# LGBTQIA+ Inclusion by Design in Clinical Research

## **Toolkit and Resources**

Version 2.0



Representation in Research

LGBTQIA+



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### Introduction

### Background

While sex, gender, and sexual orientation may influence disease risk, manifestation of illness, and treatment response, we don't well understand when and how. That understanding requires people first to be included and then to be counted, and until recently, clinical trials did not collect and report sexual orientation and gender identity (SOGI) data. Representation of people who are LGBTQIA+<sup>a</sup> in clinical trials, like people of different backgrounds (e.g., older adults, rural residents, veterans, people with different ancestries, and people with disabilities), is basic, good science that enables better insight into the safety and efficacy of drugs, devices, vaccines, and therapies taken by people in the United States (US) and around the world.

Through the dedicated efforts of LGBTQIA+ advocates and allies, some steps forward were taken relevant to clinical research. Pursuant to 2022 Executive Order 14075 on Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals, the White House released in 2023 "Recommendations on the Best Practices for the Collection of Sexual Orientation and Gender Identity Data on Federal Statical Surveys;"<sup>1</sup> the National Academies of Science, Engineering and Medicine (NASEM) released in 2023 guidance on "Measuring Sex, Gender Identity, and Sexual Orientation;"<sup>2</sup> the National Institutes for Health (NIH) Sexual & Gender Minority Research Office (SGMRO) released in 2024 "Updated Definitions of Sexual and Gender-Minority Populations in NIH-Supported Research;"<sup>3,b</sup> and in 2024 the Clinical Data Interchange Standards Consortium (CDISC) finalized SOGI questions and variable definitions into their electronic case report form portal, which serve as templates for how

<sup>&</sup>lt;sup>a</sup> Some people and organizations use acronyms such as LGBTQ, LGBTQI, or LGBTQI+, while others use the terms sexual and gender minority (SGM), transgender and gender diverse (TGD), sexual and gender diverse populations (SGD), or simply "queer" populations. In discussion with the MRCT Center Working Group on LGBTQIA+ Inclusion in Clinical Research, members stated that they welcomed all terms, but [slightly] preferred to use LGBTQIA+.

<sup>&</sup>lt;sup>b</sup> Please note that, as of January 20, 2025, US government documents listed as weblinks in this tool may not be available on US government websites. Please see Tool 7, "Exit Survey inclusive of the LGBTQIA+ Perspective" for sample sexual orientation and gender identity (SOGI) questions and response options.



researchers collect demographic data.<sup>4</sup> The carefully researched and tested methodologies in these documents remain a lodestar, even though they may be less visible on some platforms.

Prominent medical journals have called for the collection and reporting of disaggregated data on sex and gender in the Sex and Gender Equity in Research (SAGER) guidelines,<sup>5</sup> and sex, gender, sexual orientation, and gender identity in the Journal of the American Medical Association (JAMA) draft "Guidance on Reporting Gender, Sex, Gender Identity, Sexual Orientation, and Age in Medical and Scientific Publication."<sup>6</sup> As of February 2025, these publication guidelines remain in effect, and journals continue to publish pivotal articles such as those by Ben-Arieh et. al on "Advancing LGBTQI+ Inclusive Research Practices"<sup>7</sup> and Hanshaw et al. on "A Roadmap for Engagement and Inclusion of LGBTQIA+ people in Clinical Research."<sup>8</sup> Further, clinical research convening/membership organizations, numerous pharmaceutical sponsors, and non-profits like the Gender Minority (SGM) Alliance<sup>9</sup> are working to make trial eligibility criteria more LGBTQIA+ inclusive, build SOGI data collection into operational policies, and collaboratively share lessons learned.<sup>10</sup>

In tandem with these efforts, in July 2022 the MRCT Center convened a <u>Bioethics</u> <u>Collaborative meeting on sex and gender in clinical research</u><sup>11</sup> with stakeholders across the clinical research ecosystem to discuss ethical considerations in SOGI data collection and identify potential pathways to facilitate the inclusion of LGBTQIA+ populations in clinical research. We reconvened with an expanded group of interested parties and leaders in queer healthcare to begin identifying key topics for potential guidance. Subsequently, we conducted a series of scoping interviews to better ascertain what additional resources (by topic) were needed. In August 2023, multiple LGBTQIA+ working groups convened by the MRCT Center began meeting monthly to advise on the development of tools.

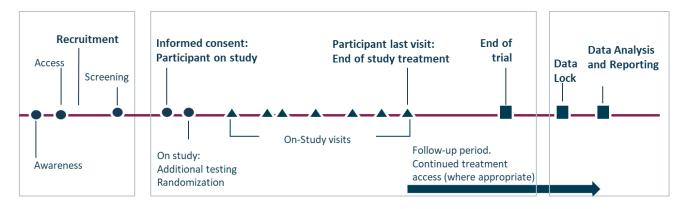
### User Guide: LGBTQIA+ Inclusion by Design in Clinical Research Toolkit

The MRCT Center LGBTQIA+ Inclusion by Design in Clinical Research Toolkit consists of seven tools to support planning for, conduct of, and participation in LGBTQIA+ inclusive clinical trials. While these tools were primarily intended for interventional clinical trials, they can be used by anyone (e.g., IRB Review Committee members, Community Advisory Group



members, pharmaceutical company representatives, investigators and their research staff, and participants and their allies) and for any study type (e.g., observational, interventional, and expanded access). The tools follow the clinical trial journey (shown in Figure 1 below) that starts with awareness about the trial, the screening and informed consent processes, onstudy visits and other trial activities, and the end of the trial (where applicable and appropriate post-trial access to the tested product is considered).

## Figure 1. Clinical Trial Journey: From the Recruitment Phase to the Participation Phase and the End-of Trial Phase.



The tools are divided by the primary intended audience (sponsors, sites, and research teams; participants, caregivers, and allies), although it should be noted that there is "something for everyone" in each of the tools. While a specific tool may not exactly suit your purpose, you may still find utility in that tool and are invited to adapt it as you see fit.

#### For sponsors, CROs, sites, and research teams:

• The LGBTQIA+ Inclusive Imagery Case Study (<u>Tool 1</u>) and the LGBTQIA+ Inclusive Language Checklist (<u>Tool 2</u>) may be used in creating communication materials for recruitment of trial participants, writing inclusive eligibility criteria language for screening interested participants, and developing informed consent materials that address the concerns of all participants. These tools may also be used to provide



participant-facing materials for on-study visits (e.g., instructions, portals/apps) and for post-trial communication, such as the return of results.

 The Sexual Orientation and Data Privacy (SOGI) Data Collection Checklist (Tool 3) and SOGI Data Privacy Checklist (Tool 4) may be used to support the development of inclusive data collection and data privacy policies and templates from the screening stage, through to data analysis, and in the post-trial return of results.

#### For participants, caregivers, and allies:

- The Site Feasibility Decision Tree from the LGBTQIA+ Perspective (Tool 5) may be used by [potential] participants at the awareness, access, and recruitment stages of the trial journey to assess if a site is welcoming and trustworthy. This tool considers such factors as the local political and social environment, the reputation of the site in the community, costs for the participant to access the site and the site's services, and the site policies and infrastructure (e.g., gender-neutral bathrooms, private spaces).
- The Participant Questionnaire from the LGBTQIA+ Perspective (Tool 6) is meant to empower [potential] participants by providing questions that they may wish to ask the research team, family and/or friends [who may accompany them], and themselves during the recruitment, informed consent, and on study-visit stages of the trial. Some of these questions may be brought up by the research team during the informed consent process, but some may not be, and this list is to help participants prepare.
- The Exit Survey Inclusive of the LGBTQIA+ Perspective (Tool 7) provides a template, in survey format, for participants to provide feedback on their experience in the clinical research activity. This feedback helps research teams and organizations better understand the participants' experience of the research activity and learn where they can improve on inclusion efforts. The Exit Survey is meant not only to give participants a sense of the kind of questions that they may be asked at the end of a research activity, but also to show participants that they can advocate for opportunities to give feedback and for the addition of questions important to them in feedback forms.

As mentioned above, all audiences should utilize the tools in their own way, even though certain tools may be geared more toward one audience or another. We structured the tools



to align with frameworks commonly used<sup>c</sup> in the clinical research community trial journey that sponsors, CROs, sites, researchers, and participants are familiar with. We recognize that participants may be less familiar with these tools and, therefore, the structure of Tools 5-7 may not be intuitive at first. However, we hope that keeping tools in a similar structure between the audiences who conduct research and audiences who participate in that research will empower both parties to "speak a common language" and navigate together through the clinical research process.

We invite you to explore the full toolkit or to focus on the specific tools that you find most important to your individual or organizational journey in clinical research. We recognize that some recommendations in this toolkit may not be possible for all organizations or individuals. Decisions about SOGI data collection or choosing to report individual SOGI data can be very challenging in uncertain times. We advocate to start where you can, when you can, and note that trust can take many years to build and minutes to break. Organizations involved in clinical research and the communication of results have made commitments to equitable inclusion of community groups, patients, trial participants, and employees, and to the integrity, safety, and rigor of global clinical trials.

Please note that this toolkit is a living document and will be improved upon with use and comment. We welcome feedback, suggestions, additional tools and resources, and concerns (please email: <u>mrctcenter@bwh.harvard.edu</u>). We look forward to continuing to work together with LGBTQIA+ individuals, their allies, and colleagues involved in clinical research to further the inclusion of sexual and gender minority (SGM) people in clinical research.

<sup>&</sup>lt;sup>c</sup> For example, the Site Feasibility Decision Tree from the LGBTQIA+ Perspective is based on the widely used Site Feasibility Decision Tree from the MRCT Center Achieving Diversity, Inclusion, and Equity Guidance Document and Toolkit, and the Exit Survey Inclusive of the LGBTQIA+ Perspective largely aligns with the Study Participant Feedback Questionnaire developed by TransCelerate.



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Please note that each colleague has served in their individual capacity, and the views and findings expressed in project materials are those of the authors and do not imply endorsement or reflect the views or policies of the U.S. Food and Drug Administration or the affiliated organization or entity of any member who contributed to this work.

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### Disclaimer

Each tool in the LGBTQIA+ Inclusion by Design in Clinical Research Toolkit is designed to give an overview of one key topic that is important for supporting the health and well-being of sexual and gender minority (SGM) populations. These topics were identified through discussion with the LGBTQIA+ Inclusion in Clinical Research Working Group and Transgender Inclusion Breakout Group. Please note that this toolkit is a work in progress, and the list of topics and tools may be expanded. Further, while we have limited the amount of detail on each topic to keep the tools brief, where applicable we provide links to more expansive resources in the toolkit footnotes and references. We hope that you do explore those resources, and the websites of the departments/organizations that produced them, as new and exciting work is continually being released to support LGBTQIA+ health and wellbeing.

We advise that any references, links, and examples included in this document are not intended to represent the position of or imply endorsement by the MRCT Center, Brigham and Women's Hospital, Mass General Brigham, or Harvard University. Reciprocally, entities and companies mentioned in the references, links, and examples do not necessarily endorse the work products of the MRCT Center.

