

EXHIBIT M



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Healthcare Laws and Policies: Medicaid Coverage for Transgender-Related Health Care

No updates required since January 6, 2025

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Recommended citation:

Movement Advancement Project. “Equality Maps: Medicaid Coverage of Transgender-Related Health Care.” www.mapresearch.org/equality-maps/healthcare/medicaid. Accessed [date of access].



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Background

Some state Medicaid policies explicitly include best-practice, medically necessary health care for transgender people, whereas other state policies explicitly exclude such care. Still other states have no explicit policy either way. Importantly, even in states with no explicit policy or mention of coverage, transgender people may still be able to access gender-affirming coverage or benefits. However, when states have no explicit policy, transgender people are more likely to report obstacles to receiving care, including being denied needed care.

Scoring options:

- (1) State Medicaid policy explicitly covers transgender-related health care
- (0) State Medicaid has unclear or no explicit policy regarding coverage of transgender-related health care
- (-0.5) State Medicaid policy explicitly excludes coverage of transgender-related health care for minors
- (-1) State Medicaid policy explicitly excludes coverage of transgender-related health care for all ages

Equality Map & Additional Resources

See our [Equality Maps: Medicaid Coverage of Transgender-Related Health Care](#), which is updated and maintained in real time alongside this document.

MAP has tracked state Medicaid policies since at least 2017. MAP recently relied on the following report for additional research, verification, and updating. Thank you to these authors:

Christy Mallory and Will Tentindo. December 2022. [Medicaid Coverage for Gender-Affirming Care](#). Los Angeles, CA: The Williams Institute.

Christy Mallory and William Tentindo. October 2019. [Medicaid Coverage for Gender-Affirming Care](#). Los Angeles, CA: The Williams Institute.

Additional research and resources can be found below. Note that these resources may characterize states differently than MAP for a variety of reasons, including that states may have changed their policies since the publication of the below resources.

TLDEF's Trans Health Project. "[Medicaid Regulations and Guidance](#)."

Michael Zaliznyak, et al. May 2020. "Which U.S. States' Medicaid Programs Provide Coverage for Genital Gender Affirming Surgery for Transgender Patients? A State-By-State Review, and a Study Detailing the Patient Experience to Confirm Coverage of Services." *Journal of Urology* 203 e144. <https://doi.org/10.1097/JU.0000000000000832>



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State-by-State Sources & More Information

Alabama

- (0) State Medicaid has no explicit policy regarding coverage of transgender-related health care

Alaska

- (1) State Medicaid policy explicitly covers transgender-related health care
- See “[Alaska Department of Health and Social Services regulations re: Medicaid coverage and payment for gender dysphoria-related services Memorandum](#)” (June 2021).
- Previously, state explicitly excluded coverage of transgender-related health care for all ages (-1). See [7 AAC 110.405 Physician services coverage and limitations \(since 2010\)](#). Overturned by [Being v. Crum](#) (June 2021).

Arizona

- (-1) State Medicaid policy explicitly excludes coverage of transgender-related health care for all ages
- See [9 AAC R9-22-205.B \(since at least 2004\)](#)

Arkansas

- (-0.5) State Medicaid policy explicitly excludes* coverage of transgender-related health care for minors
- See [HB 1570](#) (2021), banning best-practice medical care for transgender youth, prohibiting Medicaid coverage of best-practice care for transgender youth, prohibiting private insurers from covering gender-affirming care for minors; allowing private insurers to refuse to cover gender-affirming care for adults; and more.
- *In June 2023, a federal judge [permanently blocked](#) HB1570, ruling the law unconstitutional. However, the state is appealing this ruling. See [Brandt et al v. Rutledge et al](#) (filed May 2021).

California

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [DHCS All Plan Letter 13-011](#) (2013) and [DHCS All Plan Letter 16-013](#) (2016). See also California Superior Court Case No. 00CS00954, *Doe v. Bonta*, (January 29, 2001).

Colorado

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [10 CCR 2505-10 8.700](#) (2017).

Connecticut

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [Provider Policies and Procedures](#) (2015).



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Delaware

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [Practitioner Provider Specific Policy Manual](#) (2018).

District of Columbia

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [Non-Discrimination Publication](#) (2014). See also [Policy OD-001-17](#) (2016).

