

Aetna Expands Gender-Affirming Surgery Coverage For Transgender Women

Policy Change Result of Collaboration with Transgender Legal Defense & Education Fund and Civil Rights Law Firm Cohen Milstein Sellers & Toll



(NEW YORK, NY - January 26, 2021) - Aetna, a CVS Health company, with the [Transgender Legal Defense & Education Fund](#) (TLDEF) and national civil rights law firm [Cohen Milstein Sellers & Toll](#), today announced that Aetna has expanded coverage of gender-affirming surgery to include breast augmentation for transfeminine members of most of its commercial plans. The announcement is the result of collaboration between Aetna, TLDEF, Cohen Milstein, and several transgender beneficiaries.

Aetna covers a variety of gender-affirming treatments and surgeries, subject to plan terms and other requirements. Through TLDEF and Cohen Milstein, two transgender women, Nancy Menusan and Cora Brna, who were later joined by two additional transgender women, Allison Escolastico and Elissa Gaytan, brought access-to-care issues to Aetna's attention after being denied coverage for breast augmentation as part of their gender-affirming treatment. On behalf of their clients, TLDEF and Cohen Milstein initiated contact and worked with Aetna to update Aetna's clinical policy bulletin to cover breast augmentation for transfeminine members as medically necessary when certain clinical requirements are met.

"My hope is that being part of this groundbreaking collaboration helps other transgender and non-binary people have access to the health care we deserve," said **Nancy Menusan**. "By dropping exclusions for medically-necessary care like top surgery, Aetna is paving the way and setting an example for other health insurance providers, and I hope others will take note."

"Our decision to update our clinical policy bulletin is consistent with many changes we have made over the years to better serve the needs of the LGBTQ community," said **Dr. Jordan Pritzker, Senior Director of Clinical Solutions for Aetna**. "We appreciate the collaborative nature of this process, which allowed us to make an evidence-based change to our coverage policies regarding important care for members of the LGBTQ community."

"Aetna has been an industry leader in providing access to medically-necessary, transgender-related health care coverage, and we commend them for continuing to lead by example," said **TLDEF Executive Director Andy Marra**. "Eliminating this exclusion is a vital step towards providing comprehensive and medically-necessary care that all transgender people deserve to ensure their health and wellbeing."

"This marks an important moment for transgender women, who are increasingly speaking out to demand better support for their physical and mental health," said **Kalpna Kotagal, Partner at Cohen Milstein Sellers & Toll**. "Aetna has a history of ensuring health care coverage for the transgender community, and we appreciate its cooperation in revising this policy to enhance medical coverage for transgender women who suffer from gender dysphoria."

Aetna has been a leader in increasing access to health care for the LGBTQ community. When TLDEF and Cohen Milstein approached Aetna about coverage exclusions for transgender members, the company agreed to work collaboratively to improve access for transition-related health care. This includes considering medical evidence and revising its clinical policy on gender-affirming surgery to consider breast augmentation medically necessary rather than cosmetic for transgender members who meet certain criteria, including

a letter of referral from a qualified mental health professional; persistent, well-documented gender dysphoria; and the completion of one year of feminizing hormone therapy prior to breast augmentation surgery.

About CVS Health

CVS Health is a different kind of health care company. We are a diversified health services company with nearly 300,000 employees united around a common purpose of helping people on their path to better health. In an increasingly connected and digital world, we are meeting people wherever they are and changing health care to meet their needs. Built on a foundation of unmatched community presence, our diversified model engages one in three Americans each year. From our innovative new services at HealthHUB locations, to transformative programs that help manage chronic conditions, we are making health care more accessible, more affordable and simply better. Learn more about how we're transforming health at www.cvshealth.com.

About TLDEF

Transgender Legal Defense & Education Fund is committed to ending discrimination based upon gender identity and expression and to achieving equality for transgender people through test-case litigation, direct legal services, public policy, and public education efforts. For more information, visit TLDEF.org.

About Cohen Milstein

Cohen Milstein Sellers & Toll PLLC is recognized as one of the premier law firms in the country handling major, complex plaintiff-side litigation. With more than 100 attorneys, Cohen Milstein has offices in Washington, D.C., Chicago, Ill., New York, N.Y., Palm Beach Gardens, Fla., Philadelphia, Pa. and Raleigh, N.C. For additional information, visit www.cohenmilstein.com or call 202.408.4600.

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