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Victory! New York State Lifts Medicaid Ban on Transgender Health Care

Final Step in Process Ensures Transgender New Yorkers Have Access to Medically Necessary Care

New York, NY - The Transgender Legal Defense & Education Fund (TLDEF) applauds news that transgender New Yorkers covered by Medicaid can now access the medically necessary health care they have been denied for nearly two decades. Governor Andrew Cuomo and the New York State Department of Health have officially adopted a **new regulation** that ends the 17-year-old exclusion of transgender health care from New York's Medicaid program.

The new regulation, which formally took effect on March 11, eliminates a 1998 regulation which stated that coverage "is not available for care, services, drugs, or supplies rendered for the purpose of gender reassignment..." In 2013, TLDEF submitted a **38-page letter** urging the state to rescind the 1998 regulation. The new regulation ensures coverage for many common treatments for gender dysphoria, the diagnostic term used to refer to discomfort or distress caused by a difference between a person's gender identity and their sex assigned at birth.

The regulation was proposed last December and was subject to public comment before its adoption last week. TLDEF **submitted comments** on the regulation, urging New York to improve the proposed regulation by removing all restrictions for medically necessary transgender health care. While certain restrictions on coverage remain in place, the administration has committed to seeking further guidance and considering changes to the regulation in the future.

"We strongly commend the Cuomo Administration for adopting this vital regulation. Transgender New Yorkers have suffered immensely because their health care needs have been excluded from New York's Medicaid program," said TLDEF Executive Director Michael Silverman. "The exclusion was rooted in bias and it harmed some of the most vulnerable people in New York. We are thrilled to see this change. Improved Medicaid access will significantly enhance the lives

of low-income transgender New Yorkers who previously could not get the medically necessary care they needed.”

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About the Transgender Legal Defense & Education Fund (TLDEF): TLDEF is committed to ending discrimination based upon gender identity and expression and to achieving equality for transgender people through public education, test-case litigation, direct legal services, and public policy efforts. Read more at: <http://transgenderlegal.org>.