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### Acronyms

- AMA American Medical Association
- **CRO** Contract Research Organization
- DEI Diversity, Equity, and Inclusion
- HBV/HCV Hepatitis B virus/hepatitis C virus
- HIV Human immunodeficiency virus

**LGBTQIA+** - Lesbian, gay, bisexual, transgender, queer, intersex, and asexual. The "+" stands for all of the other identities not encompassed in the short acronym.

- NASEM National Academies of Science, Engineering and Medicine
- NIH National Institutes for Health
- **PrEP** Pre-exposure prophylaxis
- SGM Sexual and gender minority
- SGMRO Sexual & Gender Minority Research Office
- **SOGI** Sexual orientation and gender identity



### **Glossary**<sup>de</sup>

**Agender/no gender** - Refers to a person who does not identify with or experience any gender. Agender is different from nonbinary because many nonbinary people do experience gender.

**Bisexual** - Bisexual people have the potential to be emotionally, romantically, or sexually attracted to people of the same and different gender–not necessarily at the same time, in the same way, or to the same degree. Commonly referred to as bi.

**Cisgender** - A cisgender person is someone whose gender identity aligns with the sex assigned to them at birth; sometimes abbreviated as cis.

**Gay** - Having the potential to be emotionally, romantically, and/or sexually attracted to people of the same gender.

**Gender** - Gender is a multidimensional social and cultural construct that includes gender roles, expressions, behaviors, activities, power dynamics, and/or attributes that a given

iv. GLAAD. *GLAAD media reference guide - terms*. Available from: <u>https://glaad.org/reference/terms/</u>

Another great resource, which was published after the development of this glossary is: Keuroghlian AS, Goldhammer H. Creating Welcoming and Affirming Clinical Studies for LGBTQIA+ Participants Toolkit. The Fenway Institute and Johnson & Johnson; 2024. Available from: <a href="https://www.lgbtqiahealtheducation.org/collection/clinical-studies-toolkit/">https://www.lgbtqiahealtheducation.org/collection/clinical-studies-toolkit/</a>

<sup>&</sup>lt;sup>d</sup> We drew definitions for the glossary terms sequentially from the sources listed below. If the first source defined the term, we use that source. If it did not, we drew the definition from the next source where it was available:

i. National Institutes of Health. NIH style guide: Sex, gender, and sexuality. [Previously] available from: <u>https://www.nih.gov/nih-style-guide/sex-gender-sexuality</u>

ii. National Institute of Allergy and Infectious Diseases. (2024). NIAID HIV language guide. [Previously] available from: <u>https://www.niaid.nih.gov/sites/default/files/niaid-hiv-language-guide.pdf</u>

iii. National Institutes of Health Office of Equity, Diversity, and Inclusion. LGBTQI+ terminology. [Previously] available from: <u>https://www.edi.nih.gov/our-communities/sexual-and-gender-minority/resources/lgbtiq-terminology</u>



society associates with being a woman, man, girl, or boy, as well as relationships with each other. As a social construct, gender varies from society to society and can change over time.

**Gender identity** - An individual's sense of being a man, woman, boy, girl, genderqueer, nonbinary, etc. This identity is not necessarily visible to others.

**Gender neutral** - Not gendered. Can refer to language (including pronouns and salutations/titles-see Gender-neutral salutations or titles), spaces (like bathrooms), or other aspects of society (like colors or occupations).

**Intersex** - Term used for a variety of conditions that do not seem to fit the typical definitions of female or male, also known as variations in sex characteristics. Additionally, it can be used to refer to people who are born with genitals, reproductive organs, or chromosomal patterns that do not fit standard definitions of male or female or develop these differences in puberty.

**Lesbian** - Refers to someone who identifies as a woman who has a romantic and/or sexual orientation toward other people who identify as women. Some nonbinary people also identify with this term.

**LGBTQIA+** - LGBTQIA+ stands for lesbian, gay, bisexual, transgender, queer, intersex, and asexual. The plus sign includes other members of the community, such as genderfluid, nonbinary, or two-spirit, among others.

**Non-binary** - A nonbinary person identifies outside of a gender binary by seeing themselves as neither a man nor or woman. Nonbinary people are part of the trans community.

**Outing** - The deliberate or accidental sharing of another person's sexual orientation or gender identity without their explicit consent. Outing is disrespectful and presents a danger for many LGBTQ+ individuals.

**Sex** - Sex is a biological descriptor based on reproductive, hormonal, anatomical, and genetic characteristics. **Typical sex categories include male, female, and intersex**. Sex is used when describing anatomical, gonadal, chromosomal, hormonal, cellular, and basic biological phenomena. E.g., sex development, sex hormones, sex characteristics.



**Sexual orientation** - Sexual orientation describes sexual attraction, behavior, and identity. Use sexual orientation rather than sexual preference. Preference suggests that non-heterosexuality is a choice, a concept often used to discriminate against the LGBTQI+ community. Preference also suggests a selection from two or more choices, excluding bisexual people and pansexual people, among others.

**Straight** - an adjective to describe a person whose enduring physical, romantic, and/ or emotional attraction is to people of a sex different than their own. Also: heterosexual.

**Transgender** - A transgender person is someone who identifies with a gender other than the one that was assigned to them at birth. Use the term transgender or trans and not transgendered. Transgendered is a dated term that suggests a point in time when a person "became" transgender, which diverges from the lived experiences of most transgender people. Trans is an adjective that helps describe someone's gender identity, and it should be treated like other adjectives (e.g., trans man, trans woman). Merging the adjective and the noun risks suggesting that a trans man or woman is more (or less) than just a man or just a woman, which goes against how many trans people identify themselves.



Representation in Research LGBTQIA+

### Tool 1: LGBTQIA+ Inclusive Imagery Case Study

### Introduction

As the MRCT Center prepared to launch over 100 additional words for the <u>Clinical Research</u> <u>Glossary</u> the Health Literacy team started to develop images to visually represent words in the glossary. The MRCT Center created template features to draw upon when creating new images of participants and/or researchers, to support diverse representation across the images. These features include standard colors for clothing and objects in the images; a range in skin tones, hair colors, genders, body types, and ages; and depicted use of assistive technologies (wheelchairs, canes, prosthetic devices). The Representation in Research team then asked about adding LGBTQIA+ inclusive features and collaborated with working group members (convened by the MRCT Center) to provide guidance to the designers.

The thinking prompts and example images below are based on a distillation of the lessons learned by the MRCT Center during this process, and on the insights shared by working group members (note especially those prompts in bold). We invite you to draw from these options in developing inclusive participant-facing materials for your studies and sites. All people feel more welcome to participate in a clinical trial when they see themselves visually represented in the information communicated about the study, study site/s, and study staff.

### **Key Points**

- Representation of all families and genders is welcome, inclusive of representation of people who are non-binary,<sup>f</sup> no gender, or who prefer not to disclose their gender.
- The images could incorporate Pride Flag (preferably Progressive Pride Flag) symbols. However, please note that such use can sometimes be viewed as reductive,<sup>12, 13</sup> and not everyone sees themselves in the Progressive Pride flag.<sup>14</sup> **The specific audience/s**,

<sup>&</sup>lt;sup>f</sup> A nonbinary person identifies outside of a gender binary by seeing themselves as neither a man nor or woman. Nonbinary people are part of the trans community. [Previously] available from: <u>https://www.nih.gov/nih-style-guide/sex-gender-sexuality</u>



context in which images will be used, and options for capturing everyday moments of LGBTQIA+ people's participation in clinical research should be considered.<sup>15</sup>

- Rainbow symbols may be incorporated in many ways, for example, on lanyards, name tags, pins, watchbands or bracelets, ties, necklaces, pens, mugs, or plant holders.
- If utilized, Pride Flag symbols should be incorporated into images of both the participant/s and the researcher/s. These symbols should be visible but can be subtle, in recognition that identifying as LGBTQIA+ is but one part of a person's identity.
- Incorporation of symbols, hairstyles, and clothing used among LGBTQIA+ communities as cultural shorthand to signal identities and kinship may be considered.<sup>g</sup> However, note that these symbols can be interpreted differently by different audiences and are subject to change over time.

 <sup>&</sup>lt;sup>9</sup> Please note that we haven't been able to find a comprehensive list of symbols from a non-commercial source. The Matthew Shephard Foundation LGBTQ+ Terms and Symbols Glossary (https://www.matthewshepard.org/resources/lgbtq-terms-and-symbols-glossary/) describes numerous symbols and the UC Davis Resource Center has an extensive glossary of terms that LGBTQIA+ people can use to define themselves and their intersecting identities (https://lgbtqia.ucdavis.edu/educated /glossary). Two commercial sources that have more extensive visual listings of symbols (sometimes with explanation) are: We Are Pride Wholesale at https://www.wearepride.com/blogs/news/top-common-lgbtq-symbols and Heckin Unicorn at: https://heckinunicorn.com/collections/enamel-pins/cat. The MRCT Center does not endorse these listed commercial entities, but we hope that they serve as reference points for discussion, and with the caveat that any use of symbols should always be discussed first with LGBTQIA+ communities.



### Example Adapted Glossary Images

### Informed Consent



### Study Conduct





Representation in Research LGBTQIA+

### Tool 2: LGBTQIA+ Inclusive Language Checklist

### Introduction

In the checklist below, the MRCT Center provides thinking prompts (note especially those prompts in bold) for the use of language that is respectful to and inclusive of LGBTQIA+ populations. The checklist can be used by stakeholders across the clinical research spectrum, from sponsors to patient navigators, when creating participant-facing documents (e.g., recruitment materials, informed consent forms), drafting study protocol eligibility criteria, and speaking with participants face-to-face. It is our shared responsibility to listen to participants' and communities' choice of wording and address, continually learn from each other, and ensure that all people are encouraged to participate by the language that we use.

### Checklist

- □ Use gender-neutral language whenever possible (e.g., they/their, the participant, person/individual, adolescent/adult participant of childbearing potential, human) (see Box 1 below).<sup>16, 17, 18, 19, h</sup> If the study is focused on people of a particular gender(s), that terminology can be used.<sup>20</sup> In describing biological sex, use sex-related terminology (e.g., male, female, intersex).
- Use language that is inclusive of all families (e.g., the parent/s, the caregiver/s, the guardian/s, the partner/spouse, the sibling/s, the child/children, the chosen family).

Avoid outdated and inappropriate language.<sup>21, 22</sup>

 <sup>&</sup>lt;sup>h</sup> Please note that US Government documents listed as weblinks in this tool may not be available. Please see Tool
 7, "Exit Survey Inclusive of the LGBTQIA+ Perspective" for sample sexual orientation and gender identity (SOGI) questions and response options.



