism grounds, with Justice Anthony M. Kennedy's majority opinion stressing that state decisions on how to treat marriages deserved respect. But lower courts focused on other parts of his opinion, ones that emphasized the dignity of gay relationships and the harm that families of gay couples suffered from bans on same-sex marriage. In a remarkable and largely unbroken line of more than 40 decisions, state and federal courts relied on the *Windsor* decision to rule in favor of same-sex marriage.

The most important exception was a decision in November from a divided three-judge panel of the United States Court of Appeals for the Sixth Circuit, in Cincinnati. Writing for the majority, Judge Jeffrey S. Sutton said that voters and legislators, not judges, should decide the issue.

That decision created a split among the federal appeals courts, a criterion that the Supreme Court often looks to in deciding whether to hear a case. That criterion had been missing in October.

The Sixth Circuit's decision upheld bans on same-sex marriage in Kentucky, Michigan, Ohio and Tennessee. The Supreme Court agreed to hear petitions seeking review from plaintiffs challenging those bans in each state.

The court said it will hear two and a half hours of argument, probably in the last week of April. The first 90 minutes will be devoted to the question of whether the Constitution requires states "to license a marriage between two people of the same sex."

The last hour will concern a question that will be moot if the answer to the first one is yes: whether states must "recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out of state."

The court consolidated the four petitions, not all of which had addressed both questions.

Two cases — *Obergefell v. Hodges*, No. 14-556, from Ohio, and *Tanco v. Haslam*, No. 14-562, from Tennessee — challenged state laws barring the recognition of same-sex marriages performed elsewhere.

"Ohio does not contest the validity of their out-of-state marriages," the plaintiffs seeking to overturn the ban wrote in their brief seeking Supreme Court review. "It simply refuses to recognize them."

State officials in Ohio had urged the justices to hear the case. "The present status quo is unsustainable," they said. "The country deserves a nationwide answer to the question — one way or the other."

Gov. Bill Haslam of Tennessee, a Republican, took a different approach from those of officials in the other states whose cas-

es the Supreme Court agreed to decide. He did what litigants who have won in the lower court typically do: He urged the justices to decline to hear the case.

The Michigan case, *DeBoer v. Snyder*, No. 14-571, was brought by April DeBoer and Jayne Rowse, two nurses. They sued to challenge the state's ban on same-sex marriage.

In urging the Supreme Court to hear their case, they asked the justices to do away with "the significant legal burdens and detriments imposed by denying marriage to same-sex couples, as well as the dignity and emotional well-being of the couples and any children they may have."

Gov. Rick Snyder, a Republican, joined the plaintiffs in urging the Supreme Court to hear the case.

The Kentucky case, *Bourke v. Beshear*, No. 14-574, was brought by two sets of plaintiffs. The first group included four same-sex couples who had married in other states and who sought recognition of their unions. The second group, two couples, sought the right to marry in Kentucky.

In his response to the petition in the Supreme Court, Gov. Steven L. Beshear, a Democrat, said he had a duty to enforce the state's laws. But he agreed that the Supreme Court should settle the matter and "resolve the issues creating the legal chaos that has resulted since *Windsor*."



## Why Black Lives Should Matter to All LGBT People

**E**arlier this month, a group of queer and trans people of color disrupted two bars in the Castro District of San Francisco to deliver a message of mourning.

"We need you in the streets with us," we chanted, holding up images of black queer and trans people killed by police or vigilantes. "We honor the lives of murdered black trans women and queers."

The response? The DJ of Toad Hall spewed verbal abuse, gave us the finger, and cranked up the music to drown out our words. A white bar patron pulled the hair of a protester and shattered a glass bottle at her feet. Then he threw a large trashcan at our group, injuring three protesters. We, a group of queer and trans activists of color, had entered the space

(Continued on Page 6.)



