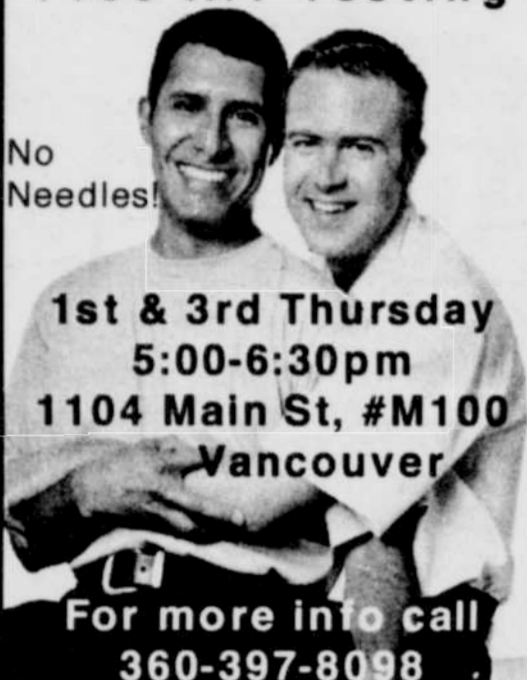


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NATIONAL news

MARYLAND
 Told by hospital staff he could not visit his dying partner because he was not a family member, San Francisco resident Bill Flanigan sued the University of Maryland Medical System in Baltimore City Circuit Court on Feb. 27.



Hospital staff in Baltimore prevented Bill Flanigan (right) from visiting his dying partner, Robert Daniel

His partner of five years, Robert Daniel, had been admitted Oct. 16, 2000, from complications arising from AIDS. The couple were on their way to visit Flanigan's sister in the Washington, D.C., area, where a nearby hospital transferred Daniel to the medical system's Shock Trauma Center because of his critical condition.

As he was kept in the waiting area, Flanigan asked staff members to allow him to see Daniel and to confer with physicians. They told him that only "family" members were allowed to do so and that "partners" did not qualify.

He explained that he had a Durable Power of Attorney for Health Care Decisions and that the couple were registered as domestic partners in California. Staff members also had the records of the first hospital to which Daniel was admitted, where Flanigan was recognized as family, having spent the night in a chair by his partner's bed.

The center acted quite differently. Personnel kept Flanigan away from Daniel and his physicians—meanwhile allowing family members of other patients to visit their loved ones and confer with doctors. Flanigan, on the other hand, was not given the opportunity to make surgeons aware of Daniel's wish not to have life-prolonging measures performed on him, including the insertion of a breathing tube.

After four hours, Daniel's sister and mother arrived from out of town. Only then did the center provide information on his status and subsequently allow the entire family, including Flanigan, to see him. By that point, he was no longer conscious, his eyes were taped shut, and the two men never had the chance to say goodbye.

"Tragically, gay and lesbian partners too often have to argue their right to hospital visitation with ill loved ones, even in the middle of a family crisis," said David Buckel, Lambda Legal Defense and Education Fund senior attorney. "But rarely does it rise to the shocking inhumanity of this case."

PENNSYLVANIA
 In a final order after nearly two years of litigation, a Court of Common Pleas judge in Cumberland County ordered a nonbiological co-parent to pay child support for the five kids of her former partner.

The case is one of the first of a handful around the country to address the issue of child support after same-sex parents separate. Other states have looked to the Pennsylvania court's reasoning in earlier decisions for guidance.

Tiffany L. Palmer, Center for Lesbian and Gay Civil Rights legal director, served as counsel for the biological mother, Lisa Kove. Her organization worked with the San Francisco-based National Center for Lesbian Rights, which will serve as co-counsel if the case is appealed to the Pennsylvania Superior Court.

Kove and Helen Naumoff began living together as domestic partners in the mid-1980s. They chose to create a family and have children through alternative insemination.

Kove gave birth to her first baby in 1990 and to quadruplets in 1993. The couple shared in all child-rearing responsibilities until their separation in 1997.

Naumoff was awarded partial custody and joint legal custody of all five kids. Kove sued for child support in 1998.

After the separation, Naumoff argued she had no duty to pay because she is not a biological or adoptive parent. The court rejected that argument and ordered her to provide support in accordance with the guidelines under Pennsylvania law.

NATIONAL
 The Senate Health, Education, Labor and Pensions Committee held a hearing Feb. 27 on the Employment Non-Discrimination Act featuring supportive testimony by executives representing some of the country's most prestigious corporations.

If passed, the bill would ensure gay, lesbian and bi U.S. citizens have equal rights in the job market and workplace. Specifically, it would prohibit the use of a person's sexual orientation as the basis for employment decisions, including hiring, firing, promotion or compensation.

Companies testifying in support of ENDA included FleetBoston, Eastman Kodak and Shell Oil Co. Others—including Microsoft, Capital One and Hewlett Packard—sent letters.

"Coors supports the efforts...to ensure that all employees are afforded equal employment opportunity, regardless of sexual orientation," president and CEO W. Leo Kiely III wrote. ENDA "provides a vehicle for this goal to be achieved."

Lucy Billingsley, founder and partner of the Billingsley Co., which employs 30 people and manages a broad range of real estate activities in Texas, testified that ENDA is good for small businesses. She is a lifelong Republican.

"Some might voice concern that adding federal workplace protections for gays and lesbians will be a costly burden to America's small-business owners," Billingsley said. "But actually, not doing so would be the more costly route."

When people trust their employer, they will be more adaptable to changing business forces. Inclusive workplace policies can improve recruitment and lower turnover, boost productivity and lead to business opportunities.

It is legal to fire someone in 38 states because he or she is gay. Discrimination based on sexual orientation is prohibited in California, Connecticut, Hawaii, Massachusetts, Maryland, Minnesota, Nevada, New Hampshire, New Jersey, Rhode Island, Vermont, Wisconsin and the District of Columbia.

The National Gay and Lesbian Task Force attacked elements of President Bush's wel-



Tiffany L. Palmer