

## Subject: Treatment of Individuals

## Item: Sexual Orientation and Gender Identity (SOGI)

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### PURPOSE:

To collect voluntary data regarding sexual orientation and gender identity (SOGI) from each pregnant, breastfeeding or non-breastfeeding applicant for demographic analysis, coordination of care, quality improvement of services, conducting research, fulfilling reporting requirements, and guiding policy or funding decisions.

### POLICY:

During the certification appointment only, local agency (LA) staff must attempt to collect voluntary information regarding pregnant, breastfeeding or non-breastfeeding applicant's SOGI and document it in the WIC Web Information System Exchange (WIC WISE).

### PROCEDURE(S):

- I. Collecting SOGI data at initial certification. LA staff must:
  - A. Inform applicants that providing responses to SOGI questions is optional.
  - B. Explain to each applicant that the collection of the information is strictly for data collection purposes, and has no effect on the determination of their WIC eligibility.
  - C. Attempt to collect SOGI information for pregnant, breastfeeding or non-breastfeeding applicants only.
  - D. Inform applicants of their right to change how they identify at any time during their entire certification period.
  - E. Not "lead," "second guess," or in any other way change or challenge a self-identification made by the applicant as to their SOGI.
  - F. Document the responses provided by the applicant into WIC WISE by using the appropriate dropdown option. If response to a SOGI question is not provided by applicant, LA staff must document "Choose not to disclose" in WIC WISE.
- II. Collection of SOGI information can be done by:
  1. Face-to-Face. LA staff must:
    - a. Have each applicant self-identify by asking the questions and providing the responses verbally:
      - What sex was listed on your original birth certificate?
        - Female
        - Male

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- Unknown
      - Choose not to disclose
    - What is your current gender identity?
      - Female
      - Male
      - Female-to-Male (FTM)/Transgender Male/Trans Man
      - Male-to-Female (MTF)/Transgender Female/Trans Woman
      - Genderqueer, neither exclusively male nor female
      - Additional gender category or other, please specify\_\_\_\_\_
      - Choose not to disclose
    - How do you identify your sexual orientation?
      - Straight or heterosexual
      - Lesbian, gay or homosexual
      - Bisexual
      - Something else, please describe\_\_\_\_\_
      - Don't know
      - Choose not to disclose
  - b. Document applicant response(s) in WIC WISE.
2. SOGI Form
- a. LAs have the option of using the CDPH/WIC form for SOGI collection. LA staff must:
    - i. Give form to the applicant to complete.
    - ii. Record the data in WIC WISE. When questions are left blank on the form, do not require the applicant to complete the information. Document "Choose not to disclose" in WIC WISE.
    - iii. Destroy any physical copies, or wipe clean any laminated copies, as they may contain sensitive and confidential information.

**AUTHORITY:**

[AB 959 Lesbian, Gay, Bisexual, and Transgender Disparities Reduction Act](#)