- Translate the text and concepts in participant-facing materials into the language/s used by participants locally, when possible.<sup>i</sup>
- □ Use the name and titles associated with or indicated by the individual. For example, use non-gendered professional titles (e.g., Dr., Rev., Captain, Mx. if the person uses this term). If a person states that they use Miss, Mrs., Ms., Lady, Ma'am, etc., use the specified terms. If a person's professional title is not known, use their full name or refer to your specific relationship with the person (e.g., the applicant, the participant).
- □ Offer your pronouns (e.g., in direct conversation, email signatures, Zoom handles, name badges) if you feel comfortable doing so. Ask about, and then use, the pronouns stated by the participant.<sup>23,24</sup> Confirm with the participant that the pronouns in their medical chart are correct. For privacy and safety reasons, and particularly for children and adolescents, some participants may prefer to use different pronouns depending upon whom they are speaking with. Respect that some people may elect not to disclose their pronouns or only do so in certain settings. Share with the participant how collected information, like pronouns, will be documented, used, and shared.

iii. Ibero Torreón. *Guía para Utilizar el Lenguaje Incluyente en la Universidad*. Available from: <u>https://www.iberotorreon.mx/publico/asuntos-genero.php</u>

<sup>&</sup>lt;sup>i</sup> Please note that LGBTQIA+ terminology may not translate directly from English to other languages, and determination of which terms are most respectful and commonly used can vary across locations that speak the same language (e.g., Mexico and Argentina may not use the same wording). Cited here are three resources in Spanish and one in French, with the caveat that these are general guides.

i. Counsel of the European Union Secretary General. 2018. *Comunicacion Inclusiva en la Secretaria General Del Consejo*. Available from: <u>https://www.consilium.europa.eu/media/35447/es\_brochure-inclusive-communication-in-the-gsc.pdf</u>

ii. Consejo Nacional para Prevenir la Discriminación. (2015). Recomendaciones para el Uso Incluyente y No Sexista del Lenguaje. Available from: <u>https://www.gob.mx/conavim</u> /documentos/recomendaciones-para-el-uso-incluyente-y-no-sexista-del-lenguaje

iv. Counsel of the European Union Secretary General. (2018). La Communication Inclusive au SGC. Available from: <u>https://op.europa.eu/fr/publication-detail/-/publication/cef4a4cd-91cb-11eb-b85c-01aa75ed71a1</u>



- □ Use a gender-neutral body outline/chart for patients to mark pain points or other conditions (for one example, see <u>here</u>) unless more specific imagery of body parts is necessary (e.g., for a mammography intake form or reporting on sexual violence).
- □ In study protocols, clearly justify the safety/ethical reasons for any exclusions in study eligibility criteria that, in effect, exclude LGBTQIA+ populations (e.g., participants who take PrEP, have HIV, or have HBV/HCV). Where possible, provide more specific thresholds for inclusion/exclusion (e.g., undetectable HIV, CD4 count) that are based on the investigational product safety profile, the condition under study, and the risk to participants with that condition.<sup>25,26</sup> Please note, while the aim is to be non-discriminatory and as inclusive as possible, there are certainly cases where exclusion is necessary. For example, if the investigational product were to suppress the immune system, that may be a safety concern for immunocompromised individuals, and thus exclusion of immunocompromised individuals would be justified.
- □ Know that everyone makes mistakes! If you do, acknowledge it each time it happens, apologize, and move on by continuing to try to use respectful language (including the individual's pronouns and terms). The most important thing is to consistently try.

### Example Language

#### Box 1: Examples of LGBTQIA+ inclusive study protocol eligibility criteria language

- To prevent becoming pregnant or causing a pregnancy during the study, the participant agrees to refrain from vaginal intercourse OR uses one barrier method (external or internal condoms), preferably in combination with a hormonal method (e.g., contraceptive pills or implants), intrauterine device, or permanent method (sterilization). The participant also agrees to no fertility treatment or sperm donation.
- Patients known to be positive for HIV are excluded if they meet any of the following criteria: 1) CD4+ T-cell count of <200 cells/mL if the experimental therapy is not known to have a negative impact on CD4+ T-cells, 2) Detectable HIV viral load, 3) History of an opportunistic infection in the last 12 months.</li>
- Patients with a histologically documented adenocarcinoma of the prostate with Gleason score of 7 or lower.



Representation in Research LGBTQIA+

### **Tool 3: SOGI Data Collection Checklist**

All study participants should be able to see themselves reflected in the research data. Yet, standard demographic variables of sexual orientation and gender identity (SOGI) have rarely been reported for clinical trials. We therefore don't know whether LGBTQIA+ people are able to participate in clinical trials, the extent to which clinical trials reflect sexual and gender identify diversity, or whether the safety and efficacy of tested products differs for any LGBTQIA+ participants. To begin to address this gap that impacts respect for persons, study generalizability, and beneficence, and to support research teams, sites, and sponsors in following this recommendation we developed the SOGI Data Collection Checklist.

This SOGI Data Collection Checklist provides prompts to consider (note especially those prompts in bold) for promoting affirming and robust data collection, which have been drawn from published guidance and the insights of working group members (convened by the MRCT Center) who have been leading in this the fields of piloting survey methodology and SOGI data collection. In addition, please note that this SOGI Data Collection Checklist is meant to be utilized in tandem with the SOGI Data Privacy Checklist.

### Checklist

- □ I will always create an option for participants to opt out of answering any or all SOGI data questions and make clear in all participant-facing materials that this option may be exercised at any time during the trial.
- □ I will only collect the data necessary for the defined purpose (as outlined in the checkpoint below) and to answer the study question/s.<sup>27, 28</sup>
- Before creating data collection plans and templates, I will clearly define the purpose of the data collection (e.g., to answer a scientific question, to confirm study eligibility, to support the inclusion of diverse participants, to understand patient or caregiver



barriers and types of support needed, to understand epidemiology, to assess research or advisory team composition, for administrative purposes).<sup>j</sup>

- Before creating data collection plans and templates, I will work with experts in survey (and particularly SOGI survey) methodology and analytics<sup>k</sup> and follow recommended guidance for statistical surveys.<sup>29, 30, 31,I</sup>
- Before creating data collection plans and templates, I will transparently discuss when/where to potentially collect SOGI data, the collection method, the level of subgroup detail/disaggregation, and the data collection forms and survey format (e.g., in-person oral, paper, online app) with working groups and/or advisory boards that involve people who are LGBTQIA+, including people who are transgender, nonbinary, or intersex. I have an efficient process for securely documenting this input and sharing updates back with community members.<sup>m</sup>

<sup>&</sup>lt;sup>j</sup> "Administrative data" is defined by the US Office of Management and Budget (OMB) as: "Refers to administrative, regulatory, law enforcement, adjudicatory, financial, or other data held by agencies and offices of the government or their contractors or grantees (including States or other units of government) and collected for other than statistical purposes. Administrative data are typically collected to carry out the basic administration of a program, such as processing benefit applications or tracking services received. These data relate to individuals, businesses, and other institutions." OMB Guidance for Providing and Using Administrative Data for Statistical Purposes. Available from:

https://obamawhitehouse.archives.gov/sites/default/files/omb/memoranda/2014/m-14-06.pdf

<sup>\*</sup>Please note that administrative data is different from survey data and requires different analytical techniques. For a summary of differences between these and examples of using different types of data collection for different purposes, see the OMB White Paper (and especially Table 1) on "Using Administrative and Survey Data to Build Evidence." Available from: <u>https://obamawhitehouse.archives.gov/sites/default/files/omb/mgmtgpra/using\_administrative\_and\_survey\_data\_to\_build\_evidence\_0.pdf</u>

<sup>&</sup>lt;sup>k</sup> We caution that data collection can easily go awry, and the results can end up being detrimental to the people from whom data were collected. Survey research methods, and the associated preparation for analysis, are skills that can take many years of experience and study to develop. Therefore, we list working with experts in these fields first on this checklist, in addition to a thorough grounding in current guidance.

<sup>&</sup>lt;sup>1</sup> The NIH has collated examples of surveys that have sexual orientation and/or gender identity measures, examples of (and summary findings on) sexual orientation identity measures in the Unites States and Other Countries, examples of (and summary findings on) two-step gender identity measures in national and international surveys, and a summary of findings nonbinary sex measure and evaluation criteria. Available from: https://dpcpsi.nih.gov/sgmro/measurement-and-data/surveys-and-measures.

<sup>&</sup>lt;sup>m</sup> Please note that it can be helpful to add a date stamp and version number to all SOGI data collection development materials, to keep a list of reviewers associated with each version, and to track the substantiveness of community input into those materials.



- Before creating data collection plans and templates, I have defined the population of interest through reference to (or determination of) the epidemiology, the burden of disease, and other factors (e.g., social determinants of health) relevant to the data collection purpose and study question/s subject to data availability.<sup>n</sup>
- □ I will collect/recommend [to sites/research teams] to collect SOGI data along with other demographic data, like age, race, and ethnicity, and **ensure that SOGI data is** self-reported (by the participant or potentially by a family member in household surveys) and not assumed/filled out by the researcher.
- □ I will clearly explain in all participant-facing materials the potential risks and benefits of SOGI data collection and how the participant's data will be stored and protected (and the situations in which we might not be able to protect their privacy), why SOGI data collection is essential to the project or study question, how collecting SOGI data may benefit the participants, and the intended use of the SOGI data.
- □ I have reviewed and mapped proposed data elements to select the options that best align with the data collection purpose and study question/s, current guidance and discussion on SOGI data collection,<sup>32, 33, 34, 35, 36, 37, 38, 39, 40, 41,42, 43</sup> and the lived experiences of the population of interest. Proposed data elements may include:
  - Data collection questions (e.g., sexual orientation, gender identity, sex, whether a person is intersex).
  - Response choices (e.g., [for sexual orientation] lesbian or gay, straight, bisexual, Two-Spirit<sup>44</sup> (or other culturally specific term/s, where appropriate), "I use a different term").
  - Terminology (i.e., how terms used in data collection questions and response choices [such as sexual orientation, lesbian, bisexual] are defined.

<sup>&</sup>lt;sup>n</sup> The NIH has collated examples of surveys that have sexual orientation and/or gender identity measures, examples of (and summary findings on) sexual orientation identity measures in the Unites States and Other Countries, examples of (and summary findings on) two-step gender identity measures in national and international surveys, and a summary of findings nonbinary sex measure and evaluation criteria. [Previously] available from: <a href="https://dpcpsi.nih.gov/sgmro/measurement-and-data/surveys-and-measures">https://dpcpsi.nih.gov/sgmro/measurement-and-data/surveys-and-measures</a>



- Response formats (e.g., open-response, checking-off multiple options).
- Question and response choice ordering (and implications for skip patterns on subsequent survey questions).

□ I have advised sites to create space in the data collection forms for participants to report their pronouns and common/name used if they choose to do so.° I have recommended that staff who interact with participants periodically check-in with them about their pronouns, legal name, and common/name used. For example, the researcher or clinical staff member could say, "Some people update their names from time to time. Would you like to report any changes?" If the participant reports a change, the staff interacting with the participant should inform them of where this information will be viewable (e.g., by the research team, by lab personnel, and/or on patient identification wristbands used at health facilities).

□ I have prepared with my team operational plans, budgets, timelines, and accountability mechanisms for:

- Readily accessible and regularly completed staff training (e.g., cultural competence, how to ask SOGI questions to adults and to children, how to respond to questions from participants).
- Piloting and refining the data collection forms, portals, and/or apps and all participant-facing materials related to data collection, as appropriate.
- Translation of the data collection forms, portals, and/or apps and all participant-facing materials related to data collection as needed.
- Licensing fees for any software, graphics/design, or copyrighted materials.
- Evaluation, analysis, and dissemination of results.

