



# Trans Health Project

*Working for Transgender Equal Rights*

## California Health Insurance Guidance

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California has explicit insurance guidance on transgender-related health care.

### **Statutes:**

[Cal. Insurance Code § 10140](#)

[Cal. Health & Safety Code § 1365.5](#)

### **Summary:**

Prohibits exclusions based on sex, including transgender status.

### **Regulations:**

[Cal. Code Regs. tit 10, §§ 2561.1-2561.2](#)

### **Summary:**

Prohibits insurance coverage limitations based on transgender status.

### **Bulletins and Announcements:**

**Announcement:** [Economic Impact Statement - Gender Nondiscrimination in Health Insurance](#)

**Issued by:** California Department of Insurance

**Issued on:** April 13, 2012

### **Summary:**

This document assessed the cost associated with adopting regulations that prohibited transgender exclusions. It concluded the regulation would "cost little or nothing in the short run and may produce longer-term cost savings and improved health benefits for transgender people."

**Guidance:** [Department of Managed Health Care, Letter No. 12-K, Gender Nondiscrimination Requirements](#)

**Issued by:** Department of Managed Health Care

**Issued on:** April 9, 2013

### **Summary:**

Notes that exclusions for medically necessary "gender transition services" are discriminatory and should be removed from all managed care plans.

**Guidance:** [Compliance with Health Insurance Antidiscrimination Protections in California Law](#)

**Issued by:** Insurance Commissioner Ricardo Lara

**Issued on:** June 15, 2020

### **Summary:**

The purpose of this Notice is to remind California health insurers that the above-referenced federal rule does not preempt state law. Health insurance regulated by the California Department of Insurance (Department) remains subject to California's antidiscrimination law. Consequently, health insurers must continue to comply with the existing antidiscrimination standards in California law, beyond the minimum requirements of federal law.

**Announcement:** [Commissioner Lara calls on Trump administration to stop undermining health care protections for transgender Californians](#)

**Issued by:** California Insurance Commissioner Ricardo Lara

**Issued on:** Aug. 5, 2019

**Summary:**

California Insurance Commissioner Ricardo Lara, together with 17 state insurance commissioners, announced he is submitting [a letter](#) to U.S. Secretary of Health and Human Services, Alex Azar, urging the Trump administration to protect rules addressing unfair treatment of transgender consumers.

**Announcement:** [Statement of Commissioner Lara on Trump Administration reversing LGBTQ health protections](#)

**Issued by:** California Insurance Commissioner Ricardo Lara

**Issued on:** June 12, 2020

**Summary:**

Statement in response to the Trump Administration reversing non-discrimination protections under Section 1557 of the Affordable Care Act.

**Announcement:** [Commissioner Lara joins insurance regulators across the nation supporting Biden Administration action restoring health care protections for transgender Americans](#)

**Issued by:** California Insurance Commissioner Ricardo Lara

**Issued on:** Oct. 4, 2022

**Enforcement Actions:**

[Health Net Fined \\$200,000 Over Gaps in Health Care for Transgender Policyholders](#)

**Consumer Complaints:**

You can file a complaint with the [California Department of Insurance](#) or the [California Department of Managed Care](#), depending on your type of plan.

Consumer complaints are separate from the appeals process. They are appropriate for things such as unfair discrimination, billing problems, cancellation of coverage, claim and copay disputes, and network adequacy issues.

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