



MARCH 24, 2022

# Gender-Affirming Treatment is Essential Health Care

## Position Statement Supporting Senate Bill 682

*Given before the House Health and Government Operation Committee*

Every Marylander deserves to get the essential health care they need not just to survive, but to thrive. For transgender Marylanders, that essential health care includes gender-affirming treatments. **The Maryland Center on Economic Policy supports Senate Bill 682 because it will ensure low-income Marylanders enrolled in Medicaid can access the same types of gender-affirming treatment as those with private insurance.**

Maryland's Medicaid program currently uses outdated standards, developed 20 years ago, to govern decisions about the types of care available to low-income transgender people who rely on Medicaid to pay for their health care. SB 682 would enact updated standards that would allow more types of gender-affirming treatment to be covered through Medicaid. At least 10 other states, including Virginia and Washington, D.C., already provide more robust care, and the services included in SB 682 are all eligible for federal reimbursement. Given the small number of transgender Marylanders enrolled in Medicaid, any impact on the state's share of Medicaid costs would be very minimal.

Ensuring more people can access gender-affirming care supports improved mental health and could reduce instances of workplace and housing discrimination that transgender people too often face. Because of chronic stress linked to discrimination, people who are transgender are up to three times more likely than the general population to have a mental health or substance use disorder<sup>i</sup>. That's why major medical associations including the American Medical Association, American Psychiatric Association, and American Academy of Pediatrics all consider comprehensive treatment for transgender people to be essential.

The 2015 U.S. Transgender Survey showed that transgender Marylanders face much higher levels of poverty and economic instability than others in the state<sup>ii</sup>:

- 9% of respondents were unemployed at the time of the survey, about double the statewide average at that time, and more than 1 in 5 reported incomes below the federal poverty level.
- 1 in 4 respondents reported experiencing various types of employment discrimination because of their gender identity or expression, such as being fired, not being hired, or being denied a promotion.
- Nearly 1 in 4 respondents also reported experiencing housing discrimination in the past year, such as being evicted or being denied a home or apartment, because of their gender identity or expression. 28% reported experiencing homelessness at some point in their lives.

Ensuring people can afford and receive needed health care would be a significant step toward greater health and economic security for transgender Marylanders. **For these reasons, the Maryland Center on Economic**

**Policy respectfully requests the Health and Government Operations Committee to make a favorable report on Senate Bill 682.**

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**Equity Impact Analysis: Senate Bill 682**

*Bill Summary*

SB 682 would require the Maryland Medical Assistance Program to cover additional types of gender-affirming treatment for transgender Marylanders. It would also prohibit the program from denying benefits unless a health care provider with experience prescribing or delivering gender-affirming treatment has reviewed and confirmed the appropriateness of the determination.

*Background*

Maryland's Medicaid program currently uses outdated standards, developed 20 years ago, to govern decisions about the types of care available to low-income transgender people who rely on Medicaid to pay for their health care. Private insurers are generally prohibited from denying coverage for gender-affirming treatment. SB 682 would enact updated standards that would allow more types of gender-affirming treatment to be covered through Medicaid. At least 10 other states, including Virginia and Washington, D.C., already provide more robust care, and the services included in SB 682 are all eligible for federal reimbursement.

*Equity Implications*

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Further, transgender people of color face even more pervasive challenges due to the combined impact of anti-transgender bias and racism. One national survey found that<sup>iii</sup>:

- Black transgender people had an extremely high unemployment rate at 26 percent, two times the rate of the overall transgender sample and four times the rate of the general population.
- 41 percent of Black respondents said they had experienced homelessness at some point in their lives, more than five times the rate of the general U.S. population.
- Black transgender people lived in extreme poverty with 34 percent reporting a household income of less than \$10,000 per year. This is more than twice the rate for transgender people of all races (15 percent), four times the general Black population rate (9 percent), and eight times the general U.S. population rate (4 percent).

*Impact*

Senate Bill 682 will likely **improve racial, gender, and economic equity** in Maryland.

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<sup>i</sup> Letter from American Medical Association CEO James Madara to the National Governor's Association, April 21, 2021. <https://searchlf.ama-assn.org/letter/documentDownload?uri=%2Funstructured%2Fbinary%2Fletter%2FLETTERS%2F2021-4-26-Bill-McBride-opposing-anti-trans-bills-Final.pdf>

<sup>ii</sup> National Center for Transgender Equality, 2015 U.S. Transgender Survey: Maryland State Report. <https://transequality.org/sites/default/files/USTS%20MD%20State%20Report.pdf>

<sup>iii</sup> "New Analysis Shows Startling Levels of Discrimination Against Black Transgender People," National LGBTQ Task Force. <https://www.thetaskforce.org/new-analysis-shows-startling-levels-of-discrimination-against-black-transgender-people/>