<sup>&</sup>lt;sup>o</sup> A common/name may also be known as a chosen name, nickname, familiar name, or informal name. Also, please note, it is important to discuss with your institution how to best protect and store information about a participant's pronouns and common/name (and any changes in those). This may vary from a hand-written note in the participants file, to electronic means of data storage, depending upon the political environment and organization's electronic security capabilities.



- I have established (or confirmed that the site and research team are providing) private and safe settings for participants to fill out or orally respond to data collection questions at all stages of the trial.<sup>p</sup>
- □ I have used culturally respectful language,<sup>45</sup> precise (and defined) terminology, and gender-neutral color palettes and imagery, where appropriate and feasible.<sup>46, 47</sup>

<sup>&</sup>lt;sup>p</sup> Please note, this will vary depending upon the survey methods and the context. In each case, please be mindful of ethical and equity considerations (e.g., meetings times, locations, signage, visibility of entrances and rooms, gender identity of facilitator/s). For countries and local regions where there are punitive laws and social environments that discriminate against people who are LGBTQIA+, sites, IRBs, and/or researchers might choose not to ask nor document the optional SOGI questions developed for common protocols or consents. Finally, please see the data privacy checklist for SOGI data privacy considerations specific to pediatric populations.



Representation in Research

### **Tool 4: SOGI Data Privacy Checklist**

### Introduction

Data privacy is critical not only for the safe and ethical conduct of clinical trials, but also for supporting and maintaining the trust of clinical trial participants. For clinical trial participants who may be discriminated against or otherwise harmed if their personal identifying information were to be disclosed, data privacy is even more important. In the Sexual Orientation and Gender Identity (SOGI) Data Collection Checklist we advocate for the collection of SOGI data, where appropriate and feasible.

In the SOGI Data Privacy Checklist, which is meant to accompany the SOGI Data Collection Checklist, we provide thinking prompts to support researchers, sites, sponsors, and others in maintaining privacy when collecting, storing, and sharing SOGI data (note especially those prompts in bold). We hope that you will use the prompts in considering how to make the research environment/site a welcoming place where individuals can trust that they and their data will be respected and protected, and how to implement safeguards to protect participant identity and privacy.

### Checklist

### Local and Site Environment

I have considered the local context, including relevant local, state,<sup>48, 49</sup> national,<sup>50, q</sup> and regional laws (including the [US] Health Information Privacy Protection Act/HIPAA<sup>51</sup> and the [European Council] General Data Protection Regulation<sup>52</sup> and the cultural environment, and how these may impact the safety and privacy of LGBTQIA+ participants. Please note that it may also be helpful to speak to local public health departments, regulatory agencies, and regulatory experts at study sites, and to

Please note that US Government documents listed as weblinks in this tool may not be available. Please see Tool
 7, "Exit Survey inclusive of the LGBTQIA+ Perspective" for sample sexual orientation and gender identity (SOGI) questions and response options.



keep up to date on American Medical Association (AMA) policies.<sup>53</sup> I have considered contingency plans for jurisdictions with restrictive LGBTQIA+ policies.<sup>r</sup>

□ I have trained the clinical research team on where to find information and how to answer participant questions about safety and privacy.

### **Options for Participants**

- □ I have assessed when it is appropriate to collect SOGI data in anonymous forms vs. separate forms with personal identifying information.<sup>s</sup>
- □ I have created an option for participants to opt out of answering any or all SOGI data questions and made clear in all participant-facing materials that this option may be exercised at any time during the trial.<sup>54</sup> Please note, there may be cases where a participant shares their SOGI data but later decides to opt out.
- □ I have made it clear in all communications with participants the ways in which our research team and organization can protect their privacy, and the situations in which we may not be able to protect their privacy. Please note, for privacy reasons, carefully consider using HIPAA compliant end-to end encrypted information platforms [that are approved by your institution] for text messaging, email, and VPN connections.

### Data Storage

<sup>&</sup>lt;sup>r</sup> Contingency/security plans may build upon recommendations listed in this checklist and potentially include: minimizing data collection to only what is essential, storing and processing data within the jurisdiction to prevent cross-state and cross-border issues, restricting access to SOGI data to essential personnel only, using paperbased/non-electronic methods to record SOGI data, pronouns, and/or name changes, developing emergency data handling protocols (such as pausing data collection or securely transferring data to safer locations), and partnering with local organizations for legal guidance.

<sup>&</sup>lt;sup>s</sup> For example, identifying information may not be collected for some qualitative research. Such research can be important to understanding local context and social determinants of health, community engagement and community priorities for research and trial conduct, reasons for participant under/representation, and the clinical care setting in which the tested products will be introduced.



☐ I have a management plan for secure storage and transfer of data throughout the life cycle of the project, including defined timeframes for keeping the data, and for deletion or disposition of the data at the conclusion of those timeframes.<sup>55</sup>

I have a plan in place for deleting data not only at the conclusion of a trial, but also during a trial at a participant's request or if the participant drops out.

When it is necessary to have SOGI data linked to specific participants, I will deidentify participant data [e.g., introduce code numbers].

Where possible, I have created "backstops" in the medical records system to protect the participants' reported SOGI data (e.g., encryption, data segmentation, flags alerting that the data is confidential, user-defined options for different levels of visibility depending in the party viewing the records).<sup>56</sup>

□ I have reviewed with legal counsel that the medical/lab and billing codes<sup>t</sup> to be utilized (e.g., codes for gender incongruence) are appropriate and would not inadvertently "out," compromise, or harm a participant.

### Data Protection

☐ I will make SOGI data available only through a controlled access environment and have considered which forms of data encryption would be most suitable.

I have separated research data from clinical medical records and implemented measures to protect SOGI data. Where that is not possible, the participant knows and agrees. Please note that researchers must obtain permission to share any data collected or produced by the study with the participant's medical provider/s.

[Where possible] I have created an option for participants to opt out of sharing any or all data with other organizations and made that clear in all participant-facing materials.

<sup>&</sup>lt;sup>t</sup> Some trial costs can go through institutional billing (that is not controlled by the investigator) to insurance companies, particularly in the case of trials that are comparing the tested intervention to the standard of care. Those billing systems may have codes or templates that are not optimally design to protect SOGI data.



If the trial will be sharing data with other organizations or outside the state where the trial will be conducted, the clinical research team and Informed Consent Form will be explicit about that. The potential limits of data privacy should also be clearly communicated.

In the event of a buy-out or merger, I/my organization will advocate for the new entity's commitment to the same privacy terms.

[Where possible] I have planned opportunities for participants to give feedback on data privacy, and for regular review on the privacy of SOGI data for my study and at my site. If, for example, I start hearing from the transgender community that the data privacy protections are not sufficient or effective, I will listen carefully and adjust accordingly.

#### Site policies and staff training

I attest that the study team and site have acted to make this a welcoming environment and a place where individuals can trust that they and their data will be respected and protected. These actions may include:<sup>57</sup>

- Developing study/site policy that respects LGBTQIA+ participants' rights to confidential care, in line with clinical, professional, and research practice and ethical guidelines, state and national laws, and the advice of legal counsel.
- Explaining clearly when, why, and how SOGI data will be collected and used.
- Taking training on and regularly practicing creating Safe Zones, working with Sexual and Gender Diverse (SGD) participants, and using respectful language and imagery.
- Describing, through as many communication modalities as possible (e.g., emails, posters, elevator video screens) what the site or organization is doing to create a welcoming environment.
- Sharing one's own name and pronouns. Asking about and using participants' pronouns.





Representation in Research LGBTQIA+

### Addendum for Pediatric Participants<sup>58</sup>

I have reviewed clinical/professional practice/ethical guidelines and state/national laws, discussed with legal counsel, and implemented specific protections for pediatric participants. These may include:

- [To the greatest extent permissible by state/national law] I have set up the processes, physical space, and/or patient-preferred communication modalities to ask adolescents (age 11-17) about sexual orientation and gender identity in private, without a caregiver present.
- I have phrased SOGI questions in ways that are appropriate by age for children and adolescents, based on published guidelines and recommendations.<sup>59, 60, 61</sup>
- I have set up processes to ask adolescent pediatric participants which name and pronouns they want used and in which contexts (e.g., when caregivers are present, when non-medical staff are present).
- [To the greatest extent permissible by state/national law] I have set up processes to obtain consent from adolescent patients before entering SOGI information in their electronic health record and to clearly explain who is able to access their health record information.
  - Please note that participants in the U.S. may be covered under their parents' insurance until age 26. Therefore, any clinical trial costs that are billed to insurance may be visible to the parents of a participant who is under the age of 26. Similarly, if a parent is listed at a pharmacy to have permission to pick up prescriptions, those prescriptions, and the participant's prescription history may be visible to the parent.



Representation in Research LGBTQIA+

## Tool 5: Site Feasibility Decision Tree from the LGBTQIA+ Participant Perspective

### Introduction

This tool is meant to empower potential LGBTQIA+ participants<sup>u</sup> to assess whether a site may be trustworthy and welcoming. We hope that it will be useful in your first steps in becoming or accompanying a trial participant, when trying to figure out where a site might lie on the queer-friendly spectrum. It is modeled after the <u>Feasibility Decision Tree</u> in the <u>Achieving</u> <u>Diversity, Inclusion, and Equity in Clinical Research Guidance Document and Toolkit</u>, which is used by pharmaceutical sponsors and research teams to assess if a site is a good fit for the trial. However, the "Site Feasibility Decision Tree from the LGBTQIA+ Participant Perspective" refines the broad view of the original tool ("underrepresented populations") to better understand the capacity of a site to conduct clinical trials with LGBTQIA+ populations.

Please note that the "Site Feasibility Decision Tree from the LGBTQIA+ Participant Perspective" is one tool in the LGBTQIA+ Inclusion by Design in Clinical Research Toolkit, and the first of three tools in the section of the Toolkit directed *more toward participants*. These participant-facing tools span the participant journey in clinical research, and we list all three below so you can see the other tools available for you on each phase in this journey:

- Site Feasibility Decision Tree from the LGBTQIA+ Participant Perspective. (For the recruitment phase of the trial- awareness of the trial, accessing a trial site).
- Participant Questionnaire from the LGBTQIA+ Participant Perspective. (For the participation phase of the trial- screening, informed consent, study visits).
- Exit Survey Inclusive of the LGBTQIA+ Participant Perspective. (For the end-of-trial phase- last visits, data analysis and return of results, potential follow-up and post-trial access to the study product).

<sup>&</sup>lt;sup>u</sup> The Site Feasibility Decision Tree from the LGBTQIA+ Participant Perspective can also be used by sites and sponsors to evaluate site feasibility (for recruitment and enrollment of participants who may be LGBTQIA+) in the same manner as the original tool and was reviewed by a diverse sample of sites for this purpose.



Like the original <u>Feasibility Decision Tree</u>, this tool is structured in tiers, with checkpoints in between. The first tier is potential capacity, where we provide prompts, or "determination factors" based on what IS happening at a site (or in the area nearby) that LGBTQIA+ people can use in considering whether the site is potentially a good place to participate in a study. In the second tier we focus on "historical capacity," or the things that the site HAS/HAD done to support the well-being of LGBTQIA+ people that may inspire confidence that the site is trustworthy. This tool does not propose a scoring system, as participants may consider some determination factors more important than others. Please note that these questions are only suggestions, not a set list of what "has" to be asked. We welcome you to select those questions most relevant for your situation and adapt/edit as you see fit.

