



# Trans Health Project

*Working for Transgender Equal Rights*

## Minnesota Health Insurance Guidance

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

### **Statutes:**

Minnesota Statutes Section 363A.17

#### **Summary:**

“It is an unfair discriminatory practice for a person engaged in a trade or business or in the provision of a service: ... (3) to intentionally refuse to do business with, to refuse to contract with, or to discriminate in the basic terms, conditions, or performance of the contract because of a person's race, national origin, color, sex, sexual orientation, or disability, unless the alleged refusal or discrimination is because of a legitimate business purpose.”

### **Bulletins and Announcements:**

**Bulletin:** [Gender Identity Nondiscrimination Requirements](#)

**Issued by:** Minnesota Department of Commerce

**Issued on:** Dec. 30, 2021

#### **Summary:**

“The Departments would disapprove policy forms filed by insurers if there are exclusions on coverage for medically necessary treatment for gender dysphoria and related health conditions, including gender confirmation surgery—including medically necessary procedures to conform secondary sex characteristics to a person's gender identity or expression... The Departments will also continue to conduct independent reviews for denials of coverage on the basis that services are not medically necessary via the Departments' external review programs. Determination of medical necessity and prior authorization protocols for gender dysphoria-related treatment must be based on the most recent, published medical standards set forth by nationally recognized medical experts in the transgender health field.”

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