

MARY L. WASHINGTON, PH.D
Legislative District 43
Baltimore City

Education, Health, and
Environmental Affairs Committee

Chair

Joint Committee on Ending
Homelessness

Chair

Joint Committee on Children,
Youth, and Families



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SUPPORT – SB 682

Maryland Medical Assistance Program – Gender-Affirming Treatment
Trans Health Equity Act of 2022
Senate Finance Committee
February 22, 2022

Chair Kelley, Vice Chair Feldman, and Members of the Finance Committee,

I respectfully urge you to vote favorable with amendment on Senate Bill 682, which modernizes Maryland’s Medical Assistance Program (Medicaid) to ensure that we are following best practices for gender-affirming care.

Medicaid’s current policy on gender-affirming care is summarized in its Managed Care Organizations Transmittal No. 110. This policy was informed by medical standards that were published in 2001 by the World Professional Association for Transgender Health (WPATH). Maryland has not updated its policy, even though WPATH has since revised its Standards of Care. Moreover, WPATH will likely publish another updated version later this year. Maryland continues to fall further behind medical science.

Based on these decades-old standards, Medicaid categorically denies coverage for 31 gender-affirming procedures, regardless of medical necessity or a doctor’s prescription. The excluded procedures include many that are most important to the daily lives of transgender individuals, including hair, voice, and facial procedures. By removing such categorical exclusions, Maryland will join over a dozen other states, including Virginia and Washington, D.C., in providing a best-practice standard of care for our transgender community members.

This bill is a result of numerous conversations with the Department of Health regarding gender-affirming care. The bill was created in collaboration with medical professionals at Johns Hopkins Medicine, MedStar Health, Chase Brexton Health Care, and many other medical institutions. We have also worked with MedChi, which recommended that we amend the bill to omit the list of specific procedures. I have introduced an amendment that will enable the bill to more clearly keep pace with medical science as that science advances.

SB 682 requires Medicaid to cover gender-affirming treatment when it is medically necessary, prescribed by a licensed health-care provider, and is in accordance with current, nondiscriminatory medical standards.

The bill also prevents Medicaid from denying treatment because of an individual's gender identity, because of medical misinformation that names this medically necessary care as cosmetic, or without the benefit of an experienced medical provider's opinion.

SB 682 will have a life-saving impact on a small number of Marylanders. There are fewer than 2,000 transgender Marylanders enrolled in Medicaid.¹ Not all of these individuals will seek access to this care. Indeed, the fiscal note provides an illustrative example of the amount of costs when some individuals access some services – the result is that Maryland would use approximately one-half of 0.01% of its Medicaid budget on these one-time costs.

Providing this care will also enable Maryland to save on other costs. It will reduce the number of individuals seeking unregulated, unsafe care, which therefore reduces the numbers of costly complications from unlicensed care. It will also reduce the number of individuals who do not receive adequate medical care, and therefore the yearly spillover costs of deteriorated physical and mental health.

SB 682 will bring a profound benefit to the lives of Marylanders by modernizing our outdated Medicaid system and ensuring that we cover medical care according to leading best practices.

I welcome your partnership in this important effort and urge you to vote favorable with amendment on SB 682.

In Partnership,

A handwritten signature in blue ink, appearing to read "Mary Washington".

Senator Mary Washington
Maryland 43rd District

¹ Williams Institute (October, 2019). Medicaid Coverage for Gender-Affirming Care.
<https://williamsinstitute.law.ucla.edu/wp-content/uploads/Medicaid-Gender-Care-Oct-2019.pdf>