



DAVID Y. IGE
GOVERNOR

JOSH GREEN
LT. GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

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CATHERINE P. AWAKUNI COLÓN
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DEPUTY DIRECTOR

Testimony of the Department of Commerce and Consumer Affairs

**Before the
House Committee on Health, Human Services, and Homelessness
Tuesday, February 9, 2021
9:30 a.m.
Via Videoconference**

**On the following measure:
H.B. 285, RELATING TO INSURANCE**

Chair Yamane and Members of the Committee:

My name is Colin M. Hayashida, and I am the Insurance Commissioner of the Department of Commerce and Consumer Affairs' (Department) Insurance Division. The Department offers comments on this bill.

The purposes of this bill are to: (1) prohibit health insurance companies from denying coverage on the basis of gender identity if the policy covers the treatment for purposes other than gender transition; and (2) require insurance companies to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.

Hawaii Revised Statutes (HRS) section 23-51 provides, in part, that “[b]efore any legislative measure that mandates health insurance coverage for specific health services, specific diseases, or certain providers of health care services as part of individual or group health insurance policies, can be considered, there shall be concurrent resolutions passed requesting the auditor to prepare and submit to the

legislature a report that assesses both the social and financial effects of the proposed mandated coverage[.]” Further, HRS section 23-52 sets forth the requirements of the auditor’s report, which must assess “the extent to which insurance coverage of the health care service or provider can be reasonably expected to increase or decrease the insurance premium and administrative expenses of policyholders[.]” If this bill is a new mandate, the Department recommends adding language to the bill that would require the auditor’s report to assess the additional cost of a proposed mandate that may be subject to defrayal.¹

The Department concurs with requiring insurers to provide applicants and insureds with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity. Currently, HRS section 432E-1.4 sets forth standards for medical necessity, and both HRS sections 431:10A-118.3(c) and 432:1-607(c) provide that “the medical necessity of any treatment shall be determined pursuant to the insurance policy, contract, plan, or agreement and shall be defined in a manner that is consistent with other covered services.” This bill proposes to define the medical necessity of any treatment in accordance with a specific standard, which will narrow the criteria for what constitutes medical necessity.

Lastly, since this bill does not include chapter 432D entities (i.e., health maintenance organizations), it will not apply to the Kaiser Foundation Health Plan.

Thank you for the opportunity to testify on this bill.

¹ The addition of new mandated coverage may trigger section 1311(d)(3) of the federal Patient Protection and Affordable Care Act (PPACA), which requires states to defray the additional cost of any benefits in excess of the essential health benefits of the State’s qualified health plan under the PPACA.

LATE



HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 9, 2021
Rm. 329, 9:30 a.m.

To: The Honorable Ryan I. Yamane, Chair
The Honorable Adrian K. Tam, Vice Chair
Members of the House Committee on Health Human Services & Homelessness

From: Liann Ebesugawa, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. No. 285

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

The HCRC supports H.B. No. 285 which would prohibit health insurance companies from denying coverage on the basis of gender identity if the policy covers the treatment for purposes other than gender transition. The bill further requires insurance companies to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity. HCRC supports the rights of the LGBTQ+ community. This bill adds some important safeguards to current law, including a prohibition of denial or cancellation of a policy based on transgender status, and the right to gender transition treatments. HCRC supports the rights of transgender

individuals to access to coverage for gender affirmation.

The HCRC supports H.B. No. 285, noting two concerns:

1. Adding “transgender” before “person’s” but not before “person’s family member’s,” could arguably eliminate protection for a person who has a transgender family member (child).

The unintended consequence can be eliminated by adding the changes below in blue.

(b) Discrimination under this section includes the following:

(1) Denying, canceling, limiting, or refusing to issue or renew an insurance policy, contract, plan, or agreement on the basis of a transgender person’s or ~~the~~ a person’s transgender family member’s actual gender identity or perceived gender identity;

(2) Demanding or requiring a payment or premium that is based on a transgender person’s or ~~the~~ a person’s transgender family member’s actual gender identity or perceived gender identity;

(3) Designating a transgender person’s or ~~the~~ a person’s transgender family member’s actual gender identity or perceived gender identity as a preexisting condition to deny, cancel, or limit coverage;

And,

2. Deletion of “neither male nor female” from the definitions of “Actual Gender Identity” and “Perceived Gender Identity” could be interpreted as eliminating or diminishing protection against discrimination for non-binary persons who identify as neither male nor female.