## Why Black Lives Should Matter to All LGBT People

(Continued from Page 5.)

peacefully to invite the predominantly white clientele of Toad Hall to join us in mourning the killings of black queer and trans people. In response, we were met with hostility and violence.

Push has come to shove. As the Black Lives Matter movement gains strength nationwide, white gays and lesbians can no longer stand on the sidelines. The assault on black lives *is* an LGBT issue. The average life expectancy of a black transgender woman is 35 years. The National Coalition of Anti-Violence programs **reported** that in 2013, 72 percent of anti-LGBT homicides were against trans women, 89 percent of whom were transgender women of color.

Will white gays and lesbians join the struggle for black lives? Or will they remain complicit with a status quo in which black people are killed weekly by police or vigilantes in the United States?

These are the questions we posed to the patrons and residents of the white-dominated Castro neighborhood. Queer and trans protesters of color simultaneously conducted 15-minute-long ceremonies of mourning in Toad Hall and SF Badlands Bar, while roughly 300 more queer and trans people of color, joined by white allies, held a mourning ceremony at the intersection of 18th and Castro streets. We planned this protest in response to a national call to action to reclaim Martin Luther King Jr.'s legacy through nonviolent direct action.

Managers of SF Badlands expressed some measure of solidarity, turning down the music and allowing bar patrons who were sympathetic to join in the moment of collective mourning. However, the physical attacks and belligerence we encountered at Toad Hall and in the street — where bystanders yelled “Nobody cares!” and on numerous occasions gay white men sought to interfere in the danza ritual of indigenous dancers — underscored the widespread disregard for racial justice within white-dominated LGBT spaces like the Castro. Despite its touted image as a safe space of diversity, the Castro is actually an unwelcoming place for many queer people of color and particularly for the queer and trans black community.

We chose to disrupt spaces of leisure in the Castro because we want people in LGBT

neighborhoods to be faced with how black people — particularly queer and trans black people — are disproportionately killed by police, security forces, and vigilantes. All we demanded was for bar patrons to take a few minutes to look upon the faces of murdered black trans women and reflect on what the LGBT community can do in the fight for racial justice.

We challenge the white gay men who yell “No one cares” when confronted with a protest about transphobic attacks and police brutality to remember that only a few decades ago, the LGBT community as a whole was the target of police violence and harassment. Neighborhoods like the Castro exist partly because of black queer activism during a time of intense police repression.

Many LGBT people don't know that black LGBT people were right there in 1959 at **Cooper's Donuts** in Los Angeles and in 1966 at **Compton's Cafeteria** in San Francisco. These rebellions helped spark the national gay liberation movement: The Stonewall Riots in New York City erupted in 1969 because the LGBT community was tired of constant police raids and police harassment. It is because of this history of resistance that neighborhoods like the Castro are now safe havens predominantly for white gay men to congregate without the hovering threat of police harassment. Our radical LGBT history has been forgotten across the country, as LGBT enclaves like West Hollywood and Greenwich Village have become known not as sites of resistance to police violence but as rapidly gentrifying areas with a focus on partying and consumerism.

It's time for us all to honor the LGBT community's own rich legacy of protest and resistance against police brutality. We need to stand up against racism and state-sponsored killings in a time when black lives are still systematically targeted by police brutality. We owe our black queer and trans family that much. We owe them solidarity. Has the LGBT community forgotten how to mourn? Our community as we know it today was forged through acts of collective mourning in the face of AIDS, police brutality, and bigoted attacks. Politicized rituals of mourning, such as the AIDS quilt or vigils and wakes for murdered queer and trans family, were once central to LGBT culture. But now that AIDS is wreaking its worst devastation within the black community, and now that most reports of hate violence involve attacks on black and Latina trans women, mourning has

become nothing more than a footnote in many white-dominated LGBT spaces.

