

HOUSE No. 4079

The Commonwealth of Massachusetts

PRESENTED BY:

Natalie M. Higgins

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to trans-inclusive health care access.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>2/17/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/23/2021</i>

HOUSE No. 4079

By Ms. Higgins of Leominster, a petition (accompanied by bill, House, No. 4079) of Natalie M. Higgins and Jack Patrick Lewis relative to healthcare coverage for certain gender affirming care. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to trans-inclusive health care access.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 32A of the General Laws is hereby amended by inserting after
2 section 17R the following section:-

3 Section 17S. The commission shall not reject a letter from a health care provider,
4 including, but not limited to a qualified mental health care professional, affirming the medical
5 necessity of gender affirming care for a person for the purposes of accessing gender-affirming
6 health care.

7 For purposes of this section, the term “qualified mental health care professional” shall,
8 unless the context clearly requires otherwise, mean a mental health professional who meets the
9 minimum credentials, training and standards of care for working with gender dysphoric adults
10 and adolescents developed by the World Professional Association for Transgender Health.

11 SECTION 2. Chapter 118E of the General Laws is hereby amended by inserting after
12 section 10N the following section:-

13 Section 10O. The division shall not reject a letter from a health care provider, including,
14 but not limited to a qualified mental health care professional, affirming the medical necessity of
15 gender affirming care for a person for the purposes of accessing gender-affirming health care.

16 For purposes of this section, the term “qualified mental health care professional” shall,
17 unless the context clearly requires otherwise, mean a mental health professional who meets the
18 minimum credentials, training and standards of care for working with gender dysphoric adults
19 and adolescents developed by the World Professional Association for Transgender Health.

20 SECTION 3. Chapter 175 of the General Laws is hereby amended by inserting after
21 section 47NN the following section:-

22 Section 47OO. No insurer or producer authorized to issue policies of insurance pursuant
23 to sections 108 or 110 shall reject a letter from a health care provider, including, but not limited
24 to a qualified mental health care professional, affirming the medical necessity of gender
25 affirming care for a person for the purposes of accessing gender-affirming health care.

26 For purposes of this section, the term “qualified mental health care professional” shall,
27 unless the context clearly requires otherwise, mean a mental health professional who meets the
28 minimum credentials, training and standards of care for working with gender dysphoric adults
29 and adolescents developed by the World Professional Association for Transgender Health.

30 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after
31 section 8OO the following section:-

32 Section 8PP. No corporation subject to this chapter shall reject a letter from a health care
33 provider, including, but not limited to a qualified mental health care professional, affirming the

34 medical necessity of gender affirming care for a person for the purposes of accessing gender-
35 affirming health care.

36 For purposes of this section, the term “qualified mental health care professional” shall,
37 unless the context clearly requires otherwise, mean a mental health professional who meets the
38 minimum credentials, training and standards of care for working with gender dysphoric adults
39 and adolescents developed by the World Professional Association for Transgender Health.

40 SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after
41 section 4OO the following section:-

42 Section 4PP. No corporation subject to this chapter shall reject a letter from a health care
43 provider, including, but not limited to a qualified mental health care professional, affirming the
44 medical necessity of gender affirming care for a person for the purposes of accessing gender-
45 affirming health care.

46 For purposes of this section, the term “qualified mental health care professional” shall,
47 unless the context clearly requires otherwise, mean a mental health professional who meets the
48 minimum credentials, training and standards of care for working with gender dysphoric adults
49 and adolescents developed by the World Professional Association for Transgender Health.

50 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after
51 section 4GG the following section:-

52 Section 4HH. No health maintenance organization subject to this chapter, and no officer
53 or agent thereof, shall reject a letter from a health care provider, including, but not limited to a

54 qualified mental health care professional, affirming the medical necessity of gender affirming
55 care for a person for the purposes of accessing gender-affirming health care.

56 For purposes of this section, the term “qualified mental health care professional” shall,
57 unless the context clearly requires otherwise, mean a mental health professional who meets the
58 minimum credentials, training and standards of care for working with gender dysphoric adults
59 and adolescents developed by the World Professional Association for Transgender Health.