COVID-19 and LGBTQ+ Communities

Last updated June 29, 2020

LGBTQ+ people were already at risk

LGBTQ+ people came into the COVID-19 pandemic at greater economic risk due to poverty, immigration status, and discrimination:

- **One in five LGBTQ+ people** in the US were living below the poverty line compared to only 16% of straight, cisgender people.
  - **Poverty rates** were even higher for trans people (29%), particularly for Black (40%) and Latinx (45%) trans people.
- One in 10 DACA recipients, and around 267,000 undocumented people generally, **identify as LGBTQ+**.
- Only 22 states and DC have **explicit housing protections** for sexual orientation and gender identity.
  - 73% of LGBTQ+ people **fear discrimination** in seeking housing.
  - 48% of seniors in same-gender couples **have been discriminated against** while seeking senior housing.
- Until the Supreme Court ruled on June 15, 2020 that LGBTQ+ workers are protected from workplace discrimination under **Title VII of the Civil Rights Act of 1965**, LGBTQ+ workers in 25 states did not have any state-level workplace discrimination protections. LGBTQ+ workers still need to access an attorney and to prove discrimination in court, which poses significant barriers for low-income people in particular.

The combined deterrents of anti-LGBTQ+ discrimination, lack of access to healthcare, and high rates of unemployment make LGBTQ+ people **less likely to receive the healthcare they need** to survive and thrive, especially during a global pandemic:

- 17% of LGBTQ+ people **did not have any health insurance**—compared to just 12% of non-LGBTQ+ adults—with higher rates faced by LGBTQ+ people of color (23%) and transgender people of color specifically (32%).
- 29% of transgender people and 8% of LGBTQ+ people **reported** being outright refused service by a healthcare provider because of their gender or sexual identity.
- 22% of trans people and 8% of LGBTQ+ people avoided treatment due to **discrimination**.
- On June 12, 2020, the Trump Administration published a new rule that removes protections for transgender people and women who have had an abortion from the non-discrimination protections in the Affordable Care Act (Section 1557). The rule also no longer requires notification of the right to receive translation services and access to information in multiple languages, presenting challenges for people who do not speak English as a primary language. The rule change will impose further barriers for LGBTQ+ people by increasing the chances they will be denied care, or will avoid seeking healthcare altogether.
The COVID-19 pandemic is hitting the LGBTQ+ community hard

- Trans people of color (26%) and trans people generally (19%) had substantially higher rates of unemployment than the general population (12%) as a result of COVID-19.
- 5 million LGBTQ+ workers (40% of LGBTQ+ adults) are employed in industries that have been negatively impacted by COVID-19. These industries have increased exposure to the coronavirus or have faced mass reductions or layoffs due to the economic fallout.
  - For LGBTQ+ workers facing furlough or lost jobs, this can also mean the loss of employer-sponsored healthcare just when it is needed most.
- Harassment and discrimination of LGBTQ+ people means that queer and trans people face economic discrimination, and fare even worse during economic downturns.
- Black LGBTQ+ people, and Black trans people in particular, are facing ongoing police violence and economic crises amidst the coronavirus pandemic that is also disproportionately killing Black people.

LGBTQ+ people must be included in COVID-19 relief

LGBTQ+ people face ongoing discrimination in employment and elsewhere, barriers to health care and stable housing, and disproportionate violence. The needs of LGBTQ+ people must be addressed explicitly in COVID-19 relief legislation.

H.R. 748, CARES Act (signed into law on March 27, 2020)
In addition to increases in unemployment insurance and direct payments to struggling families, the bill also increased funding for HIV/AIDS care and treatment, housing assistance (HOPWA) for people with HIV/AIDS, and additional funding for HUD’s Emergency Solution Grants to help homeless people. Investments in programs serving people experiencing homelessness are critical for LGBTQ+ people because of the high rates of housing instability among LGBTQ+ youth, especially youth of color. These measures were important, but don’t go far enough to address the economic and health needs of LGBTQ+ population.

H.R. 6800, Heroes Act (passed the House on May 15, 2020 but stalled in the Senate)
In addition to extending many of the essential provisions in the CARES Act, the Heroes Act contains a nondiscrimination provision to prevent relief programs from discriminating against LGBTQ+ people. It also works to prevent youth LGBTQ+ suicide. In addition, the Heroes Act includes the Jabara-Heyer NO HATE Act, which would encourage LGBTQ+ hate crime data collection. While LGBTQ+ people are targeted with violence at higher rates and no national database currently tracks these attacks, some LGBTQ+ advocates have called for alternative solutions to hate crimes laws, noting that many LGBTQ+ people, especially people of color, have experienced harassment from the police.

H.R. 5, Equality Act (passed in the House on May 17, 2019 but stalled in the Senate)
Immediate relief for LGBTQ+ people is essential, but the factors that put LGBTQ+ people at greater risk will remain until LGBTQ+ discrimination is addressed comprehensively. The Equality Act would include LGBTQ+ people in major civil rights laws, and would also expand on the protections of the 1964 Civil Rights Act to include providers of services, therefore extending further protections for women and people of color as well.