Florida

- (-1) State Medicaid policy explicitly excludes coverage* of transgender-related health care for all ages
- See [Rule 59G-1.050\(7\)](#), published Aug 10 and effective Aug 21, 2022. See also [S254](#), Section 3 (2023).
- *In June 2023, a federal judge [blocked](#) the state’s Medicaid ban. However, the state is appealing the ruling. This map and citation sheet will be updated as the case progresses. See [Dekker v. Weida](#) (filed Sept 2022).
- Formerly (prior to 2022 rule), state Medicaid had no explicit policy regarding coverage of transgender-related health care (0)

Georgia

- (1) State Medicaid policy explicitly covers transgender-related health care
- Formerly, state explicitly excluded coverage of transgender-related health care for all ages (-1). See [State Plan](#) (p1c; since 1992). Overturned in 2022 by [Thomas et al v. Georgia Department of Community Health](#), and see more coverage of case outcome [here](#).

Hawai`i

- (0) State Medicaid policy is unclear regarding coverage of transgender-related health care
- [HB2084](#) (2016) bans gender identity discrimination in health insurance and [HB2405](#) (2022) bans categorical exclusions for gender-affirming care under any health plan, though the law does not specifically name the state’s Medicaid program. However, state regulations ([HCR § 17-1737-84\(22\)\(A\)](#); see also [Provider Manual Ch 6 p42](#)) explicitly exclude “sex transformation treatments” and related services. In the absence of explicit guidance from the state about the apparent conflict between these policies, the ability of Hawaiians to access gender-affirming care through the state’s Medicaid program is uncertain.

Idaho

- (-1) State Medicaid policy explicitly excludes coverage of transgender-related health care for all ages
- See [HB668](#) (2024; effective July 1, 2024)
- Formerly, state Medicaid had no explicit policy regarding coverage of transgender-related health care. However, a 2022 lawsuit filed against the state shows that at least some transgender people have been denied Medicaid coverage of this health care. See [MH & TB v. Jeppesen et al](#) (Sept 2022). But the state policy and documents contained no explicit mention of an official policy regarding transgender-related health care (until 2024’s [HB668](#)).



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Illinois

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [IDHFS announcement](#) (2019).

Indiana

- (0) State Medicaid has no explicit policy regarding coverage of transgender-related health care

Iowa

- (1) State Medicaid policy explicitly covers transgender-related health care
- In March 2019, the Iowa Supreme Court [ruled](#) that the state's previous exclusion of transgender health coverage (see [441 IAC 78.1\(249A\)](#)) violated the state's civil rights law, and therefore was illegal. The decision found that gender-affirming health care is medically necessary and therefore may not be excluded. However, in May 2019, the Iowa governor signed a law ([HF 766](#)) that allows Medicaid and other state-funded health care providers to choose not to cover transgender-related care. In November 2021, an Iowa District Court [ruled](#) that denying Medicaid coverage for transition-related care violates the state's law and constitution, and ordering the state's Department of Human Services to provide coverage when medically necessary.

Kansas

- (0) State Medicaid has no explicit policy regarding coverage of transgender-related health care

Kentucky

- (-1) State Medicaid policy explicitly excludes coverage of transgender-related health care for all ages
- See [Kentucky Medicaid Provider Manual](#) (pg.16) (since at least [March 2021](#), see p.62).

Louisiana

- (0) State Medicaid has no explicit policy regarding coverage of transgender-related health care
- However, the [Transgender Legal Defense & Education Fund \(TLDEF\) reports](#) that while there is no official state policy on transgender-related care in Louisiana Medicaid, the individual insurance organizations operating under Louisiana Medicaid each have inclusive policies for covering transgender-related care.

Maine

- (1) State Medicaid policy explicitly covers transgender-related health care
- State policy formerly explicitly excluded transgender health coverage and care, but a [June 2019 emergency ruling](#) from the state's Department of Health and Human Services eliminated this exclusion. By [September 2019](#), the state's Benefits Manual explicitly included transgender related care.



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Maryland

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [PT 37-16](#) (2016), and [SB460](#) (2023) also known as the Trans Health Equity Act

Massachusetts

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [MassHealth Guidelines](#) (2015).