### Determination factors (things to consider)

### Site Potential Capacity (i.e., The research site is...)

### Political and Social Environment

- In a location that is a safe and accessible place for people who face multiple kinds of discrimination (e.g., racial minorities, people with disabilities).
- Co-located near a health clinic with a stated mission and demonstrated actions to support LGBTQIA+ and other underrepresented communities (note that some are listed in the <u>LGBTQ Healthcare Directory</u>).<sup>v</sup>
- In an area where nearby businesses or community spaces advertise Pride events, LGBTQIA+ artists, and LGBTQIA+ authors, and post Pride flags.
- In a country, state, and/or locality supportive and protective of LGBTQIA+ rights<sup>w</sup> and without legal or regulatory restrictions.

<sup>&</sup>lt;sup>v</sup> For example, <u>Whitman Walker</u>, <u>Fenway Health</u>, <u>San Francisco Community Health Center</u>, <u>Callen-Lorde</u>, and <u>Howard Brown Health</u>.

<sup>\*</sup> Examples of supportive and protective laws include sanctuary laws for transgender care and/or reproductive freedom; equity laws protecting LGBTQIA+ people from discrimination in public and private employment, housing, accommodation, credit, and service; and safe schools/anti-bullying laws. To understand the local laws and regulatory environment, it may be helpful to speak to local public health departments and to legal experts at the site, and to visit the <u>Human Rights Campaign State Equality Index</u> or the Human Rights Campaign website



#### Reputation in the LGBTQIA+ Community

- Recognized by queer groups inclusive of diverse sexual orientations/identities as a trusted collaborator in community engagement.
- Sponsors Pride events, LGBTQIA+ artists, and LGBTQIA+ authors, and posts Pride flags in, on, or around the building or campus.
- Known to attend local PRIDE events and give back to the community.
- Known to produce study recruitment and other patient-facing materials in collaboration with, and acknowledgment of, LGBTQIA+ community partners.
- Known to produce study recruitment and other patient-facing materials that use LGBTQIA+ imagery and language and are accurate and representative.
- Reviewed positively on the crowdsourcing forums (e.g., social media) preferred by LGBTQIA+ groups and allies.

#### Organizational/Site Relationships

- [If a private facility] Has leadership/ownership (e.g., religious or business corporation, family foundation) that is supportive of LGBTQIA+ rights.
- Funds or partners with political groups and/or politicians who are supportive of LGBTQIA+ rights.
- Contracts with vendors/3rd parties who are members of the National LGBTQ
   Business Association and/or who are certified as diverse suppliers (at least 51% owned, operated, and managed by a diverse person or group of members).<sup>x</sup>

#### Cost (financial accessibility)

• Accessible to local and distant LGBTQIA+ populations by public and private transportation, and preferably with options that are safe and affordable.

<sup>&</sup>lt;u>The Love that Dare Not Speak Its Name</u> [a list of anti-LGBTQ laws by country]. Please note that looking at country, state, or local politics/laws is only one potential indicator of a welcoming environment. There are numerous sites that are supportive of LGBTQIA+ well-being that are situated in states or other localities that may not be. Site assessment will also depend upon the other points in this tool.

<sup>\*</sup> This information may be difficult to obtain unless posted or otherwise available from the website.



 Accepts multiple types of insurance (e.g., public, private), preferably those most commonly used within the state/region, and which cover or assist with the cost of gender-affirming care, mental health services, PrEP, and other services prioritized by LGBTQIA+ communities.

#### Site Policies and Infrastructure

- Guided by non-discriminatory organizational policies. For example, addressing patients with the name and pronouns that they use, recognizing same-sex partners for visitation and decision-making rights,<sup>62, 63</sup> and supporting bed assignment based on gender identity for transgender patients (whenever possible and in collaboration with the participant).<sup>64, 65, 66, 67</sup>
- Directed by safeguards to protect individual identity and privacy. For example, offering the opportunity (non-mandatory) to provide one's preferred name and SOGI data on intake forms; sharing information about why SOGI info is important to advancing affirming care at the site and in research studies; providing clear explanation of how the data will be de-identified or anonymized, used, transferred, stored, shared with staff or others (or not shared, if participants may opt out of or limit data sharing) and deleted.
- Staffed by people who are representative of the LGBTQIA+ population and/or who have been regularly trained to provide culturally competent care that is up to date on best practice and inclusive language.<sup>68</sup>
- Staffed by a nurse-navigator (or other participant-facing personnel) dedicated to supporting LGBTQIA+ participants and, where necessary, someone to escort participants safely into and around the site.
- Designed with gender-neutral bathrooms and private spaces for individual consultation or collective meetings (e.g., focus groups, support groups).

Site Historical Capacity (i.e., The research site has/had...)

Strategic support and resources for LGBTQIA+ patients and research participants<sup>69</sup>

 A history of programs and/or departments dedicated to improving the wellbeing of and reducing disparities in LGBTQIA+ populations.



- A history of launching fellowships, research, and publications dedicated to health equity and improving the well-being of LGBTQIA+ populations.
- A history of stating that and enacting LGBTQIA+ well-being as an organizational priority on the organizational website and social media.

Data available/site report on past enrollment

- A history of caring for health conditions that disparately affect LGBTQIA+ communities (e.g., HIV).
- A history of serving LGBTQIA+ people specifically (e.g., <u>Whitman Walker Our</u> <u>History</u>, <u>Fenway Health Equality and Equity Report</u>, <u>San Francisco Community</u> <u>Health Center Impact Report</u>, <u>Callen-Lorde Our Accomplishments Over the</u> <u>Years</u>, <u>Howard Brown Health A Year in Review</u>).

Feasibility questionnaire or site visit (please note that that item is for consideration by sites and sponsors and is not relevant for participants/patients)

- History of including the perspectives and priorities of people who are LGBTQIA+ in the feasibility questionnaires that pharmaceutical sponsors and contract research organizations use to assess if the site is a good fit to host the study or has a clear history of actively working toward doing so.
- History of including the participant journey for people who are LGBTQIA+, when in discussion with sponsors, CROs, or monitors during site visits.

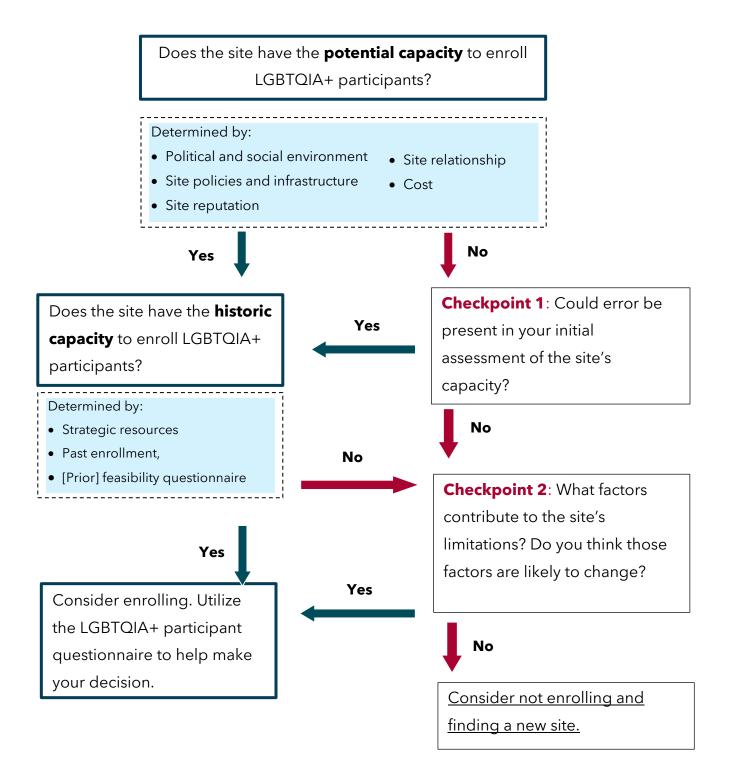
Site Projected Capacity (i.e., The research site will...)

Please note that item is for consideration by sites and sponsors and is not relevant for participants/patients, as explained in the footnote below.<sup>y</sup>

<sup>&</sup>lt;sup>y</sup> Site projected capacity is one of the three main assessment factors, along with potential capacity and historical capacity, that is listed on the original MRCT Center [Site] Feasibility Decision Tree. However, site projected capacity depends upon sponsor internal forecasting techniques (such as geo-mapping), which are not applicable at the present time, because the sexual orientation and gender identity (SOGI) data that is needed to populate forecasting models is not yet widely collected or available. In addition, projected capacity is for consideration by site and sponsors and is not relevant for participants/patients.



### **Decision Tree**





Representation in Research LGBTQIA+

# Tool 6: Participant Questionnaire from the LGBTQIA+ Perspective

#### Introduction

There are numerous questions that participants may want to ask as they move from thinking about possible trials and sites to starting the process of enrolling and participating in a trial. Some of these questions may be covered by informational materials given to participants during the informed consent process and study visits, and some may not be. This list is to help participants prepare, so that they can get the answers that they need and feel comfortable before continuing with the trial. We pulled these questions together based on a review of topics commonly addressed in MRCT Center resources, issues described in publicly available patient, [pharmaceutical] sponsor, and medical center websites, and discussed with representative working groups convened by the MRCT Center.

The "Participant Questionnaire from the LGBTQIA+ Participant Perspective" is one tool in the LGBTQIA+ Inclusion by Design in Clinical Research Toolkit, and the second of three tools in the section of the Toolkit directed *more toward participants*. These participant-facing tools span the participant journey in clinical research, and we list all three below so that you can see the other tools available for you on each phase in this journey:

- Site Feasibility Decision Tree from the LGBTQIA+ Participant Perspective. (For the recruitment phase of the trial- awareness of the trial, accessing a trial site).
- **Participant Questionnaire from the LGBTQIA+ Participant Perspective.** (For the participation phase of the trial- screening, informed consent, study visits).
- Exit Survey Inclusive of the LGBTQIA+ Participant Perspective. (For the end-of-trial phase- last visits, data analysis and return of results, potential follow-up and post-trial access to the study product).



The Participant Questionnaire tool is divided into sections that include questions to ask the research team; questions you may want to ask family, friends, and others you trust; and questions to ask yourself. It includes questions that anyone might want to ask<sup>z</sup> and adds questions (in brick red font) that LGBTQIA+ people (and/or their accompanying friends and family) might also want to ask. Please note that these questions are only suggestions to support your personal decision-making about participating in the research, not a set list of what "has" to be asked. We welcome you to select those questions most relevant for your situation and adapt/edit as you see fit.

#### **Questions to Ask the Research Team**

#### Study Process and Study Team

- Why are you looking at this research question and/or testing this product or approach?
- What is the purpose or goal of this study? Why have you chosen this as the purpose?
- Have similar studies been done before and what were the results? Did the previous studies provide a way for people to voluntarily self-identify themselves as LGBTQIA+?
- Have LGBTQIA+ research staff been involved in the design of the study? Will there be/are there any LGBTQIA+ community representatives who will be included as advisors during the study data collection and interpretation of results?

