Introduction
St. Michael's Hospital (“the Hospital”) is committed to providing an environment where everyone, including gender diverse individuals, is welcomed, treated with dignity and respect, and encouraged to be active members of the Hospital community. This policy is to be read in conjunction with the glossary of terms to ensure a consistent understanding of definitions and guiding principles. This policy is aligned with St. Michael's Hospital Code of Conduct and the Ontario Human Rights Code and works in conjunction with the Hospitals Patient Declaration of Values, Mission & Values.

Policy Statement

Mandate
St. Michael's Hospital strives to provide an environment free of discrimination and harassment and to ensure that all patients, family and visitors receive access to excellent care while being treated fair and equitably.

St. Michael's Hospital will not tolerate any form of discrimination or harassment, including any towards gender diverse persons.

Purpose
To provide guidelines regarding the conduct towards all gender diverse patients, families, and visitors to ensure that they are treated with equity, dignity, and respect.

Associated Procedure

Application of Policy
All employees, physicians, trainees (including students, residents and fellows), researchers, and volunteers of St. Michael’s Hospital (referred to in this policy as “Members of the Hospital Community”) have an obligation to be familiar with and abide by this policy.

A. Rights and Responsibilities
i. Patients, families, and visitors have the right to:

- Be referred to by their chosen name
- Be identified and referred to as the gender(s) with which they identify;
- Be free from discrimination, harassment and violence;
- Be treated in a supportive, respectful and equitable manner;
- Bring a complaint to Patient Relations without fear of reprisal;
- Dress in accordance with their self-identified gender identity and/or expression;
- Confidentiality and privacy;

ii. Responsibilities of all Members of the Hospital Community:
• Refer to patients, families and visitors by their chosen names and do the same for colleagues, community partners and others within the Hospital Community;
• Refer and address all patients, families, visitors and members of the Hospital Community as according to the gender(s) with which they identify;
• Only when directly related to their care may a member of the Hospital Community request information about a patient's sex assigned at birth, genital status and/or reproductive organs physiology (see Protocol for Interaction with Gender Diverse Patients, Families and Visitors below);
• Meet the needs of gender diverse patients as required by Hospital policy and legislation and provide them with safety, privacy and confidentiality when receiving Hospital services;
• Interact respectfully and consistently with all patients, families, visitors and members of the Hospital Community;
• Continue to develop knowledge and skills in human rights and health equity;
• Ensure the maximum degree of privacy and confidentiality of information regarding the gender identity and gender expression of patients, families, visitors and other members of the Hospital Community.
• Understand and comply with the guidelines and procedures identified in this policy.
• Participate in Hospital education programs as required;
• Treat patients, families, and visitors with dignity and in a manner that is respectful and free of discrimination and harassment.
• Report incidents of harassment and/or discrimination.

Specific responsibilities pertain to the following:
iii. Managers/Directors/Chiefs:
• Ensure measures and procedures identified in this policy are carried out
• Ensure gender diverse patients, families, and visitors are treated safe and equitably.
• Ensure that staff are provided with Hospital education related to gender identity and gender expression
• Investigate and respond to allegations of harassment and/or discrimination.

iv. Registration Department:
• Ensure that structures and processes are in place to enable members of the Hospital Community to know patient's preferred name and self-identified gender
• Ensure gender identity and gender expression, as well as patient preferences, are accounted for when determining bed assignment in collaboration with the patient care unit and bed availability.

v. Patient Relations Office:
• Receive and address complaints and escalate where appropriate.
• Advise managers, directors, and other members of the Hospital Community when needed.

ii. Registration

When registering a patient in the admitting/registration record, the sex/gender field should be filled according to what appears on patient’s medical insurance record, health card, legal identification, or other source customarily used in admitting/registration. In addition, the admitting/registration record should include in “other,” “notes,” or similar field a record of the patient's preferred name, pronoun, and gender identity or expression. The patient's preferred name, pronoun, and gender identity or expression should be displayed prominently in the patients’ health care record, where possible, to ensure that the patient is addressed or referred to appropriately and respectfully.

iii. Bed Assignments

All patients will be asked what gender they identify with. The Hospital will endeavor to accommodate their request for bed assignment. If a gender diverse patient requests a private room for their privacy, safety, and comfort, reasonable efforts will be made to accommodate this request when a private room is available.
iv. Washroom Access

All in-patients have access to washrooms in their room. For all other patients, families, and visitors, they have the following options:

- **Gendered washrooms**: Traditional men-only and women-only washrooms are located throughout the Hospital. Individuals may use the washroom associated with the gender with which they identify. Self-identity and the individual’s personal safety are the only criteria to determine which washroom a person uses.