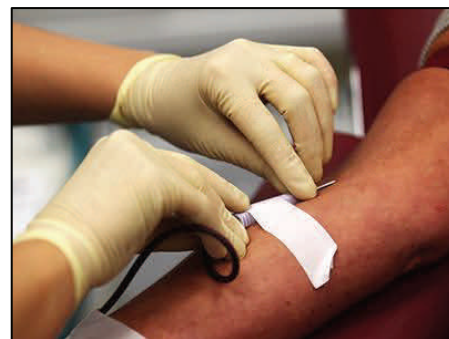
If LGBT people across the country truly care about racial justice, police brutality, and the lives of black queer and trans people, there are many ways to get involved or show solidarity:

Sign the petition at <https://actionnetwork.org/petitions/mourning-fighting-for-black-lives-in-the-lgbt-movement> to pressure all mainstream LGBT organizations and specifically Human Rights Campaign, San Francisco LGBT Community Center, Horizons Foundation, and Equality California, to take concrete action in support of black lives.

Donate money and energy to efforts that support queer and trans black leadership, including the Trans People of Color Coalition, the National Black Justice Coalition, Black Trans Women's Lives Matter, TGI Justice Project, the Audre Lorde Project, Trans Women of Color Collective, and BreakOUT!

Establish safe spaces in the Castro and in LGBT neighborhoods nationally for queer and trans Black people and people of color.

Credit: *Esperanza Garcia and Ty Brooks, [www.advocate.com](http://www.advocate.com), February 2, 2015*



## To The FDA, Everyone Transgender Is a Gay Man

**T**here's a secret in the federal blood donation policy: it treats all transgender people — male or female — like they're gay or bisexual men.

The U.S. Food and Drug Administration announced in December that it would soon reevaluate policies to allow more gay and bisexual men to donate blood, but health and civil rights advocates say the administration still enforces a “heterosexist bias” against transgender donors.

The policy in place since 1983 indefinitely banned men who have had sex with men from donating blood, but after years of

(Continued on Page 7.)

## To The FDA, Everyone Transgender Is a Gay Man

(Continued from Page 6.)

lobbying from medical organizations, activists, and politicians, the FDA said the policy would be reevaluated. Later this year, the FDA is expected to officially lift the lifetime ban, and instead enforce a one-year ban following the last time a man had sex with another man, and remained HIV-negative.

Over the decades, the agency has been under increasing pressure to alter its strict stance. The American Medical Association (AMA), for one, declared it “supports the use of rational, scientifically-based blood and tissue donation deferral periods that are fairly and consistently applied to donors according to their level of risk,” but “opposes the current lifetime deferral on blood and tissue donations from men who have sex with men.”

As the *Los Angeles Times* reported, “The FDA was caught between the civil rights of prospective gay donors and its mandate to protect public health.”

But what has not been reported is that in addition to turning away all MSM, the FDA has a policy on the books that disregards the authentic gender expressions of transgender men and women which also prevents them from giving blood.

This policy has nothing to do with the fact that many trans people undergo hormone replacement therapy (HRT) to aid in their gender transition. Although the FDA mentions only hormones taken for menopausal symptoms and prevention of osteoporosis, the American Red Cross certifies this policy on its website: “women on hormone replacement therapy... are eligible to donate.”

So if it's not the meds, what is it? It's that, to the Food and Drug Administration, all trans people are gay men. But that information is not on the agency's website or in a pamphlet.

*The Advocate* has confirmed with the FDA that a trans woman, even one who has undergone gender confirmation surgery and engages in heterosexual relations with a cisgender male, is still considered male in terms of her eligibility to donate blood, and that both she and her partner are banned — because their intercourse is considered by the FDA to be two men having sex.

In a written statement, spokeswoman Tara Goodin told *The Advocate*, “The FDA's current donor deferral policy recommends that men who have had sex with other men (MSM) at any time since 1977 are indefinitely deferred from donation of blood based on

well-documented observations of much higher rates of transmissible diseases among MSM than in the non-MSM population.”

