

SENATE No. 621

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

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 gender-affirming hair removal treatment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Julian Cyr</i>	<i>Cape and Islands</i>	
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>3/21/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>10/5/2023</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>10/25/2023</i>

SENATE No. 621

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 621) of Julian Cyr for legislation relative to gender-affirming hair removal treatment. Financial Services.

The Commonwealth of Massachusetts

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

An Act relative to gender-affirming hair removal treatment.

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, as appearing in the 2020 Official
2 Edition, is hereby amended by inserting after section 30 the following new section:-

3 Section 31. (a) Any coverage offered by the commission to an active or retired employee
4 of the commonwealth insured under the group insurance commission shall provide coverage for
5 gender-affirming hair removal procedures including, but not limited to, laser hair removal and
6 electrolysis hair removal prescribed as medical treatment in accordance with accepted standards
7 of care to affirm the gender identity, as defined in section 7 of chapter 4, of two-spirit,
8 transgender, nonbinary, intersex, or other gender diverse individuals. Coverage shall be subject
9 to a statement from a treating provider that the procedure is necessary for treatment related to an
10 individual’s gender identity. The benefits in this section shall not be subject to any greater
11 deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by
12 the commission.

13 (b) A health insurance carrier may not exclude coverage for laser hair removal,
14 electrolysis, or other hair removal procedures as cosmetic when these procedures are prescribed
15 as medical treatment related to an individual's gender identity.

16 SECTION 2. Chapter 118E of the General Laws, as appearing in the 2020 Official
17 Edition, is hereby amended by inserting after section 10N the following new section:-

18 Section 10O. (a) The division shall provide coverage for gender-affirming hair removal
19 procedures including, but not limited to, laser hair removal and electrolysis hair removal
20 prescribed as medical treatment in accordance with accepted standards of care to affirm the
21 gender identity, as defined in section 7 of chapter 4, of two-spirit, transgender, nonbinary,
22 intersex, or other gender diverse individuals. Coverage shall be subject to a statement from a
23 treating provider that the procedure is necessary for treatment related to an individual's gender
24 identity. The benefits in this section shall not be subject to any greater deductible, coinsurance,
25 copayments or out-of-pocket limits than any other benefit provided by the division.

26 (b) The division and its contracted health insurers, health plans, health maintenance
27 organizations, behavioral health management firms and third-party administrators under contract
28 to a Medicaid managed care organization or primary care clinician plan may not exclude
29 coverage for laser hair removal, electrolysis, or other hair removal procedures as cosmetic when
30 these procedures are prescribed as medical treatment related to an individual's gender identity.

31 SECTION 3. Chapter 175 of the General Laws, as appearing in the 2020 Official Edition,
32 is hereby amended by inserting after section 47TT the following new section:-

33 Section 47UU. (a) The following shall provide coverage for gender-affirming hair
34 removal procedures including, but not limited to, laser hair removal and electrolysis hair removal

35 prescribed as medical treatment in accordance with accepted standards of care to affirm the
36 gender identity, as defined in section 7 of chapter 4, of two-spirit, transgender, nonbinary,
37 intersex, or other gender diverse individuals. (i) any policy of accident and sickness insurance, as
38 described in section 108, which provides hospital expense and surgical expense insurance and
39 which is delivered, issued or subsequently renewed by agreement between the insurer and
40 policyholder in the commonwealth; (ii) any blanket or general policy of insurance described in
41 subdivision (A), (C) or (D) of section 110 which provides hospital expense and surgical expense
42 insurance and which is delivered, issued or subsequently renewed by agreement between the
43 insurer and the policyholder in or outside of the commonwealth; or (iii) any employees' health
44 and welfare fund which provides hospital expense and surgical expense benefits and which is
45 delivered, issued or renewed to any person or group of persons in the commonwealth. Coverage
46 shall be subject to a statement from a treating provider that the procedure is necessary for
47 treatment related to an individual's gender identity. The benefits in this section shall not be
48 subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other
49 benefit provided by the insurer.

50 (b) A health insurance carrier may not exclude coverage for laser hair removal,
51 electrolysis, or other hair removal procedures as cosmetic when these procedures are prescribed
52 as medical treatment related to an individual's gender identity.

53 SECTION 4. Chapter 176A of the General Laws, as appearing in the 2020 Official
54 Edition, is hereby amended by inserting after Section 38 the following new section:-

55 Section 39. Any contract between a subscriber and the corporation under an individual or
56 group hospital service plan which is delivered, issued or renewed within the commonwealth shall

57 provide coverage for gender-affirming hair removal procedures including, but not limited to,
58 laser hair removal and electrolysis hair removal prescribed as medical treatment in accordance
59 with accepted standards of care to affirm the gender identity, as defined in section 7 of chapter 4,
60 of two-spirit, transgender, nonbinary, intersex, or other gender diverse individuals. Coverage
61 shall be subject to a statement from a treating provider that the procedure is necessary for
62 treatment related to an individual's gender identity. The benefits in this section shall not be
63 subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other
64 benefit provided by the insurer.

65 (b) A health insurance carrier may not exclude coverage for laser hair removal,
66 electrolysis, or other hair removal procedures as cosmetic when these procedures are prescribed
67 as medical treatment related to an individual's gender identity.

68 SECTION 5. Chapter 176B of the General Laws, as appearing in the 2020 Official
69 Edition, is hereby amended by inserting after Section 25 the following new section:-

70 Section 26: Any subscription certificate under an individual or group medical service
71 agreement delivered, issued or renewed within the commonwealth shall provide coverage for
72 gender-affirming hair removal procedures including, but not limited to, laser hair removal and
73 electrolysis hair removal prescribed as medical treatment in accordance with accepted standards
74 of care to affirm the gender identity, as defined in section 7 of chapter 4, of two-spirit,
75 transgender, nonbinary, intersex, or other gender diverse individuals. Coverage shall be subject
76 to a statement from a treating provider that the procedure is necessary for treatment related to an
77 individual's gender identity. The benefits in this section shall not be subject to any greater

78 deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by
79 the insurer.

80 (b) A health insurance carrier may not exclude coverage for laser hair removal,
81 electrolysis, or other hair removal procedures as cosmetic when these procedures are prescribed
82 as medical treatment related to an individual's gender identity.

83 SECTION 6. Chapter 176G of the General Laws, as appearing in the 202 Official
84 Edition, is hereby amended by inserting after section 33 the following new section:-

85 Section 34. Any individual or group health maintenance contract shall provide coverage
86 for gender-affirming hair removal procedures including, but not limited to, laser hair removal
87 and electrolysis hair removal prescribed as medical treatment in accordance with accepted
88 standards of care to affirm the gender identity, as defined in section 7 of chapter 4, of two-spirit,
89 transgender, nonbinary, intersex, or other gender diverse individuals. Coverage shall be subject
90 to a statement from a treating provider that the procedure is necessary for treatment related to an
91 individual's gender identity. The benefits in this section shall not be subject to any greater
92 deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by
93 the insurer.

94 (b) A health insurance carrier may not exclude coverage for laser hair removal,
95 electrolysis, or other hair removal procedures as cosmetic when these procedures are prescribed
96 as medical treatment related to an individual's gender identity.