Michigan

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [Michigan Provider Manual](#) (pg.15, Section 5 – Nondiscrimination) (2019)

Minnesota

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [Minnesota Provider Manual](#) (2017 guidance, brought about by 2016 judicial decision (*OutFront Minnesota v. Piper*)).

Mississippi

- (-0.5) State Medicaid policy explicitly excludes coverage of transgender-related health care for minors
- See [HB1125](#) (Feb 28, 2023), banning best-practice medical care for transgender youth, prohibiting Medicaid coverage of best-practice care for transgender youth, and more. See also Mississippi Division of Medicaid's [letter](#) regarding treatment for transgender youth (Feb 15, 2023) and [related coverage](#).

Missouri

- (-1) State Medicaid policy explicitly excludes coverage of transgender-related health care for all ages
- See [State of Missouri Physician Manual](#) (pgs. 222) (since [at least 2014](#)).

Montana

- (1) State Medicaid policy explicitly covers transgender-related health care
- [Montana Healthcare Programs Notice](#), May 26, 2017.

Nebraska

- (-1) State Medicaid policy explicitly excludes coverage of transgender-related health care for all ages
- See [471 NAC 10-004](#) (pg. 207; since 1990).

Nevada

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [Web Announcement 1532](#) (2018).



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New Hampshire

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [NH Medicaid Care Management Program Member Handbook](#) (p56; 2019)
- Formerly, state explicitly excluded transgender-related health care for all ages (-1) (see [New Hampshire Medicaid Services \(Form 77L\)](#) (2017)). Ban lifted in Oct 2017.

New Jersey

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [P.L. 2017, Chapter 176](#) (2017).

New Mexico

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [State Medical Assistance Program Manual Supplement No. 24-15](#) (Oct 2024)
- Formerly, (0) State Medicaid had no explicit policy regarding coverage of transgender-related health care.

New York

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [18 NYCRR 505.2](#) (2016).

North Carolina

- (0) State Medicaid policy is unclear regarding coverage of transgender-related health care
- In April 2024, the 4th Circuit Court of Appeals [found](#) the state's exclusion in its state plan unconstitutional. However, the decision is being appealed and the case is still ongoing.
- However, See [H808/S639](#) (Aug 2023), banning best-practice medical care for transgender youth and prohibiting state funds (i.e., Medicaid) from going toward best-practice care for transgender youth. Prior to H808 (2023), state had no explicit Medicaid policy regarding coverage of transgender-related health care.

North Dakota

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [General Information for Providers: North Dakota Medicaid and Other Medical Assistance Programs](#) (p53-55; Jan 2022) (see [2023 manual here](#), p52-54)
- Previously, state had no explicit policy (0)



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Ohio

- (-1) State Medicaid policy explicitly excludes coverage of transgender-related health care for all ages
 - As of 2019, multiple news outlets including [The Washington Post](#) and [Bloomberg News](#) reported that state officials are not enforcing this exclusion. However, in 2024, [HB68](#) was enacted, explicitly banning coverage of transgender care for minors.
- See [OH OAC 5160-2-03](#) (2017; [since 2015](#)), though note this appears to apply only to hospital services, and so non-hospital service providers may still be able to provide covered care. See also [HB68](#) (2024), explicitly banning coverage of transgender-related care for minors.

Oklahoma

- (0) State Medicaid has no explicit policy regarding coverage of transgender-related health care

Oregon

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [OHP Handbook](#) (since 2014, effective 2015).

Pennsylvania

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [Medical Assistance Bulletin 99-16-11](#) (2016).

Rhode Island

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [Gender Dysphoria/Gender Nonconformity Coverage Guidelines](#) (2015).

South Carolina

- (-1) State Medicaid policy explicitly excludes coverage of transgender-related health care for all ages
- See [Physicians Services Provider Manual](#) (2023) (beginning [May 1, 2022](#); p158), and [HB4624](#) (2024)
- However, South Carolina is part of the 4th Circuit Court of Appeals, and in April 2024, the 4th Circuit [found](#) North Carolina and West Virginia’s exclusions in their state plans unconstitutional. That decision is being appealed and the case is still ongoing, but it remains an important precedent against such bans, including in South Carolina and potentially across the country.
- Previously, state had no explicit policy (0). See Provider Manuals in [2020](#) (p160-168), [2021](#) (p157-164), and as late as [April 2022](#) (p157-164) with no such exclusions, though there were generic exclusions referenced under “general surgery guidelines” and “cosmetic procedures.”



