

**HOUSE . . . . . No. 1037**

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**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>  |
| <i>Samantha Montaño</i>            | <i>15th Suffolk</i>                      | <i>3/22/2023</i>  |
| <i>Adrienne Pusateri Ramos</i>     | <i>14th Essex</i>                        | <i>4/3/2023</i>   |
| <i>Julian Cyr</i>                  | <i>Cape and Islands</i>                  | <i>4/28/2023</i>  |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i>                    | <i>10/25/2023</i> |

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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.

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**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.