

HOUSE No. 1037

The Commonwealth of Massachusetts

PRESENTED BY:

Natalie M. Higgins and Christine P. Barber

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>1/18/2023</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/18/2023</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/23/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/23/2023</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>1/26/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/27/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/30/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/21/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/24/2023</i>

HOUSE No. 1037

By Representatives Higgins of Leominster and Barber of Somerville, a petition (accompanied by bill, House, No. 1037) of Natalie M. Higgins, Christine P. Barber and others relative to trans-inclusive health care access. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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, nor shall the commission
5 require more than one letter, affirming the medical necessity of gender affirming care for a
6 person for the purposes of accessing gender-affirming 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, nor shall the division require more
15 than one letter, affirming the medical necessity of gender affirming care for a person for the
16 purposes of accessing gender-affirming health care.

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

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

23 Section 47OO. No insurer or producer authorized to issue policies of insurance pursuant
24 to sections 108 or 110 shall reject a letter from a health care provider, including, but not limited
25 to a qualified mental health care professional, nor shall the insurer or producer require more than
26 one letter, affirming the medical necessity of gender affirming care for a person for the purposes
27 of accessing gender-affirming health care.

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

32 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after
33 section 80O the following section:-

34 Section 8PP. No corporation subject to this chapter shall reject a letter from a health care
35 provider, including, but not limited to a qualified mental health care professional, nor shall the
36 corporation require more than one letter, affirming the medical necessity of gender affirming
37 care for a person for the purposes of accessing gender-affirming health care.

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

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

44 Section 4PP. No corporation subject to this chapter shall reject a letter from a health care
45 provider, including, but not limited to a qualified mental health care professional, nor shall the
46 corporation require more than one letter, affirming the medical necessity of gender affirming
47 care for a person for the purposes of accessing gender-affirming health care.

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

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

54 Section 4HH. No health maintenance organization subject to this chapter, and no officer
55 or agent thereof, shall reject a letter from a health care provider, including, but not limited to a
56 qualified mental health care professional, nor shall the health maintenance organization require
57 more than one letter, affirming the medical necessity of gender affirming care for a person for
58 the purposes of accessing gender-affirming health care.

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