FAMILY AND LEGACY

18. Supplemental Materials: LGBTQ+ Relationship, Rights and Retirement Planning

Your legal relationship, your chosen family and your state's rules can change who makes decisions, who inherits and which retirement benefits continue. Here is how the rules connect to what you reported.

> Just for You
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> Your marriage provides spousal protections, but chosen family still need written authority if you want them involved in care decisions. Your remarriage generally prevents Social Security survivor benefits on your late spouse’s record while this marriage lasts; pension and annuity rights follow separate rules. Ask the plan administrator which spouse any survivor election covers and what continues after a death.
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> With children and parentage among your priorities, ask whether existing records establish the legal relationships you intend. The District recognizes stepparent and second-parent adoption pathways, but that doesn't establish whether either is needed for your family.

How Your Relationships and Rights Affect Retirement

Who can act for you, and who inherits

A will or trust decides who inherits. Powers of attorney, an advance directive and medical releases decide who can act for you while you're alive; they're covered in Family, Care and Legacy Planning. These matter most when the people you trust aren't your legal next of kin. Survivor protection from a pension or Social Security depends on each program's rules, not the relationship label.

What your legal marriage protects

You reported being legally married. Marriage generally provides spousal priority under intestacy and many healthcare and inheritance rules, federal marital tax treatment, and access to spouse/survivor benefit rules when each program's conditions are met. For qualifying married households, federal estate and gift tax marital-deduction rules and Medicaid spouse-at-home

protections can be important, subject to each program's requirements. Marriage doesn't correct an outdated beneficiary form, guarantee a pension survivor election, or remove Social Security duration and other eligibility tests.

The survivor pension or annuity you flagged

You reported that pension or annuity survivor rights may be relevant. Ask the plan administrator what election was made, whom it covers, whether the benefit continues after the first death and what, if anything, could still be changed. No survivor payment is added merely because you selected this topic.

Adoption and parentage rights where you live

What StateMatcher's research (from the Movement Advancement Project) shows for the District of Columbia. Each is a separate legal route.

Stepparent adoption: Recognized: a stepparent-adoption pathway.

Second-parent or co-parent adoption: Recognized: an adoption route without requiring the parents to marry.

Confirmatory adoption: Not listed in the research for a confirmatory-adoption procedure, which doesn't mean it's unavailable.

Assisted reproduction: Recognized: parentage recognition for consenting intended parents regardless of marital status. This doesn't cover surrogacy.

Marital presumption: Recognized: a presumption of parentage for spouses.

Voluntary parentage acknowledgment: Not listed in the research for an inclusive voluntary-acknowledgment route for non-genetic/LGBTQ+ parents, which doesn't mean it's unavailable.

Functional parents: A functional parent may have standing to pursue custody. Standing doesn't guarantee a result.

For your selected affirming-care priority, the practical retirement question is whether your coverage and future care setting will respect your chosen visitors, legally designated medical agent, privacy and stated preferences. Compare actual Medicare or insurance network rules, facility resident rights and grievance procedures; these laws don't establish that a particular provider is taking patients. No diagnosis, treatment, transgender-related need or HIV-related need is assumed.

For your selected community priority, compare practical local support, social connection, accessible services and caregiving networks rather than using a statewide reputation as a substitute for local evidence.

What the District of Columbia's nondiscrimination laws say

The StateMatcher/MAP state-law table expressly lists both sexual orientation and gender identity for workplace, housing, public services and businesses, and credit. These classifications don't establish the policies or staffing of any individual senior residence, healthcare provider or employer. Check applicable federal and local rules and actual facility practices.

State rules for identity documents

Driver's-license rules: A rule allows gender-marker changes. An X marker is identified.

Birth-certificate rules: No clear rule found for gender-marker changes. An X marker is identified.

Name-change rules: A rule allows name changes.

What changes if you move

Marriage recognition, civil-union recognition, medical decision-making and parentage aren't the same legal question. If you relocate, review the rules governing your particular relationship, the deeds and plans you rely on, and the authority of your medical and financial agents. A move abroad needs local counsel because U.S. documents may not carry over.

Historic Social Security survivor claims

Social Security's Thornton guidance concerns certain surviving partners who were prevented by earlier laws from marrying before a partner died. Ely addresses some surviving same-sex spouses who could not satisfy the usual nine-month marriage-duration requirement because earlier laws prevented timely marriage. Neither decision automatically grants a benefit. Gather relationship dates and SSA notices, and ask the agency to review the applicable claims or reopening rules.

Care settings and visitors

For Medicare- or Medicaid-certified nursing homes, federal resident-rights rules include visitors chosen by the resident and prohibit visitation restrictions based on sexual orientation or gender identity, subject to lawful clinical or safety limitations. Other settings may have different rules. Ask the facility about actual policies and grievance procedures.

Identity records and privacy

If names or identity markers differ among identification, Social Security, insurance and medical records, ask the relevant agencies how to reconcile them. Discuss medical privacy and individual care preferences with authorized agents, including any written instructions about how you wish to be addressed. No particular identity or treatment is inferred from choosing this topic.

Chosen-family caregivers

Name trusted people explicitly where you want them to have medical, financial, funeral or inheritance roles. State default rules might not recognize a friend or other chosen relative without the necessary documents.

Key details at a glance

StateMatcher relationship recognition (District of Columbia)
Same-sex couples currently have access to civil marriage. This jurisdiction also has a comprehensive civil-union or domestic-partnership framework in the MAP relationship-recognition table.

Questions and next steps

- Ask residential-care providers about visitation, privacy, respectful care and complaint processes.

Important context and cautions

State law in this supplement comes from the Movement Advancement Project via StateMatcher, verified through 2026-08-17. Laws change, so check current rules before acting.

Sources and further reading

LGBTQ+ aging resource: SAGE.

Local community resource: The DC LGBTQ+ Community Center.

Guides worth reading: Social Security survivor eligibility · IRS filing status · Medicaid protections for a spouse at home.