



PAT QUINN
Governor

ANDREW BORON
Director

NEWS

Illinois Department of Insurance

FOR IMMEDIATE RELEASE:

Tuesday, July 29, 2014

CONTACT:

Mike Claffey: 312-814-3981

Kimberly Parker: 312-814-1577

DOI Calls for Health Insurers to Bar Discrimination Based on Transgender Status or Gender Identity *Insurers Are Instructed to Remove Exclusions of Coverage Based on Gender Identity in Plans Offered Under ACA*

CHICAGO - The Illinois Department of Insurance (DOI) today issued guidance clarifying that under the Affordable Care Act (ACA) and Illinois state law health insurers may not discriminate based on gender identity and related medical conditions. The guidance reminds insurers that exclusions and denials of coverage on the basis of gender identity are against the law.

“This is an important step to ending discrimination in Illinois,” DOI Director Andrew Boron said. “Transgender individuals are entitled to the same access to health care as everyone else. Health insurance policies that discriminate against a group of people, or based on any medical condition, will not be tolerated in Illinois.”

With the issuing of this guidance to insurers through an agency Bulletin, Illinois joins a handful of other states which have taken steps to bar discrimination in healthcare against transgender individuals.

“I applaud DOI for working to make certain that all Illinois citizens are given equal access to necessary healthcare services and that people are treated fairly and without discrimination,” State Representative Greg Harris (D-Chicago) said.

“I commend DOI Director Andrew Boron and Governor Pat Quinn Pat for this action which demonstrates that the state of Illinois is strongly committed to fighting discrimination in healthcare against any member of our population,” Illinois Human Rights Department Director Rocco Claps said. “Access to healthcare is a fundamental human right, and no one should face discrimination in their healthcare needs because of their gender identity.”

Under both federal and state law, if a health insurer covers certain services when medically necessary, such as a breast mastectomy or hormone therapy, it cannot deny those services for a transgendered person solely on the basis of that person’s transgender status or gender dysphoria. Currently, some insurers have broad exclusions for gender identity treatment and services. The guidelines issued today prohibit insurers from excluding services that target transgender persons or persons with gender dysphoria. Today’s announcement calls for an end to this disparate treatment of transgendered individuals.

DOI will be reviewing individual and small group policies offered under the ACA for 2015 to ensure compliance with anti-discrimination laws.

For more information about DOI, go to: <http://insurance.illinois.gov/>.