

**State Corporation Commission
2019 Fiscal Impact Statement**

1. Bill Number: SB1287

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Barker

3. Committee: Commerce and Labor

4. Title: Health insurance; nondiscrimination, gender identity or transgender status.

5. Summary: Prohibits a health carrier from denying or limiting coverage or imposing additional cost sharing or other limitations or restrictions on coverage under a health benefit plan for health care services that are ordinarily or exclusively available to covered individuals of one sex to a transgender individual based on the fact that the individual's sex assigned at birth, gender identity, or gender otherwise recorded is different from the one to which such health services are ordinarily or exclusively available. The measure also prohibits a health carrier from (i) subjecting an individual to discrimination under a health benefit plan on the basis of gender identity or being a transgender individual or (ii) requiring that an individual, as a condition of enrollment or continued enrollment under a health benefit plan, pay a premium that is greater than the premium for a similarly situated covered person enrolled in the plan on the basis of the covered person's gender identity or being a transgender individual. The measure requires health carriers to assess medical necessity according to nondiscriminatory criteria that are consistent with current medical standards.

6. Budget amendment necessary: No

7. Fiscal Impact Estimates: No Fiscal Impact on the State Corporation Commission

8. Fiscal Implications: None on the State Corporation Commission

9. Specific agency or political subdivisions affected: State Corporation Commission Bureau of Insurance

10. Technical amendment necessary: The State Corporation Commission Bureau of Insurance recommended to the patron of Senate Bill 1287 that consideration be given to adding a definition for the term “medically necessary transition-related care” to ensure that the provisions of the bill may be administered.

11. Other comments: House Bill 1864 is identical to Senate Bill 1287.

Date: 01/20/19/V. Tompkins