What are the possible risks and benefits of participating?

- What tests and procedures will you do? How invasive are those tests and procedures?
- What are the expected short-term and long-term effects, positive and negative, of the intervention being tested?

<sup>&</sup>lt;sup>z</sup> The Participant Questionnaire from the LGBTQIA+ Perspective can also be used by sites and sponsors. It can also be used by participants, or by sites and sponsors, for research activities other than testing drugs, devices, therapies, or vaccines, although not all questions will be relevant.



- How will I know if it is working?
- How will you protect my personal data? Will my research data be accessible to anyone other than research staff? Will my research data be entered into my medical or other records (e.g., insurance)? What options do you have for me to opt out of sharing my data, and for me to designate who gets to see my data?
- How do you communicate about the study? For example, do you identify yourself in messages (including those left on voicemail and those sent by text or social media) with your name or with the name of the research study, research site, department, or laboratory (which may refer to LGBTQIA+ populations)? Can I opt out of receiving communication from you that could be seen or heard by others? Can I choose what name you use if communicating with me by voicemail, email, or text messages? Do you use end-to end encrypted information platforms [that are approved by your institution] for text messaging, email, and VPN connections to protect my privacy?
- How will the results of this study be used? If i decide later to withdraw my data, will you be able to do that?
- Will this study help inform healthcare decisions of other people in the LGBTQIA+ community?
- How would the risks and benefits of the tested intervention compare with my current treatment?
- How would the risks and benefits of the tested intervention compare with available options for my condition other than my current treatment?
- What are the credentials and backgrounds of the clinical research team staff? Is there an option to change providers in the research team/site location if I do not feel comfortable with the provider/site location that I am assigned? Have the clinical research staff and other staff connected to and involved in the study been formally trained in sensitive and responsive interactions and care with LGBTQIA+ people?<sup>79</sup>
- Will my general practitioner and other specialists (e.g., oncologist, endocrinologist) be a part of the research team if I participate in a clinical trial? If not, can I still see them



during the trial? Can I decide whether or not to inform them about my progression during the clinical trial, and what information to convey? May I ask to not have my existing care team involved in or informed about my participation in this research?

- ☐ [For trials testing a product like a drug, therapy, or device] Will I be able to take my regular medications while participating? Does this include hormone therapy? PrEP? In what circumstances can I continue to take my regular medications while participating (e.g., post-gonadectomy, based on time on stable dose prior to study)?
- [For trials testing a product like a drug, therapy, or device] What happens if I am harmed during the study (e.g., physical/mental harm, leak of my data)? Who do I contact? How will I be taken care of? How can I confidentially report discrimination or harassment? Do you have mental health and/or advocacy support services?
- What are the different ways that I can reach the study team?
- Can I continue taking the study drug after the trial ends?
  - When will the study results be provided to me? Will the results be communicated back in ways that are clear and understandable?

#### Logistics and Impact on Participant's Daily Life

- How long is the clinical trial?
- What is the schedule of visits, labs, tests (e.g., MRI, x-ray), and other activities?
  - How much time will each of these trial activities take?
  - Are there flexible options for the timing of visits (e.g., after 5pm, weekends)?
  - Which of those activities will need to be in-person, and where are the sites for those activities located? How do you ensure privacy during these visits (e.g., do you label group discussion rooms with the topic of discussion, do you have more than one entrance, do study staff greet me when I arrive, or do I have to go through check-in at the front desk and/or other offices)? How do you support people who need visits in spaces in which they may not visibly appear to belong, such as transmen who need pelvic or breast exams/screening)?



- Are there any parts of the trial that are virtual? If so, will you provide me with a device (e.g., tablet) and a way to access the internet? Will you have a help desk for assistance with technology that is accessible for all people in the trial, including people with disabilities and people who do not speak English?
- Will you provide assistance with arranging transportation?
  - Scheduling a taxi, van, or rideshare to pick me up and bring me home?
  - Making sure valet parking is available at the site?
  - Booking my flights, hotels, and/or car rentals?
- □ [For trials testing a product like a drug, therapy, or device] Would I have to pay for any medical costs (e.g., tests, labs, visits) as part of the trial?<sup>80,81</sup>
  - Will my insurance cover any of these costs?<sup>aa</sup> Will someone on the research team help me navigate discussions with my insurance to cover these costs? What if I do not have insurance? Are there any costs for gender-affirming care in this trial that some insurers consider to be cosmetic or elective (e.g., Botox, hair removal, top surgery)?<sup>82,83</sup> How will the researchers assist me to find out if my insurance covers these treatments or what coding the procedures need to be under to get coverage?
- [For any type of clinical trial] Would I have to pay any non-medical out-of-pocket costs (e.g., for travel, food, childcare, eldercare, pet care) as part of the trial?

<sup>&</sup>lt;sup>aa</sup> For clinical research testing a product (unlike research that conducts a survey) there may be medical costs. These costs are often covered by health insurance or by the company/organization that is testing the product, although this is not always the case, and we list these questions so that you are prepared to ask and are not surprised. It sometimes happens that a trial is testing a product that is taken when the participant is also receiving the standard of care (or "routine" care) for their condition. For example, in a trial with breast cancer survivors, the trial may expect that the participants get two mammograms a year through their regular care. But a participant's insurer may consider only one annual mammogram to be standard of care, and therefore the participant will need to discuss the coverage of the second mammogram with the trial team. Please note that trials that are for general healthcare may not anticipate or [financially] cover some types of care, and particularly some types of gender-affirming care, that may be considered standard (or "routine") in trials focusing on queer healthcare.



- Do you provide vouchers or pre-paid cards for food, lodging (hotel, Airbnb), transport (car/mileage, flights, etc.), or other expenses?<sup>bb</sup>
- If you do not provide vouchers or pre-paid cards, do you reimburse for my expenses? Do you also reimburse for the expenses of the person that accompanies me? Which expenses do you reimburse for?
- Which types of documents and forms of identification (ID) do you need me to submit (e.g., receipts, social security number/passport/driver's license, expense forms) to be reimbursed? Why do you need those forms of ID? Do you provide a secure means to transmit copies of my IDs or sensitive information to you? When I fill out the reimbursement forms, do you require that I use my name as it appears on identification (ID) and/or tax documents?
- How soon will you reimburse me after I submit these documents? What if I do not have an address?
- [For any type of clinical trial] Will I be paid for my time to participate in the trial?
  - o If yes, what information will I need to provide in order to be paid?
  - How will the payment be made?
  - At what level of payment do I need to pay taxes (e.g., \$600 in payment per year)., If taxable, how are the payments reported to the IRS (e.g., a 1099 or other tax reporting form)?
  - How do these payments affect public benefits (e.g., social security disability insurance, supplemental nutrition assistance, Medicaid/Medicare benefits)?
     Can the research team structure the payments so that they do not impact benefits (e.g., spacing the timing of payments)?
- □ Who is funding this study? Who is funding this site or organization? Are they a public (i.e., federal, state, or local government) or a private (e.g., business or religious

<sup>&</sup>lt;sup>bb</sup> Please note that there may also be non-medical costs in clinical trials, such as for travel to the trial site or for childcare during trial visits. These are not typically covered by insurance but are often reimbursed by the trial site or research team.



corporation; family foundation) entity? Do they support gender-affirming care and LGBTQIA+ rights?

#### Accommodations

- □ Can I have the study materials and conversations with study staff in a language I prefer (including sign language)? Can you provide a translator?
- Can I get disability accommodations to participate in this trial (e.g., pick-up in an accessible van, closed captioning, study materials that are in formats accessible for screen readers or other technologies used by people with visual disabilities, accessible medical equipment, supported decision-making)?
- I would like to bring someone with me to appointments for support. What personal and medical information about me can they access? If I become incapacitated (e.g., delirious, unconscious) and can't make my own decisions, what rights might this support person have to make decisions about my care? Do these rights differ if the person who accompanies me is not a relative or spouse, and/or if we are in a relationship that is not recognized by the state or government?

#### Questions You Could Ask Family, Friends, and Others You Trust

- □ Can you work with me on thinking about the questions I should bring forward to the trial team? What questions would you ask?
- Would you be able to attend study visits with me to support me and to help make sure I understand everything? How comfortable are you in medical environments? How do you approach situations where there may be difficult news and/or difficult decisions? How do we wish to describe our relationship to others/the study team?
- □ Could you take notes and help me organize the information I get during doctor visits?
- □ Would you be able to watch my kids, pets, or house while I go to appointments?
- □ Would you be able to give me a ride if I need it?
- □ What kinds of support would you need and/or like to learn more about?



#### **Questions to Ask Yourself**

- (After considering the responses from study staff and family/friends to your questions above, and in your site assessment [Tool 5 in this Toolkit])
- □ Is the research question being studied important to me? Does participating fit with my values and beliefs?
- □ What do I hope I can contribute by participating?
- What benefits would I like to get out of participating? Could the benefits impact people other than myself? Who else might be affected by my participation? How so?
- □ What amount of risk am I willing to take? Could the risks impact people other than myself? If so, how and who might be affected by my participation? How comfortable am I sharing my background and personal information with the study team? How confident am I that my data will be kept secure? Am I satisfied with this study team and organization/site?
- Do the possible benefits outweigh the risks?
- □ What are my other options? Are any of those options better than participating in this trial?
- Do I have enough time in my daily life to participate? How might participating in this trial affect my family life, my athletic or social activities, and/or my job? Can I take time off work if needed to participate?
- □ How would I need to arrange for childcare, care of other family members or significant others, or care of pets/animals if I participate?
- □ Could participation in the research activity affect my emotional well-being and mental health, for the better or for the worse?
- Do I want to participate? Why or why not?



Representation in Research LGBTQIA+

### Tool 7: Exit Survey Inclusive of the LGBTQIA+ Participant Perspective

#### Introduction

It is important for participants in clinical research activities to give feedback about their experience. This feedback helps research teams and organizations better understand the participants' experiences of the research activity and learn how they can improve efforts to empower research participants and the participants' supporting families, friends, and communities. One way to gather feedback is through a survey, which may be given to participants periodically (e.g., once a month), and/or at the end of research activities (e.g., as an exit survey).<sup>84,85</sup> Other ways may include interviews, focus groups, or patient portals where participants can leave comments. In this tool, we aim to show examples of the topics that participants<sup>cc</sup> may be asked about in a survey or interview or, if not asked, that the participant may wish to share with the research team in a patient portal, email, or other format.

Please note that the "Exit Survey Inclusive of the LGBTQIA+ Participant Perspective" is one tool in the LGBTQIA+ Inclusion by Design in Clinical Research Toolkit, and the third of three tools in the section of the Toolkit directed *more toward participants*. These participant-facing tools span the participant journey in clinical research, and we list all three below so you can see the other tools available for you on each phase in this journey:

- Site Feasibility Decision Tree from the LGBTQIA+ Participant Perspective. (For the recruitment phase of the trial- awareness of the trial, accessing a trial site).
- Participant Questionnaire from the LGBTQIA+ Participant Perspective. (For the participation phase of the trial- screening, informed consent, study visits).
- Exit Survey Inclusive of the LGBTQIA+ Participant Perspective. (For the end-of-trial phase: last visits, data analysis and return of results, potential follow-up and post-trial access to the study product).

