

## MEMORANDUM

To: Individuals Who Commented on the Proposed Regulation Regarding Coverage of Services for the Treatment of Gender Dysphoria  
DSS Reg. No. 14-05

From: Roderick L. Bremby, Commissioner   
Department of Social Services  
55 Farmington Avenue.  
Hartford, CT 06106

Date: December 16, 2014

Re: Responses to Public Comment

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The following are the Department of Social Services' (the "Department's") responses to comments received from the public concerning the proposed regulation referenced above. The Notice of Intent for this regulation appeared on the Secretary of the State's website on September 22, 2014. The Department received comment from two organizations, Lambda Legal and GLAD, Gay & Lesbian Advocates and Defenders. The comments were uniformly positive. No revisions were necessary based upon the public comments received.

- (1) Support for the regulation as it will bring the Department's policy into alignment with current medical practice and provide the full complement of medically necessary care to individuals with gender dysphoria.**

Comment: Both sets of comments strongly support the central purpose of the regulation, removal of the coverage exclusions for gender identity services. The proposed amendments to existing regulations will allow Medicaid coverage of sex-reassignment surgery and related services and treatments. One comment noted that without medically necessary treatment, individuals with gender dysphoria may experience clinical depression, loss of self-esteem, serious self-harm and suicide.

Response: The Department concurs with the comments that treatment related to gender dysphoria is widely accepted in the medical community. The Department further agrees that transgender individuals should have access to all types of medically necessary care related to their diagnosis.

- (2) **The regulation is supported as it will bring Connecticut's Medicaid program in line with transgender health care discrimination law and the Connecticut Department of Insurance prohibition on such discrimination.**

Comment: Both sets of comments express support for the regulation as it will bring Connecticut's Medicaid program in line with Connecticut General Statutes, § 46a-71(a) which prohibits discrimination based upon "gender identity or expression." These comments also endorse the regulation as it will bring the Medicaid program in line with the Connecticut Department of Insurance Bulletin IC-34, which prohibits discrimination by based upon gender identity or expression. The fact that Connecticut removed exclusions for transgender-related health care for its state employees was also noted.

Response: The Department agrees that it is helpful to have Medicaid coverage in line with these other authorities and payers, including Medicare.

- (3) **Importance of gender dysphoria services to the Medicaid population and cost effectiveness of the services.**

Comment: One comment notes that coverage of transgender health care is particularly crucial in the Medicaid program because many transgender individuals are four times as likely to have a household income under \$10,000 and twice as likely to be unemployed as the typical person in the U.S. A comment also notes that there are studies showing that adding transition related coverage such as sex-reassignment surgery will save money by reducing other health care costs.

Response: The Department did not specifically rely upon estimates of cost effectiveness in its estimated cost of the proposed amendments. However, this data concerning the cost effectiveness of transgender services and the positive impact on the income and employment status of transgender individuals underscores the value of adding Medicaid coverage for these services.

Enclosure

cc: Kathleen Brennan  
Kate McEvoy  
Robert Zavoski  
William Halsey