Healthcare Laws and Policies:
State Employee Benefits Coverage for Transgender-Related Care

No updates required since May 21, 2024

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Recommended citation:
Background

Coverage of transition-related care in state employee benefits varies widely. Some states:

- Explicitly include medically necessary care for transgender people
- Explicitly exclude medically necessary care for transgender people
- Have no explicit policy, but plans may still cover this care because it is medically necessary
- Have multiple health plans for state employees, which themselves may vary as to whether they exclude, include, or have no mention of such care

Importantly, even in states with no explicit policy or mention of coverage, transgender people may still be able to access transgender-inclusive coverage or benefits. However, when states or plans have no explicit policy, transgender people are more likely to report obstacles to receiving care, including being denied needed care.

This map and citation sheet offers a high-level overview of the general policies in these states, though there is considerable variation in the details.

MAP often relies on the research of the Transgender Legal Defense & Education Fund’s (TLDEF) Trans Health Project for additional verification of this area. Please see their resources for more detailed information, including about each state’s health plan(s) and how each plan may vary in its coverage. Note that their research categorizes states in a different manner than MAP.

Equality Map & Additional Resources

See MAP’s Equality Maps: State Employee Benefits, which is updated and maintained in real time alongside this document.

Please see the Transgender Legal Defense & Education Fund’s (TLDEF) Trans Health Project for additional information, research, and important legal advocacy in this area.
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<td>employee health benefits</td>
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<td>States that do not mention or have no clear policy regarding gender-</td>
<td>12 states +</td>
<td>Alabama, Alaska, American Samoa, Arizona, Colorado, Guam, Iowa, Michigan, Missouri, New Mexico, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands, Vermont, Virginia, West Virginia, Wyoming</td>
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<td>affirming care in their state employee health benefits</td>
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States that explicitly exclude gender-affirming care from their state employee health benefits

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14 states

State-by-State Sources & More Detail

Alabama
- State employee health plan does not mention coverage for transition-related care.
- See also TLDEF’s Alabama state employee benefits page

Alaska
- State employee health plan does not mention coverage for transition-related care.
- State formerly had an exclusion (since at least 2013, see p61), but this was ruled unlawful in *Fletcher v. State of Alaska* (March 2020) and the state was enjoined from enforcing the exclusion. Some exclusionary language remained in the 2021 state employee benefits materials (e.g., item hh, p91), but not in the 2022 materials—though other language could potentially apply to some aspects of transition-related care (e.g., item 11, p96), depending on interpretation.
- See also TLDEF’s Alaska state employee benefits page (last updated July 2020)

Arizona
- State employee health plan does not mention coverage for transition-related care.
- Previously (starting in 2017), the state employee health plan explicitly excluded coverage for transition-related care. See AZ *2022 Summary of Benefits and Coverage* (p61, item 16) and lawsuit (filed 2019) to fight this exclusion. In June 2023, the governor issued Executive Order 2023-12, ordering the removal of the exclusion.
  - The executive order only called for the removal of the exclusion, which does not necessarily guarantee explicit inclusion or coverage of transition-related care. This map and citation sheet will be updated if the new health plan explicitly includes such care.
- See also TLDEF’s Arizona state employee benefits page
Arkansas
- State employee health plan explicitly excludes coverage for transition-related care.
- See ARBenefits 2022 Summary Plan Description (p86, item 90) (since at least 2017).
- See also TLDEF’s Arkansas state employee benefits page

California
- State employee health plan explicitly includes coverage for transition-related care.
- See CalPERS Health Plans (since at least 2014).
- See also TLDEF’s California state employee benefits page

Colorado
- State employee health plan does not mention coverage for transition-related care.
- See also TLDEF’s Colorado state employee benefits page

Connecticut
- State employee health plan explicitly includes coverage for transition-related care.
  - Note, there are some limitations to this coverage. See TLDEF for more information.
- See State of Connecticut Health Plan (since at least 2015).
- See also TLDEF’s Connecticut state employee benefits page

Delaware
- State employee health plan explicitly includes coverage for transition-related care.
  - Note, there are some limitations to this coverage. See TLDEF for more information.
- See State of Delaware Health Plans (since at least 2017).
- See also TLDEF’s Delaware state employee benefits page

District of Columbia
- State employee health plan explicitly includes coverage for transition-related care.
- See Department of Human Resources Memorandum (2014)

Florida
- State employee health plan explicitly excludes coverage for transition-related care.
- See State Employee Health Plans (since at least 2017).
- See also TLDEF’s Florida state employee benefits page

Georgia
- State employee health plan explicitly includes coverage for transition-related care.
- Formerly, state explicitly excluded coverage for transition-related care. See State Employee Plans (p51 for UHC plan, p48 for Anthem plan) (since at least 2020). This policy was ended through a court settlement in October 2023, and the settlement specifically required the removal of the previous exclusion, the prohibition of any future similar exclusions, and the explicitly inclusion of transgender-related care for state employees, effective immediately.
- See also TLDEF’s Georgia state employee benefits page
Hawai`i
- State employee health plan explicitly includes coverage for transition-related care.
- See State Employee Plans Guide to Benefits (e.g., p32 of this plan) and HMSA Policy MM.06.026 (first published 9/1/2016)
- See also TLDEF’s Hawaii state employee benefits page