- **All-gender washrooms**: These washrooms are optimal to provide access to anyone regardless of gender identity or gender expression. Any person may use these facilities.

- **Signage**: Signage placed on each washroom shall designate if it is a “Woman’s”, “Men’s” or “All-Gender” washroom. Functional washroom signage shall be used for single-stalled washrooms across the organization. Functional signage allows for the identification of which fixtures exist within the washroom, while negating potentially harmful gender stereotyping of using images of people. This signage can also be supplemented with wording (i.e. ‘washroom for all’, ‘all gender washroom’) to provide clarity and opportunity to accommodate speakers of other languages if translated.

Definitions

Under the Ontario Human Rights Code, gender identity and gender expression are protected grounds from discrimination and harassment. The term “gender diverse” refers to people whose gender identity or expression is, or is seen to be, different from their sex assigned at birth.

For a full list of currently used terminology please refer to Appendix A.

References


Related Policies, Procedures and Legislation

- St. Michael's Hospital Code of Conduct
- St. Michael's Hospital Patient Declaration of Values
- St. Michael's Mission & Values
- St. Michael's Hospital Affirmation Statement
- Catholic Health Alliance of Canada Health Ethics Guide
- Ontario Human Rights Commission (2014). Gender identity and Gender Expression

Appendix

Appendix A: Glossary of Terms related to gender identity

**Cis or Cisgender (adj.):** Are terms used as prefixes for people whose gender identity is in alignment with the sex assigned to them at birth.
Cross-dresser \textit{(n)}: Someone who generally identifies with their assigned sex but at times identifies with or personifies the “opposite” sex in their gender presentation and dress. Cross dressing is a form of gender expression.

Drag \textit{(n)}: Performance art form that plays on gender stereotypes. Not synonymous with “trans”.

Drag queen/drag king \textit{(n)}: Performers who act out stereotypical gender roles. These are performance roles, not personal identities. A Drag King typically refers to a woman-identified person dressing and performing in a masculine role, and a Drag Queen typically refers to a man identified person dressing and performing in a feminine role.

Gender \textit{(n)}: The social classification of people as masculine and/or feminine. Whereas sex is an externally assigned classification, gender is something that becomes evident in a social context.

Gender Confirming Surgery/Surgeries \textit{(n)}: Refers to surgical alteration of anatomy to affirm one’s gender identity. This is only one of many routes of transition. Whether for financial, medical or social reasons, many trans people do not opt for GCS.

Gender-Diverse \textit{(adj.)}: For many years, “trans” has been used as an umbrella term to describe people with gender identities or presentations that differed from what was expected. More and more, “trans” is being replaced by “gender-diverse”, to acknowledge the linguistic and cultural limitations of “trans” as a word to describe all atypical gendered ways of being.

Gender Expression: How a person publicly presents or expresses their gender. This includes behaviour and outward appearance such as dress, hair, make-up, body language, voice, name, and pronouns. Expression is independent of identity.

Gender Identity \textit{(n)}: A person’s internal and individual experience of gender. This is a person’s sense of being a woman, a man, both, neither or anywhere on the gender spectrum. This sense of self is separate from sex assigned at birth and is not related to sexual orientation. Gender identity is internal; it is not necessarily visible to others. Common gender identities are transsexual, transgender, genderqueer, cisgender, two-spirit and intersex persons, cross-dressers, or other people whose gender identity or expression is, or is seen to be, different from their sex assigned at birth.

