



# State of Maryland Commission on Civil Rights

*Respect...Integrity...Effective Communication*

March 7, 2024

## HB 1283 Insurance – Discrimination – Sexual Orientation and Gender Identity

### POSITION: Support

Dear Chair Wilson, Vice Chair Crosby, and Members of the House Economic Matters Committee:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, health services and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, physical and mental disability, and source of income.

HB 1283 amends the Insurance Article to prohibit discrimination based on an individual’s sexual orientation or gender identity by an insurer, an insurance producer, a surety insurer, and a health network when engaging in certain insurance-related business practices. The Commission is granted concurrent jurisdiction with the Insurance Commission in State Government Article, §20-401 and §20-402. See, *Equitable Life Assurance Soc’y v. State Comm’n on Human Relations*, 290 Md. 333, 430 A.2d 60 (1981).

Protections against unlawful discrimination in insurance is needed for members of the LGBTQ community, especially in health insurance coverage. Movement Advance Project, “Equality Maps: Healthcare Laws and Policies” (MAP) using October 10, 2023, data shows that transgender exclusions in health insurance service coverage are prohibited in 24 states plus the District of Columbia. Further, the District of Columbia and 14 states also include prohibition against sexual orientation health insurance discrimination as shown on the map. There are 26 states including Maryland that have **no law** providing LGBTQ inclusive insurance protection. (See Attached Exhibit 1)

HB 1283 will bring Maryland in line with those 14 states and DC that protect persons against discrimination because of their sexual orientation and gender identity and from being unfairly denied health insurance or being excluded from coverage for certain health care procedures. All Marylanders should have access to health insurance coverage and not be denied or treated differently because of their sexual orientation or gender identity.

For these reasons, the Maryland Commission on Civil Rights urges a favorable report on HB 1283. Thank you for your time and consideration of the information contained in this letter. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.

***“Our vision is to have a State that is free from any trace of unlawful discrimination.”***

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