<sup>&</sup>lt;sup>cc</sup> This tool can also be used by sites and sponsors to evaluate participant experiences in clinical research activities inclusive of the perspectives of LGBTQIA+ people and other minority groups.



This tool is structured in two parts: 1) Research Experience and 2) Background questions. It includes questions for everyone and adds questions (in red font) that may be important for LGBTQIA+ people and other underrepresented populations. Please note that these questions are only suggestions, not a set list of what "must" be asked. We welcome you to select those questions most relevant for your situation and adapt/edit as you see fit.

#### Instructions:<sup>dd</sup>

For the following questions, answer to the best of your ability. Please note that you may skip any question, and for any reason (e.g., you don't know how to answer the question, the question is not relevant to your experience with the research activity, or you are uncomfortable answering the question). This survey is anonymous; in other words, we will not be able to identify you or know who you are (and, therefore, cannot get back to you or answer questions). If, however, you were part of a small group for the research activity and you answered all the background questions in Part 2, the researchers may know who you are (e.g., there was only one gay male age 65+). You can opt out of any of the background questions that you are not comfortable with. Thank you for taking the time to complete this survey, the results of which will be used to improve the research activity experience for future participants.

If you have any additional questions about the survey, please contact:

Name, Title:	
Email:	
Phone:	

<sup>&</sup>lt;sup>dd</sup> Please note that these are the typical instructions that research team will give with a survey. We provide them here for reference for participants, so they can know generally what they will encounter. Through these example instructions participants can also know that if certain pieces in these example instructions (e.g., questions are optional; contact information for the research team) are not provided to them, they can ask that such options and information be provided. These instructions are NOT for participants to fill out this example survey right now.



#### Exit Survey (Part 1)

#### Clinical Research Activity Experience Questions

1.	The information given to me before I joined the clinical research activity was everything
	that I needed to know (e.g., purpose of the trial, visits, privacy, costs).
2.	I always had someone I could speak to about the research activity:
3.	Communication materials were respectful:          Strongly agree       Agree       Neutral       Disagree       Strongly disagree
4.	Staff members were respectful:          Strongly agree       Agree       Neutral       Disagree       Strongly disagree
5.	Staff members communicated with me (e.g., in-person, by phone, in text or other messages) in a sufficiently private way:         Strongly agree       Agree       Neutral       Disagree       Strongly disagree
6.	I felt staff members could relate to me and understand where I was coming from: Strongly agree Agree Neutral Disagree Strongly disagree
7.	I felt comfortable discussing my sexual orientation and gender identity:           Strongly agree         Agree         Neutral         Disagree         Strongly disagree
8.	I felt comfortable discussing other parts of my identity and my personal history:           Strongly agree         Agree         Neutral         Disagree         Strongly disagree
9.	I felt comfortable discussing any questions or concerns that I had:           Strongly agree         Agree         Neutral         Disagree         Strongly disagree



10.	Overall, I am satisfied with the answers I received to my questions or concerns during
	the clinical research activity:
	Strongly agree Agree Neutral Disagree Strongly disagree
11	I fait that the personal questions I was asked about were asked for a good reason:
11.	I felt that the personal questions I was asked about were asked for a good reason:           Strongly agree         Agree         Neutral         Disagree         Strongly disagree
12.	I felt that I was safe participating in this clinical research activity:
	Strongly agree Agree Neutral Disagree Strongly disagree
13.	I felt that my personal data was kept safe during this clinical research activity:
	Strongly agree Agree Neutral Disagree Strongly disagree
4.4	The way in which trial data was called at always a second all to the result of a line second
14.	The way in which trial data was collected was acceptable to me (e.g., in person, online questionnaire, diary, wearable sensors):
	Strongly agree Agree Neutral Disagree Strongly disagree
15.	I feel that the clinical research activity will have a positive impact on my community:
	Strongly agree Agree Neutral Disagree Strongly disagree
16.	I would recommend participating in this type of research activity to my friends:
	Strongly agree Agree Neutral Disagree Strongly disagree
47	
17.	I would recommend participating in a research activity at this site to my friends: Strongly agree Agree Neutral Disagree Strongly disagree
	Strongly agree Agree Neutral Disagree Strongly disagree
18.	I would recommend participating in a research activity with this research team to my
	friends:
	Strongly agree Agree Neutral Disagree Strongly disagree
4.0	
19.	Additional comments:



#### Exit Survey (Part 2)

#### **Background Questions**

20.	Your role during the clinic	al research activity (che	eck all that apply)
-----	-----------------------------	---------------------------	---------------------

- Participant in clinical research
- Caregiver or other support person accompanying a participant in clinical research
- Part of IRB review committee
- Advisory group for clinical trial planning, recruitment, conduct, or results reporting
- Research advocate from the community (e.g., cultural ambassador, liaison, or other form of navigator between research organizations and communities)
- Other\_\_\_\_\_
- **21.** Demographic information<sup>ee</sup>

a.	What is your age?
	0-17 18-24 25-34 35-44 45-64 65-84 85+
b.	How would you describe your race? <sup>86, ff</sup> (check all that apply)
	American Indian or Alaska Native Asian Black or African American
	Hispanic or Latino Middle Eastern or North African
	Native Hawaiian or Pacific Islander 🗌 White
c.	What is your sex, as listed on your birth certificate?

Female Male I don't know

<sup>&</sup>lt;sup>ee</sup> The terminology in questions 21-23 (i.e., demographics, communication preferences), and the response choices for those questions, are drawn from US-based sources. If using Tool 7 outside of the US, we recommend adapting it to align with the local terminology and recommended response options (e.g. for race, disability).

<sup>&</sup>lt;sup>#</sup> Please note that US government documents listed as weblinks in this tool may not be available. Please see the end of this tool for replicated examples of SOGI questions and response options.



- d. How would you, at this time, describe your gender identity (or how you see yourself)?<sup>99</sup>
  Female/Woman
  Trans Masculine/Man
  I use another term
- e. Were you born with sex characteristics (e.g., chromosomes, hormones, genitalia, reproductive organs) that are different from what doctors say is most common for females or males?

	Yes	No	l don't know
- 1			

f. Which best represents how you think of your sexual orientation? (check all that apply) <sup>87, 88, 89, 90, 91, hh</sup>

Gay or lesbian	Straight (not gay or lesbian)	Bisexual	Two-Spirit
Queer	Pansexual	Asexual	Aromantic
🗌 l don't know	I use another term		

<sup>&</sup>lt;sup>99</sup> We recognize that sex and gender are not the same and that "[cisgender or transgender] woman and man" may be recommended to use as response options for gender. However, SOGI data collection experts have conveyed that survey administrators and survey respondents less familiar with queer health have found the use different response choices for sex and gender confusing. In aiming this survey example for a general audience, we have chosen an approach to attach "female and male" here to "woman and man."

<sup>&</sup>lt;sup>hh</sup> Questions and response choices listed in 21c-f are based upon review of multiple sources, and discussion with the working groups convened by the MRCT Center (inclusive of international perspectives). Please note: 1. These questions and response choices have been updated from version 1.0 of this toolkit, 2. In an effort to align with evolving US government guidance for federally funded studies, we have developed alternate questions and response choices to c-f, for possible use in such studies or in similar contexts (\*see next page), 3. In the US, it has been recommended to add the response option for "Two-Spirit" if the option for American Indian or Alaskan Native is included in race question response options; In Canada, "Two Spirit" is more commonly included as a response option (for both sex and gender), 4. You/your organization/advisory groups may choose to use different questions and response options depending upon your situation, local context, audience, and whether the person giving the survey is familiar with queer healthcare, 5. Including questions and (non-mandatory) response options that enable participants to see that they are recognized and represented is important, and 6. The quest for "perfect" questions and response options shouldn't hold up inclusion of good ones.



(\*Alternative c-f questions/response choices are listed below as options for **discussion** with your team, **if/where necessary**. Please note that these alternate questions/response choices are not based on documented best practice).

	[c (a	Iternate version) What is your sex, as listed on your birth cert Female Male	ificate?		
	the	nlternate version) Do you, at this time, describe yourself in a v sex listed on your birth certificate?] en response:	vay that vario	es froi	m
	[e (a	Iternate version) Were you born with sex characteristics (e.g. nones, genitalia, reproductive organs) that are different from			ris
	mos	t common for females or males?] Yes No I don't know		-	
		<i>ternate version)</i> How do you describe yourself in terms of ro en response:	mantic part	ner/s?	<b>?]</b> ''
g.	Doy	you consider yourself to be a person with a disability?	Yes		No
	i.	Are you deaf, or do you have serious difficulty hearing?	Yes		No
	ii.	Are you blind, or do you have serious difficulty seeing, even when wearing glasses?	Yes		No
i	iii.	Because of a physical, mental, or emotional condition, do you have serious difficulty concentrating, remembering, or making decisions?	Yes		No
	iv.	Do you have serious difficulty walking or climbing stairs?	Yes		No
	v.	Do you have difficulty dressing or bathing?	Yes		No

<sup>&</sup>lt;sup>ii</sup> Romantic attraction is just one part of sexual orientation. To find out more, see: <u>https://transstudent.org/gender</u>; https://lgbtq.unc.edu/resources/asexuality-attraction-and-romantic-orientation/



vi.	Because of a physical, mental, or emotional condition,		
	do you have difficulty doing errands alone like visiting a	Yes	No
	doctor's office or shopping?		

**22.** How did you find out about the opportunity to participant in this research activity? (check all that apply)

Health care provider e.g., doctor, nurse, therapist, social worker)	Other community group or community activity (e.g., health fair, walk-a-thon,
Friend/ [chosen] family	LGBTQ festival, parade, drag show, bear week, queer wine weekend, etc.)
Patient portal/app	Facebook, Twitter, Instagram, YouTube,
Email	or LinkedIn
Mail	Other social media (e.g., Tumblr, Grindr,
Text	Spaces, etc.)
Phone call	Online community (e.g., gaming)
Religious community	

**23.** During this research activity, how did you prefer to communication with the research activity team? (check all that apply)

In person with the research I Phone call	
team 🗌 Facebook, Twitter, Instag	jram,
Patient portal/app YouTube, or LinkedIn	
Email Online community (e.g.,	gaming)
Mail     Other:	
□ Text	



Please say why you liked these communication modalities.

Also, please say if there were any communication modalities you disliked, and why.

Finally, please add any other information here that you would like to share. This could include information that is important to you but was not listed in the questions (or options for answers) above.



Representation in Research LGBTQIA+

### Tool 7 Appendix: Key Resources and Recommendations for SOGI Data Collection

#### Key Resources<sup>jj</sup>

# The National Academies of Sciences Engineering and Medicines (NASEM): Measuring Sex, Gender Identity, and Sexual Orientation (2022)<sup>81</sup>

Released in 2022 at the request of the National Institutes of Health, the NASEM report examines the measurement of sex, gender identity, and sexual orientation, offering recommendations for specific measures to be used in surveys, research, administrative, and clinical health settings. It underscores the importance of distinguishing between sex and gender identity to improve construct validity (e.g., the construct/definition for "sex" represents biological sex) and recommends specific questions to assess sexual orientation, sex assigned at birth, and gender identity, including recognition of transgender and intersex experiences. The report advocates for the routine collection of gender data while cautioning against conflating gender with biological sex, emphasizing the need for precise terminology and clear measurement constructs to enhance data reliability.