When it comes to transgender people, Goodin says the FDA will continue the policy that the sex of the donor is determined at birth, at least as far as establishing the donor's eligibility. “For example, FDA recommends that genetic males be considered as males for donation purposes, even after gender-altering surgery,” Goodin wrote in an email December 31.

The policy gets more complex when it comes to trans men. A person who was assigned female at birth, and perhaps even conceived and delivered a baby, is not eligible according to the FDA — whether he transitions or undergoes bottom surgery — so long as he identifies as transgender and is presumed to engage in sex with men.

“Our bodies are complicated,” says Jamison Green, president of the World Professional Association for Transgender Health (WPATH). He says the assumption that all transgender people are engaged in sex with men is more proof that a large part of the medical community hasn't kept up with the times.

“[Blood donation facilities] don't screen females who have sex with men,” Green told *The Advocate*. “For me, this policy shows a heterosexist bias [by the FDA] and it reveals a bigger problem of the lack of transgender inclusion in the practice of medicine.”

Is there a difference? Is female blood the same as male blood? Scientists rank human blood by type, not by gender, just as they would never classify blood as “black” or “white.” Leading endocrinologist Vin Tangpricha, M.D., Ph.D., associate professor of medicine at Emory University in Atlanta, makes it clear: “Red Blood Cells don't have a gender, so why does it matter whether the blood is from a female, male or transgender person?”

According to Dana Beyer, M.D., a retired eye surgeon, transgender advocate, and political activist in Maryland, the FDA policy is “indirectly discriminatory, as well as harmful to the proper collection of data.”

Beyer says it may be understandable that some agencies have yet to settle on a definition for trans persons, but “there is a pressing need for trans women to be counted for HIV reporting purposes. In 2015, however, the Obama administration can do better and should finally agree, with community input, on an acceptable definition for trans women, so we can be counted to improve our access to health care as well as be counted in the

2020 census.”

Rebecca Allison, M.D., a member of the board of both WPATH and the Gay and Lesbian Medical Association, told *The Advocate* that the FDA policy for trans people “conflates gender identity with sexual activity,” and is too simplistic. “A trans woman, for example, may have sex with cisgender men, cisgender women, transgender men, or other transgender women,” Allison said. “A significant number don't have sex at all. Treating all these groups the same is too simplistic and will prevent some very low risk persons from donating.”

Allison notes that transgender women share similar risks with all women: some women who engage in survival sex work or unprotected sex, for example, are at a high risk for contracting STDs and should not donate. On the other hand, Allison says, “monogamous transgender persons are very low risk, as are celibate persons. A thorough individual sexual history is better for identifying an individual's risk as a blood donor.”

Even with the rigid policy, the FDA says change is possible. The next step in the process of removing the lifetime blood ban for MSM will be when the FDA issues revised measures to reduce the risk of transmission of HIV, including the proposed change in the MSM policy.

“The FDA's issuance of the draft guidance will include an opportunity for all stakeholders and interested parties to provide public input and any information they believe the FDA should consider related to the proposed change in policy,” Goodin wrote. “The FDA encourages all stakeholders, including those concerned about transgender issues, to take the opportunity to provide comments on the draft guidance.”

The draft guidance will be announced in the Federal Register and posted to the FDA's website, Goodin mentioned, adding that regulations.gov is the site where the public can add comments once the draft is posted. There is no known timetable for publication of the policy revision by the FDA, nor any information on when the public will be allowed to make comments.

The process is slow. The FDA heard from a panel of independent experts who concluded that imposing this deferral, or waiting period, of one year would not endanger the safety of the nation's blood supply.

However, there are critics who feel any restriction based on sexual orientation, in an age where blood is routinely screened for HIV and other infections, is discriminatory.

