



State of Connecticut
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

Central Office ~ 25 Sigourney Street, Hartford, CT 06106

Promoting Equality and Justice for all People

**Testimony to the Insurance and Real Estate Committee
Tuesday, February 24, 2015**

HB 5193, AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR GENDER REASSIGNMENT SURGERY.

Good afternoon Senator Crisco, Representative Megna, Senator Kelly, Representative Sampson and members of the Insurance and Real Estate Committee. My name is Michael Roberts, and I am an attorney at the Commission on Human Rights and Opportunities. I am here to state the Commission's **OPPOSITION** to HB 5193.

This bill would reverse the Insurance Department's guidance from 2013 which mandated coverage for gender reassignment surgery, a medically necessary procedure for individuals with gender dysphoria. In allowing health insurers to deny coverage for a condition that exclusively affects transgender individuals, HB 5193 would permit health insurers to discriminate against that protected class.

In 2011, the legislature included gender identity and expression as protected classes in our state's antidiscrimination statutes. The Insurance Department has interpreted the intent of the legislature to mean that medically necessary treatments for gender dysphoria – including gender reassignment surgery – must be treated as any other medically necessary treatment would be. This allows insurers to make determinations on a case-by-case basis, but prohibits them from wholly excluding gender reassignment from coverage.

We would never think of excluding coverage for medically necessary treatments for breast or prostate cancer, even though those conditions usually affect only a particular group of people. In the same way, we should not think of allowing coverage for gender reassignment to be excluded, even though it might only affect transgender individuals. In each of these situations, having a medically necessary treatment covered by your insurance can be a matter of life and death.

Connecticut has long been in the vanguard of protecting the civil rights of our citizens. We should continue to be a leader in this area, rather than take a step in the opposite direction. We cannot allow for the possibility that health insurers could discriminate against a particular group of people, or specifically exclude from coverage a procedure that is medically necessary.

I will be happy to answer any questions you may have.