Idaho
- State employee health plan explicitly excludes coverage for transition-related care.
- See HB668 (2024; effective July 1, 2024)
- Formerly:
  - July 2020 – July 2024: state employee health plan explicitly includes coverage for transition-related care (prior authorization required); see State Medical Plan Summaries (e.g., p18 of this plan) (effective July 1, 2020).
  - As early as 2017 – July 2020: state explicitly excluded coverage for transition-related care. See Group Policy for the State of Idaho PPO Plan (as early as 2017).
- See also TLDEF’s Idaho state employee benefits page (last updated January 2020)

Illinois
- State employee health plan explicitly includes coverage for transition-related care.
- See State Employee Plan Coverage (e.g, p62 of this plan, p93 of this plan)
- See also TLDEF’s Illinois state employee benefits page

Indiana
- State employee health plan explicitly includes coverage for transition-related care.
  - Note: precertification required.
- See State of Indiana Wellness CDHP Plan (since at least 2017)
- See also TLDEF’s Indiana state employee benefits page

Iowa
- State employee health plan does not mention coverage for transition-related care.
- See also TLDEF’s Iowa state employee benefits page

Kansas
- State employee health plan explicitly includes coverage for transition-related care.
- See Section 1.5 – Covered Services, p43 (2022)
- See also TLDEF’s Kansas state employee benefits page (last updated July 2020)

Kentucky
- State employee health plan explicitly includes coverage for transition-related care.
  - Note: precertification required.
- See Kentucky Employees’ Health Plan (pg. 24, 2017)
- See also TLDEF’s Kentucky state employee benefits page
Louisiana
- State employee health plan explicitly excludes coverage for transition-related care.
- See also TLDEF’s Louisiana state employee benefits page

Maine
- State employee health plan explicitly includes coverage for transition-related care.
- See State Health Plan Coverage (since at least July 2020, see p39)
- See also TLDEF’s Maine state employee benefits page (last updated January 2020)

Maryland
- State employee health plan explicitly includes coverage for transition-related care.
- See Gender Dysphoria Coverage Under the State Employee and Retiree Health and Welfare Benefits Program (2014).
- See also TLDEF’s Maryland state employee benefits page

Massachusetts
- State employee health plan explicitly includes coverage for transition-related care.
- See Bulletin 2014-03 and Health Plan Options for Active State Employees (plan handbooks)
- See also TLDEF’s Massachusetts state employee benefits page

Michigan
- State employee health plan does not mention coverage for transition-related care.
- See also TLDEF’s Michigan state employee benefits page

Minnesota
- State employee health plan explicitly includes coverage for transition-related care.
- See Minnesota Advantage Health Plan (2016).
- See also TLDEF’s Minnesota state employee benefits page

Mississippi
- State employee health plan explicitly excludes coverage for transition-related care.
- See Mississippi State and School Employee’s Life and Health Insurance Plan (2017).
- See also TLDEF’s Mississippi state employee benefits page

Missouri
- State employee health plan does not mention coverage for transition-related care.
- See also TLDEF’s Missouri state employee benefits page

Montana
- State employee health plan explicitly includes coverage for transition-related care.
- See also TLDEF’s Montana state employee benefits page
Nebraska
- State employee health plan explicitly excludes coverage for transition-related care.
- See WellNebraska Health Plan (2017).
- See also TLDEF’s Nebraska state employee benefits page

Nevada
- State employee health plan explicitly includes coverage for transition-related care.
  - Note, there are some limitations to this coverage. See TLDEF for more information.
- See Plan Benefit Information (Covered Services, 6.34 pg. 24)
- See also TLDEF’s Nevada state employee benefits page

New Hampshire
- State employee health plan explicitly includes coverage for transition-related care.
- See 2018 HMO Plan and POS Plan Benefit Booklets, Section 7.VI.H. (since at least 2018)
- See also TLDEF’s New Hampshire state employee benefits page

New Jersey
- State employee health plan explicitly includes coverage for transition-related care.
- See State Employees’ Health Plan (e.g., this guidebook, p35) (since at least 2020)
- See also TLDEF’s New Jersey state employee benefits page

New Mexico
- State employee health plan does not mention coverage for transition-related care.
- See also TLDEF’s New Mexico state employee benefits page

New York
- State employee health plan explicitly includes coverage for transition-related care.
- See State Empire Plan summary (page 11), Medical Policy Number 7.01.84, Medical Policy Number 11.01.26, or Department of Civil Service Employee Benefits page
- See also TLDEF’s New York state employee benefits page