Maintaining data privacy is a key concern in the NASEM report. In clinical settings, where these data play a critical role in patient care, ensuring privacy and appropriate use is essential. While the Health Insurance Portability and Accountability Act (HIPAA) provides safeguards by imposing penalties for unauthorized disclosure, legal protections alone cannot prevent mistreatment and other harms. To address this, the report highlights the need for clear organizational policies and workflows that address how such data are collected, accessed, and used. Establishing these safeguards not only helps protect participant privacy

<sup>&</sup>lt;sup>jj</sup> This appendix summarizes key resources that, with the exception of the [non-governmental, non-profit] Clinical Data Interchange Standards Consortium (CDISC) electronic case report form (eCRF) data standards, were produced by US government agencies and have been since removed from federal websites. While still public, the CDISC SOGI questions and response options are included here with those from now unavailable NASEM and the White House so that toolkit users can see the breadth of potential SOGI data fields.



but also fosters trust in the healthcare system, ensuring that data collection efforts support equitable and inclusive care without contributing to potential harm or discrimination.

#### Secretary's Advisory Committee on Human Research Protections (SACHRP) Recommendations for the Ethical Review and Inclusion of LGBTQI+ Participants in Human Subjects Research (2024)<sup>92</sup>

The SACHRP document was released in June 2024 and provides investigators, sponsors, IRBs/HRPPs, and research recommendations on ethical and regulatory considerations for LGBTQI+ research, including adults and minors. It emphasizes the need for inclusive research practices by addressing recruitment methods, data collection, and privacy protections while ensuring fairness in access and identifying risks specific to LGBTQI+ subgroups. Key recommendations include engaging LGBTQI+ individuals and communities in research design, developing separate research streams for different identities, and considering intersecting factors such as race, age, and disability. The document stresses the importance of legal and ethical compliance, cultural competency training, and the use of protective measures like anonymization and de-identification.

The document also emphasizes the importance of collecting and analyzing sexual orientation and gender identity data using inclusive and culturally appropriate terminology. Where possible, researchers should allocate resources for the collection and subgroup analysis of this data, ensuring appropriate methodology, privacy protections, and transparent reporting. Special considerations for minors include avoiding public postings and exploring online recruitment through platforms commonly used by LGBTQI+ youth, provided these platforms offer adequate privacy protections. Establishing youth advisory boards that include LGBTQI+ minors can also help ensure that research is responsive to their needs.

Finally, the document highlights the importance of implementing stringent data protection measures, such as using research IDs instead of recording names in consents or databases, working in safe spaces, and providing detailed and clear training to data collectors (i.e., data controllers and data processors) on confidentiality, anonymity, and data protection. Additional safeguards include technical protections against hacking of data storage spaces, conducting a risk assessment on data storage mechanisms, and testing whether data protection procedures can be breached.



# White House recommendations on the best practices for the collection of sexual orientation and gender identity data on federal statistical surveys<sup>83</sup>

Following the June 2022 Executive Order 14075 on Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals, the Office of the Chief Statistician of the United States put together this report to offer recommendations for federal agencies on the best ways to collect self-reported sexual orientation and gender identity (SOGI) data in federal statistical surveys. The report highlights the importance of continual learning, offering considerations for including SOGI items on surveys, providing example approaches for collecting and reporting this information, and guidance on safeguarding SOGI data. It also discusses the challenges that require further research.

Key considerations include starting with the planned uses of the data, strategies to ensure sufficient sample sizes, addressing sensitivity and burden for all respondents, using tested terminology and translations, utilizing design elements that improve data quality–such as allowing respondents to select multiple response options–and confirming gender minority status. Privacy considerations are also central, requiring an evaluation of the risks associated with collecting, maintaining, and using SOGI data throughout its life cycle, particularly when intermediaries such as state, local, tribal, and territorial governments, schools, grantees, and contractors are involved. Agencies must balance the need for new information against potential privacy risks, develop a data governance plan that includes the disposition of data, assess statutory authority to protect confidentiality, and ensure respondents receive the strongest available protections. Additionally, agencies should carefully control access to microdata (e.g., educational status of women aged 18-24 in a specific zip code vs. metadata like average education status of adults in that zip code), particularly if it is linked or linkable to a specific individual and prepare strategies to handle requests (e.g., in the US, through the Freedom on Information ACT [FOIA]) that could disclose sensitive data.

Regarding sample size considerations, the report acknowledges that there is no single best practice for the minimum sample size needed to collect SOGI data. Agencies may find it useful to leverage current estimates of sexual and gender minority population prevalences to conduct power analyses for key survey outcomes and to compare estimated cell sizes against agency standards for publication.



#### **Recommended Questions/Response Choices**

<b>Order of Questions</b> Use a stand-alone measure that	
Use a stand-alone measure that	
	Whenever an individual's responses to
asks respondents to report their	the two-step gender identity items
intersex status. Do not add	classify the respondent as a gender
intersex as a third response	minority a confirmation questions can
category to a binary measure of	be used to verify. For example, a
sex.	respondent who indicates their sex at
Have you ever been diagnosed by	birth was "Female" and selects "Male"
a medical doctor or other health	as their current identity would be
professional with an intersex	asked to confirm these responses.
condition or a difference of sex	
development (DSD) or were you	SOGI questions are typically placed at
born with (or developed naturally	the end of demographic questions,
in puberty) genitals, reproductive	with the gender identity series (as
organs, or chromosomal patterns	shown in the Example SOGI Module
that do not fit standard	below) appearing together (i.e., not
definitions of male or female?	split up) for appropriate context.
	Because sex assigned at birth does not
🗆 Yes	define gender, respondents should
🗆 No	not be asked to provide their sex
□ (Don't know)	assigned at birth unless they are also
	given the opportunity to provide their
	current gender identity.
Use the following pair of	
questions for assessing sex	
	asks respondents to report their ntersex status. Do not add ntersex as a third response category to a binary measure of sex. Have you ever been diagnosed by a medical doctor or other health orofessional with an intersex condition or a difference of sex development (DSD) or were you corn with (or developed naturally n puberty) genitals, reproductive organs, or chromosomal patterns that do not fit standard definitions of male or female? Yes No (Don't know) (Prefer not to answer) Use the following pair of



assigned at birth and gender	
identity:	
Q1: What sex were you assigned	
at birth, on your original birth	
certificate?	
Female	
□ Male	
🗆 (Don't know)	
□ (Prefer not to answer)	
Q2: What is your current gender?	
[Mark only one]	
Female	
□ Male	
□ Transgender	
□ [If respondent is AIAN:] Two-	
Spirit	
□ I use a different term: [free	
text]	
🗆 (Don't know)	
□ (Prefer not to answer)	



Sexual Orientation				
Was SOGI (Sexual Orientation and	Which of the following best	Which of the following best represents		
Gender Identity) data collected?	represents how you think of	how you think of yourself?		
□ Yes	yourself? [Select ONE]:	🗆 Gay or lesbian		
□ No	□ Lesbian or gay	□ Straight (not gay or lesbian)		
	□ Straight, that is, not gay or	🗆 Bisexual		
What sex were you assigned at	lesbian	□ I use a different term [free text]		
birth on your original birth	Bisexual	🗆 I don't know		
certificate? (check one):	□ [If respondent is AIAN:] Two-			
Female	Spirit			
□ Male	□ I use a different term [free			
□ Intersex	text]			
□ Not Reported	🗆 (Don't know)			
	□ (Prefer not to answer)			
Were you born with a variation in				
your physical sex characteristics?				
(this is sometimes called being				
intersex or having a difference in				
sex development)?				
□ Yes				
□ No				
□ Unknown				
□ Not Reported				
Which of the following represents				
how you think of your sexual				
orientation at this time? (Check all				
that apply)				



🗆 Lesbian		
□ Gay		
□ Straight or Heterosexual		
□ Bisexual		
□ Queer		
Pansexual		
□ Asexual		
□ Aromantic		
Unknown		
□ Not Reported		
	Gender Identity	
Was SOGI (Sexual Orientation and	Q1: What sex were you assigned	Q1. What sex were you assigned at
Gender Identity) data collected?	at birth, on your original birth	birth, on your original birth
□ Yes	certificate?	certificate?
□ No	Female	□Female
	□ Male	□Male
What is your gender identity at this	(Don't know)	Q2. How do you currently describe
time? (Check all that apply):	(Prefer not to answer)	yourself (mark all that apply)?
□ Cisgender Woman/Girl		Female
□ Cisgender Man/Boy	Q2: What is your current gender?	🗆 Male
Transgender Woman/Girl	[Mark only one]	Transgender
□ Transgender Man/Boy	Female	□ I use a different term [free text]
Gender Queer	□ Male	Q3: Just to confirm, you were assigned
🗆 Gender Fluid	□ Transgender	{FILL} at birth and now you describe
□ Non-Binary	□ [If respondent is AIAN:] Two-	yourself as {FILL}. Is that
□ Unknown	Spirit	Correct?
□ Not Reported		□ Yes



	$\Box$ I use a different term: $\Box$ [free	$\Box$ No <skip and="" back="" or="" q1="" q2="" td="" to="" to<=""></skip>
	text]	correct>
	🗆 (Don't know)	Example gender question: Are you:
	□ (Prefer not to answer)	Mark all that apply
		Female
		□ Male
		□ Transgender, non-binary, or
		another gender
	LGBTQ Status	
Which of the following represents		Q1. Which of the following do you
how you think of your sexual		consider yourself to be? You can
orientation at this time? (Check all		select as many as apply.
that apply)		□ Straight or heterosexual
🗆 Lesbian		🗆 Gay
🗆 Gay		🗆 Lesbian
□ Straight or Heterosexual		Bisexual
□ Bisexual		□ Transgender
□ Queer		
Pansexual		
□ Asexual		
□ Aromantic		
□ Unknown		
□ Not Reported		



Gender Reporting			
	Q1: What sex were you assigned	Cisgender Male – would be	
	at birth, on your original birth	determined by Q1 "male" AND Q2	
	certificate?	"male" OR "I use another term",	
	Female	accompanied by a write-in response	
	□ Male	that codes as male.	
	□ (Don't know)	2. Cisgender Female – would be	
	□ (Prefer not to answer)	determined by Q1 "female" AND Q2	
		"female" OR "I use another term",	
	Q2: What is your current gender? [Mark only one]	accompanied by a write-in response	
		that codes as female.	
		3. Gender minority - would be any of	
	□ Male	these combinations:	
		- Q1 female and Q2 male	
	□Transgender	- Q1 male and Q2 female	
	□ [If respondent is AIAN:] Two-	- Q2 transgender	
	Spirit	- Q2 "I use another term",	
	□ I use a different term: [free	accompanied by a write-in response	
	text] (Don't know)	that codes the response as gender	
	□ (Prefer not to answer)	minority	
		4. Another gender identity – would be	
		determined by Q2 "I use another	
		term", unless accompanied by a write-	
		in response that codes the response	
		into a different category.	



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