Gender Identity Disorder (GID) \textit{(n)}: An obsolete diagnosis assigned to gender variant people based on classifications in the Diagnostic and Statistical Manual IV (DSM-IV) by the American Psychiatric Association. Because it labels people as “disordered”, G.I.D. is considered offensive by many and should be avoided. Any reference to a diagnosis should be avoided unless it is specifically mentioned or the subject is broached by a person.

Gender non-conforming/variant/genderqueer: Individuals who do not follow gender stereotypes based on the sex they were assigned at birth. They may identify and express themselves as “feminine men” or “masculine women,” or as androgynous, outside of the categories “boy/man” and “girl/woman.” People who are gender non-conforming may or may not identify as trans.

Gender questioning \textit{(adj.)}: Someone who is not sure about their gender identity and is thinking about exploring various possibilities. People who are questioning their gender identity might be wondering whether they identify as a boy, a girl or another gender. They might also be experimenting with different genders.

Gender spectrum: Goes beyond a binary understanding of gender with only two rigidly fixed options of male or female, but instead encompasses an understanding that gender occurs across a continuum of possibilities.

Intersex \textit{(adj.)}: Refers to a person whose anatomical sex is outside the conventional classification of male or female. This may be due to genetic, hormonal or anatomical variations. Intersex is NOT synonymous with “trans”.

Sex \textit{(n)}: The medical classification of people as male, female or intersex. Sex characteristics include chromosomes, hormones, secondary sex characteristics, and other aspects of the body.

Sex Assigned at Birth: The medical classification of people at birth. This is usually assigned by a medical practitioner after a brief review of a newborn’s genitalia. This term is used instead of “biological sex”.

Sexual Orientation \textit{(n)}: Describes a person’s physical, romantic and/or emotional attraction to another person. Transgender people (just like cisgender people) may identify as straight, gay, lesbian, pansexual, bisexual, asexual, etc. Sexual orientation is not to be confused with gender.

Trans: An umbrella term that describes people with diverse gender identities and gender expressions that do not conform to stereotypical ideas about what it means to be a girl/woman or boy/man in society. “Trans” can mean transcending beyond, existing between, or crossing over the gender spectrum. It includes, but is not limited to, people who identify as transgender, transsexual, cross-dressers, or gender non-conforming (gender variant or genderqueer).

Transgender \textit{(adj.)}: Refers to a person whose sex assigned at birth does not match their gender identity.

Transition \textit{(n) (v)}: The process that refers to a host of activities that people may pursue in order to affirm their gender identity. This may or may not include a change of name, pronouns, or physical changes from medication/ hormones or surgery, or a change in clothing, hair style, etc.

Transitioning involves substantial personal, legal, financial, social and medical risks and should never be viewed as a precondition to validate a person’s gender identity. It should be noted that transitioning is a process that may take a lifetime to complete.
Therefore, using “before her/their transition”, “after his/their transition”, etc. is problematic.

**Transphobia (n):** An irrational fear or hatred of trans people. This term was created to call attention to the ways that prejudice against trans people are subjected to prejudice, discrimination, harassment and violence. Transphobia exists in gay, lesbian, and bisexual communities, as well as straight communities.

**Transsexual (adj.):** A term derived from a medical diagnosis which pre-dates "Gender Identity Disorder". While this term is embraced by some gender variant people as an identity, it is also rejected by others and should therefore be used with informed caution. Furthermore, there is a linguistic objection in that the embedded suffix “sexual” creates confusion. It falsely implies that trans issues are issues of sexuality and not of gender & sex. As always, use the terms preferred by the individuals, and do so in an unqualified manner.

**Two-Spirit (adj.):** Traditionally used by some First Nations peoples to describe a person who had received a gift from the Creator – the privilege of housing both male and female characteristics within their spirit. It is a cultural and spiritual identity used to describe having both masculine and feminine spirits. It can include people who are gay, lesbian, bisexual, trans or intersex. For some, Two-Spirit describes a societal and spiritual role that people played within traditional societies, as mediators, keepers of certain ceremonies, transcending accepted roles of men and women, and filling a role as an established middle gender. It is important to note that this is an English language umbrella term that is used to refer to multiple identities that may have been captured by native languages prior to colonization. Some cultures had multiple recognized genders, which may have their own terms and meanings.