

SAN FRANCISCO HEALTH SERVICE SYSTEM

DRAFT GENDER DYSPHORIA BENEFIT POLICY STATEMENT

Effective March 2017

1.0 Background and Policy Objectives

In 2001, the San Francisco Health Service System became the first large public employer in the United States to include gender dysphoria care (including reassignment surgery) as part of its employee health design. Gender dysphoria is distress that is caused by a discrepancy between a person's gender identity and that person's sex assigned at birth. The inclusion of these benefits is recognized today as paving the way for other large employers to also offer gender dysphoria treatment benefits coverage, and for the City and County of San Francisco in 2012 to become the first U.S. city to cover the cost of gender reassignment surgeries for its uninsured transgender residents. Increasingly, American society is recognizing gender dysphoria as a condition in children, adolescents, and adults with the Boy Scouts of America voting in January 2017 to accept transgender boys and the Department of Defense revoking the prohibition on transgender individuals serving in the military in 2016.

Section 1557 of the Patient Protection and Affordable Care Act of 2010 (ACA) extended anti-discrimination protections to transgender persons. In 2017, a federal judge's Preliminary Injunction temporarily suspended this Section, resulting in some large employers dropping transgender benefits coverage. Members of Congress and the President of the United States are currently calling for the full repeal and replacement the ACA, with alternatives unknown at the time of the creation of this policy statement. With the future guarantee of protection for transgender benefits coverage in health plans offered nationally uncertain, a policy objective of the San Francisco Health Service System shall be to affirmatively retain the San Francisco Health Service System's commitment to ensuring that its members and their dependents who have been diagnosed with gender dysphoria will have access to medically necessary treatment.

2.0 Statutory Requirements

The San Francisco Health Service System must adhere to the following statutory requirements: Nondiscrimination in health programs or activities consistent with Section 1557 of the Patient Protection and Affordable Care Act (PPACA), even if it is repealed, and obligations under the California Insurance Gender Nondiscrimination Act (IGNA) of 2006, codified in Health and Safety Code section 1365.5 and Insurance Code section 10140.

3.0 Policy Statement

It shall be the policy of the San Francisco Health Service System and the Health Service Board to fully recognize medically necessary treatment for gender dysphoria as part of the full scope of benefits offered to members.

4.0 Effective Date

The policy is effective immediately upon Board approval.