

JUSTICE IN AGING

FIGHTING SENIOR POVERTY THROUGH LAW

As COVID-19 cases surge in Utah and hospitals and ICUs become overwhelmed, the state is expected to start implementing its Crisis Standards of Care policy that uses age as a tie breaker, in the event health care providers need to choose who has access to life-saving medical care. Justice in Aging strongly objects to any policy that would deny lifesaving care to older adults based solely on age.

Last month, Justice in Aging **opposed the U.S. Department of Health and Human Services Office of Civil Rights** endorsement of Utah's health care rationing policy as biased against older adults. Denying care to older adults based solely on age is both unconscionable and discriminatory. Across the country, older adults have borne the brunt of this terrible disease. They have died at astronomical rates, with people aged 65-74 years old dying at 90 times the rate of people 18-29. **In Utah, people over the age of 65 account for 74.5% of deaths**, a number that will likely increase when the state turns to the rationing of care and systematically denies care based on age.

The often articulated idea that older people have "had their turn" devalues the contributions that older adults continue to make to our families and communities, discounts a person's potential to recover and rebound, and codifies reliance on age-based bias into one of the most delicate decisions healthcare providers must make during this pandemic. When a tie breaker becomes necessary, the Utah policy places a thumb on the scale against older adults, by virtue of their age alone.

Age discrimination hurts people of all ages. This policy could deprive grandchildren of their grandparents, young workers of mentors and leaders, and undermine the community's faith in the fairness of health care in the state. **Justice in Aging has worked to exclude age-based bias from standards** in Arizona, California, Florida, Maryland, Massachusetts, Oregon, and Texas, and helped California rewrite its standards so they don't illegally discriminate against older adults and people with disabilities.

Utah should follow the lead of these states and remove this illegal age bias from their standards, before health care providers are faced with having to make these critical decisions based on age alone.