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The Honorable Chair Katherine Klausmeier
3 East
Miller Senate Office Building
Annapolis, Maryland 21401
February 28th, 2023

Testimony of FreeState Justice
IN SUPPORT OF SB0460: Maryland Medical Assistance Program – Gender-Affirming Treatment (Trans Health Equity Act)

To the Honorable Chair Katherine Klausmeier and esteemed members of the Senate Finance Committee:

I'm here representing FreeState Justice, civil rights, legal & advocacy organization representing Maryland's LGBTQ+ community. We write today in support of SB460.

You'll hear from our panels many reasons why this bill should be passed. I want to briefly discuss what would happen if this bill does not pass & acquaint you with the problems this lack of coverage currently causes in my community.

The healthcare covered by this bill is called elective or cosmetic by the bill's opponents. For Maryland's transgender community it is anything but elective or cosmetic, and by COMAR's own definitions it is "medically necessary."¹ Trans people will prioritize their gender affirming care over hobbies, housing, and even food. A trans person may stay at a job where they are being

¹ COMAR 10.09.02.01(11) "Medically necessary" means that the service or benefit is:

- (a) Directly related to diagnostic, preventive, curative, palliative, rehabilitative, or ameliorative treatment of an illness, injury, disability, or health condition;
- (b) Consistent with current accepted standards of good medical practice;
- (c) The most cost efficient service that can be provided without sacrificing effectiveness or access to care; and
- (d) Not primarily for the convenience of the consumer, family, or provider.

discriminated against in order to afford this care, especially if they do not have insurance. Rather than making significant investments that could improve their quality of life, they spend large sums on life-saving healthcare even as the same procedures are covered by private insurance. In some cases, trans people will even go without basic necessities in order to save money for expensive surgeries.

This care can often make a difference in a person's upward mobility. For instance, passing² is almost required for many entry level jobs in the service and retail industry where being perceived as trans can mean abuse from customers and even fellow employees. Access to the care covered by SB0460 will open transgender Marylanders to opportunities previously closed because of bias, allowing their talents to shine and their economic situations to improve. Embodying oneself fully, as these procedures allow our low-income transgender community members to do, makes all areas of life easier, especially employment.

When our community cannot access reliable employment or healthcare, our options for survival are limited. Many people turn to unregulated sources for hormones, which are cheaper on the black market than through pharmacies for people who are uninsured. Others engage in sex work as it is often the only field of employment where their trans identity is not a barrier, and for which they are compensated substantially above minimum wage.

The out-of-pocket cost of these medically necessary procedures is not just personal or individual for low-income transgender Marylanders; their burden is shared by the whole of our community. Every day, trans people fundraise on all manner of platforms to meet the cost of these critical healthcare interventions. Using social media, for instance, trans people pass the same \$5 around to meet each other's medical fundraising goals. Imagine if their fundraising talent and accumulated capital could be harnessed and reinvested for other issues impacting trans people in this state, like establishing resources to address high rates of substance abuse in our community, tackling anti-LGBTQ+ street harassment, or providing food, housing, and clothing to other queer folks in need. Our community is weakened by the out-of-pocket costs of these medically necessary procedures, but it could truly thrive if low-income individuals' healthcare is covered more fully by this bill.

These services are federally reimbursable and are estimated to cost less than a half a percent of the state's Medicaid budget, and the cost saved on social and legal services as a result of Marylanders receiving this care reduces the net cost further. This legislation is thus a low-cost solution that improves the quality of life of the most marginalized within our community, based on the mainstream consensus of a broad swath of medical science and which mirrors policy already in place across our country.

For these reasons, FreeState Justice urges a favorable report on SB 0460

Jamie Grace Alexander

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² "Passing means others see you as the gender that you identify as. For example, a transgender woman seen as a cisgender woman is "passing.'" *Transgender and Nonbinary Identities*. Planned Parenthood. [Web Link](#). Accessed Feb. 27, 2023.