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South Dakota

- (0) State Medicaid has no explicit policy regarding coverage of transgender-related health care

Tennessee

- (-1) State Medicaid policy explicitly excludes coverage of transgender-related health care for all ages
- See [TennCare Medicaid Exclusions](#) (pg. 85) (since 2006).

Texas

- (-1) State Medicaid policy explicitly excludes coverage of transgender-related health care for all ages
- See [Texas Medicaid Provider Manual](#) (since at least 2015)

Utah

- (0) State Medicaid has no explicit policy regarding coverage of transgender-related health care
- However, the [Transgender Legal Defense & Education Fund \(TLDEF\) reports](#) that while there is no official state policy on transgender-related care in Utah Medicaid, the individual insurance organizations operating under Utah Medicaid each have inclusive policies for covering transgender-related care.

Vermont

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [Department of Vermont Health Access Medical Policy](#) (since 2008; updated multiple times, most recently 2016).

Virginia

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [Virginia Department of Medical Assistance Services \(DMAS\) “Coverage of gender dysphoria services”](#) (December 10, 2021).

Washington

- (1) State Medicaid policy explicitly covers transgender-related health care
- See [WAC 182-531-1675 Washington Apple Health](#) (2015).



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West Virginia

- (0) State Medicaid policy is unclear regarding coverage of transgender-related health care
- Formerly, state Medicaid policy explicitly excluded transgender health coverage and care (-1). See [West Virginia Medicaid Provider Manual, Ch 100, Section 161 \(since at least 2005\)](#). This was overturned in August 2022 by [Fain v. Crouch](#), but in September 2022 the state appealed the decision. In April 2024, the 4th Circuit Court of Appeals [affirmed](#) the lower court's ruling and found the state's exclusion unconstitutional. However, the state is again appealing, and the case is still ongoing. The state has also not updated its provider manual, so the exclusion is still in writing.

Wisconsin

- (1) State Medicaid policy explicitly covers transgender-related health care
- Formerly, state explicitly excluded coverage for all ages (-1) as early as 1996 (see [DHS 107.03](#)) and until a 2019 ruling ([Flack v. Wisconsin Department of Health](#)) overturning the exclusions and requiring the state to publish a coverage policy for these services.

Wyoming

- (0) State Medicaid has no explicit policy regarding coverage of transgender-related health care
- See Wyoming Medicaid Handbook ([Oct 2022](#) and [Sept 2019](#) versions) with no mention of such care or exclusions, as compared to older handbook linked below.
- Formerly, state Medicaid policy explicitly excluded transgender health coverage and care for all ages (-1). See [Medicaid Handbook](#) (pg. 17) (since at least 1992; last updated 2016). However, [The Washington Post](#) reported that state officials—as of July 2019—were not enforcing this exclusion.

U.S. Territories

American Samoa

- (0) Territory Medicaid has no explicit policy regarding coverage of transgender-related health care

Guam

- (0) Territory Medicaid has no explicit policy regarding coverage of transgender-related health care

Commonwealth of the Northern Mariana Islands

- (0) Territory Medicaid has no explicit policy regarding coverage of transgender-related health care



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Puerto Rico

- (1) Territory Medicaid policy explicitly covers transgender-related health care
- In 2020, the Governor’s Advisory Council on LBTT Issues and PR’s Health Insurance Administration [issued a statement](#) confirming that transition-related care is covered under state’s Medicaid program.
- In 2018, the health department issued an [administrative order](#) prohibiting discrimination based on sexual orientation and gender identity by health care providers affiliated with state department of health. In Puerto Rico’s contract with [Triple-S Salud, Inc. to provide Medicaid and the Children’s Health Insurance Program](#), there are explicit prohibitions on discrimination based on sexual orientation and gender identity, including prohibiting the “use of any policy or practice that has the effect of discriminating on the basis of... sexual orientation, gender identity...”

U.S. Virgin Islands

- (0) Territory Medicaid has no explicit policy regarding coverage of transgender-related health care