Credit: Dawn Ennis, [www.Advocate.com](http://www.Advocate.com), February 2, 2015

## Chapter Meetings

**PFLAG/Greater Providence** meets the first Wednesday of each month from 6:45 p.m. to 8:45 p.m.:

**The MET School (Unity Building)**  
325 Public Street  
Providence, Rhode Island

## Upcoming Meetings

March 4, 2015  
April 1, 2015  
May 6, 2015  
June 3, 2015

## Contact Us

**PFLAG/Greater Providence**  
P. O. Box 41344  
Providence, RI 02940  
Phone/Text: **(401) 307-1802**

[www.PFLAGprovidence.org](http://www.PFLAGprovidence.org)  
Email: [PFLAGprovidence@gmail.com](mailto:PFLAGprovidence@gmail.com)



### Ideas for Topics/Speakers?

Do you have a specific topic you would like to have addressed by a speaker or know of anyone whom you would like to recommend as a speaker for our Chapter? If so, please contact **Scott at [scmpmr33@gmail.com](mailto:scmpmr33@gmail.com)**.

## Member Resources

### Rhode Island Bi Resource Network

<http://www.ribinetwork.org>  
<http://www.facebook.com/TheOtherBWord>

### SAGE Rhode Island

235 Promenade Street, Suite 500, Box 18  
Providence, RI 02908  
401-528-3259  
[sageriinfo@gmail.com](mailto:sageriinfo@gmail.com)

### TGI Network of Rhode Island

PO Box 40365, Providence, RI 02940  
[info@tginetwork.org](mailto:info@tginetwork.org)  
(401) 441-5058 (voicemail)  
Family Support Group meets 2nd Monday each month from 6:30-8:30 pm at Bell Street Parish House, Bell Street, Providence

### Youth Pride, Inc.

743 Westminster Street  
Providence, RI 02903  
(401) 421-5626  
[info@youthprideri.org](mailto:info@youthprideri.org)  
<http://www.youthprideri.org>

### LGBT Caregiver Support Group

Child & Family Elder Care  
Calvary United Methodist Church  
200 Turner Road, Middletown, RI 02842  
[jgrapentine@childandfamilyri.com](mailto:jgrapentine@childandfamilyri.com)  
(401) 848-4119  
1st & 3rd Tuesdays each month from 10:00—11:00 a.m.

## Blogs of Interest

### Faith Topics

#### **Susan Cottrell**

<http://www.FreedHearts.org>

#### **Kathy Baldock**

<http://www.canyonwalkerconnections.com>

### LGBTQ Issues

#### **Think Progress**

<http://thinkprogress.org/lgbt/issue/>

#### **The Huffington Post**

<http://www.huffingtonpost.com/tag/lgbt-blogs>

### Parenting a Transgender Child

#### **Gender Mom**

<http://gendermom.wordpress.com/>

#### **Raising My Rainbow**

<http://raisingmyrainbow.com/>

## Facebook Groups of Interest

### Interweave Channing

### Parents of Transgender Children

(Closed Support Group)

### The Facebook Transgender Alliance

(Closed Support Group)

### The Rhode Island LGBT Center



Check us out on Facebook at  
[www.Facebook.com/PFLAG  
Greater Providence, RI](http://www.Facebook.com/PFLAGGreaterProvidence,RI)



**Greater  
Providence  
Chapter**

## Membership Application

**Yes! I want to be a supporting member of PFLAG.**

Please provide the information requested below and make your check payable to: **PFLAG/Greater Providence**. You may bring this form with your payment to the next chapter meeting or mail to: **PFLAG, P. O. Box 41344, Providence, RI 02940**.

☐ Household \$36      ☐ Individual \$24      ☐ Student/Limited Income \$16

☐ Additional Contribution \$ \_\_\_\_\_ in ☐ Honor or ☐ Memory of: \_\_\_\_\_

Name(s) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Phone No. \_\_\_\_\_ E-mail \_\_\_\_\_

☐ I'll do my part to help save a tree. Please send me the newsletter via email only (.pdf format).



Memberships and contributions to PFLAG are tax deductible. All information will remain confidential. PFLAG does not sell, lease or lend mailing lists to any person or group.