LGBT Hospital Visitation Rights

January 18, 2011 By Oriol R. Gutierrez Jr.

Effective January 18, 2011, hospitalized LGBT people have the right to designate visitors of their choosing. This is no small victory.

In the 1980s and 1990s, LGBT people with AIDS dying in hospitals without the comfort of their partners were everyday occurrences.

As the number of LGBT people with AIDS dying in hospitals became smaller, so did the pressure to change visitation rights.

However, the issue continued to have enough weight to be used over the years by LGBT advocates as one of the reasons for marriage equality.

In February 2007, Lisa Pond collapsed and was taken to a Miami hospital, where officials denied her partner and her adopted children from seeing her. Lisa died. That story is now credited with tipping the scales.

Add a sympathetic White House to the mix and the result was President Obama issuing a presidential memorandum in April 2010 to the Department of Health and Human Services to develop new regulations.

HHS published for comments in May 2010 a draft directing hospitals that receive Medicaid and Medicare to allow patients to determine who can visit them. The final rule was published in November 2010. The new regulations take effect 60 days after publishing of the final rule, which is today.

I mention all the steps because it's important to remember that changes take time, but they do happen.

I am forever grateful that I got the chance to see Michael in the hospital before he died. The idea that a hospital could have denied my visit to Michael makes me sick.

Enforcement of these new regulations is key, but let's celebrate another box being checked off from the LGBT civil rights to-do list.

Click here to learn more from the Human Rights Campaign about the new regulations.

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