North Carolina
- State employee health plan explicitly includes coverage for transition related care.
- See Kadel v. Fowell (June 2022, and case history), requiring state to cover such care
- Formerly, as of 2016, the state employee health plan explicitly included coverage for transition-related care; see Corporate Medical Policy: BlueCross BlueShield of North Carolina (2016). Then, state employee health plan explicitly excluded coverage for transition-related care, effective 2018; see State 80/20 Plan (page 50) and State 70/30 Plan (page 48). This was overturned by a lawsuit, Kadel v. Folwell, in 2022.
- See also TLDEF’s New York state employee benefits page (last updated July 2020)

North Dakota
- State employee health plan explicitly excludes coverage for transition-related care.
- See also TLDEF’s North Dakota state employee benefits page
Ohio
- State employee health plan explicitly excludes coverage for transition-related care.
- See also TLDEF’s Ohio state employee benefits page

Oklahoma
- State employee health plan explicitly excludes coverage for transition-related care.
  - Oklahoma has multiple plans available to state employees. According to TLDEF’s research, two of these plans have explicit exclusions; one has no policy either way; and one has no policy, but the provider (Blue Cross) has its own policy that includes gender-affirming care. However, because this is a Blue Cross policy and not an Oklahoma policy, and the state has multiple other plans with exclusions, Oklahoma is coded here as having exclusionary plans.
- See TLDEF’s Oklahoma state employee benefits page

Oregon
- State employee health plan explicitly includes coverage for transition-related care.
- See also TLDEF’s Oregon state employee benefits page

Pennsylvania
- State employee health plan explicitly includes coverage for transition-related care.
- See PEBTF Medical Plan Document (pg. 150, 2017)
- See also TLDEF’s Pennsylvania state employee benefits page

Rhode Island
- State employee health plan explicitly includes coverage for transition-related care.
- See Rhode Island Health Plan (2014)
- See also TLDEF’s Rhode Island state employee benefits page

South Carolina
- State employee health plan explicitly excludes coverage for transition-related care.
- See HB4624 (2024), banning any public funds from covering such care.
  - 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.
- Formerly, state employee health plan did not mention coverage for transition-related care. See State Health Plan documents (e.g., no mention in exclusions here, p70-72)
- See also TLDEF’s South Carolina state employee benefits page
South Dakota
- State employee health plan explicitly excludes coverage for transition-related care.
- See State Employees Health Plan (since at least 2017)
- See also TLDEF’s South Dakota state employee benefits page

Tennessee
- State employee health plan explicitly excludes coverage for transition-related care.
- See also TLDEF’s Tennessee state employee benefits page

Texas
- State employee health plan explicitly excludes coverage for transition-related care.
- See State Employee Health Plans (e.g., p101 of this plan) (since at least 2017)
- See also TLDEF’s Texas state employee benefits page

Utah
- State employee health plan explicitly excludes coverage for transition-related care.
- See State Employees Health Plan “Master Policy” (p33) (since at least 2013)
- See also TLDEF’s Utah state employee benefits page

Vermont
- State employee health plan does not mention coverage for transition-related care.
- See also TLDEF’s Vermont state employee benefits page

Virginia
- State employee health plan currently does not mention coverage for transition-related care.
- See also TLDEF’s Virginia state employee benefits page

Washington
- State employee health plan explicitly includes coverage for transition-related care.
- See Group Health Benefit Booklet (pg. 35-36, 2017).
- See also TLDEF’s Washington state employee benefits page

West Virginia
- State employee health plan is currently unclear for transition-related care.
- In April 2024, the 4th Circuit Court of Appeals affirmed a lower court’s ruling and found the state’s former exclusion of transgender-related care unconstitutional. However, the state is again appealing, and the case is still ongoing.
- Previously, state employee health plans explicitly excluded coverage for transition-related care. See PEIA Schedule of Benefits (“What is not covered” item 21, p85) (since at least 2017).
- See also TLDEF’s West Virginia state employee benefits page
Wisconsin
- State employee health plan explicitly includes coverage for transition-related care.
- In 2016, Wisconsin approved these benefits, but Gov. Walker requested the state board reverse the decision and explicitly exclude transition-related care, which they did in 2017 (see Correspondence Memorandum, 1/2017). In August 2018, these exclusions were reversed by the Wisconsin Group Insurance Board, effective 1/1/2019.
- See also TLDEF’s Wisconsin state employee benefits page

Wyoming
- State employee health plan does not mention coverage for transition-related care.
- See also TLDEF’s Wyoming state employee benefits page

U.S. Territories

American Samoa
- Territory employee health plan does not mention coverage for transition-related care.

Guam
- Territory employee health plan does not mention coverage for transition-related care.

Commonwealth of the Northern Mariana Islands
- Territory employee health plan does not mention coverage for transition-related care.

Puerto Rico
- Territory employee health plan does not mention coverage for transition-related care.

U.S. Virgin Islands
- Territory employee health plan does not mention coverage for transition-related care.