DAVID Y. IGE
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
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**Testimony COMMENTING on HB 285
RELATING TO INSURANCE**

REPRESENTATIVE RYAN I. YAMANE, CHAIR
REPRESENTATIVE ADRIAN K. TAM, VICE CHAIR
HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES, AND HOMELESSNESS

Hearing Date: 2/9/2021

Hearing Time: 8:30 a.m.

1 **Department Position:** The Department of Health (“Department”) offers comments on the
2 following measure and defers to the Department of Commerce and Consumer Affairs.

3 **Department Testimony:** The subject matter of this measure intersects with the scope of the
4 Department’s Behavioral Health Administration (BHA) whose statutory mandate is to assure a
5 comprehensive statewide behavioral health care system by leveraging and coordinating public,
6 private and community resources. Through the BHA, the Department is committed to carrying
7 out this mandate by reducing silos, ensuring behavioral health care is readily accessible, and
8 person-centered.

9 In line with this person-centered vision, the Department aims to support the mental
10 health of all local residents, particularly individuals in the sexual and gender minority. Years of
11 research suggest that transgender youth have higher rates of depression, suicidality, and self-
12 harm than their cisgender peers (i.e., youth whose gender identity matches their sex assigned
13 at birth)¹. However, recent studies comparing the well-being of socially or medically
14 transitioned children and youth to their siblings and cisgender peers have documented no

¹ Connolly et. al. (2016). The mental health of transgender youth: Advances in understanding. Journal of Adolescent Mental Health. 59, 489-495.

1 differences in their rates of well-being². This new evidence suggests that psychological
2 symptoms associated with transgender youth experiencing incongruence between their
3 identity and physical body may be effectively treated by medical interventions. In fact, **gender-**
4 **affirming medical therapy in childhood has shown correlations with improved psychological**
5 **functioning for gender-variant children and adolescents.**¹ Similarly, in adult populations, at
6 least one study has found that transgender individuals post transition have higher career
7 decision self-efficacy than transgender individuals pre transition.³

8 Thank you for the opportunity to testify on this measure.

² Durwood, L, Mclaughlin, KA, & Olson, KR. (2017). Mental health and self-worth in socially transitioned transgender youth. *J Am Acad Child Adolesc Psychiatry*. 56(2):116–123.

³ Dickey, L. M., et al. (2016). Career decision self-efficacy of transgender people: Pre-and posttransition. *The Career Development Quarterly*, 64(4), 360-372



February 9, 2021

The Honorable Ryan I. Yamane, Chair
The Honorable Adrian K. Tam, Vice Chair
House Committee on Health, Human Services, & Homelessness

Re: HB 285 – Relating to Insurance

Dear Chair Yamane, Vice Chair Tam, and Committee Members:

Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on HB 285, which prohibits health insurance companies from denying coverage on the basis of gender identity if the policy covers the treatment for purposes other than gender transition. It also requires insurance companies to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.

As a supporter of the LGBTQ+ community HMSA offers gender transition benefits for many of our members based on policies developed in collaboration with the Lavender Clinic, one of the primary resources in the State of Hawaii for LGBTQ+ health services. This policy covers gender identity and transition services based on medical necessity as defined by HRS 432.

We would like to respectfully request the State Auditor to conduct an impact assessment report pursuant to Section 23-51 and 23-53 of the Hawaii Revised Statutes. Should this bill move forward, we respectfully request that the impact assessment be conducted first since it creates new mandated benefits that increase costs for our members.

Thank you for allowing us to testify in opposition to HB 285. Your consideration of our comments is appreciated.

Sincerely,

Matthew W. Sasaki
Director, Government Relations

HB-285

Submitted on: 2/7/2021 9:26:43 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	LGBT Caucus of the Democratic Party of Hawaii	Support	No

Comments:

Aloha Representatives,

The LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization, fully supports House Bill 285.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.

Chair

LGBT Caucus of the Democratic Party of Hawai'i

HB-285

Submitted on: 2/7/2021 9:26:50 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maddalynn Sesepasara	HHHRC, Kua 'ana Project and personal	Support	No

Comments:

I am in full support of HB285, which seeks to improve the non-discrimination law for health insurance to better protect transgender people in Hawai'i. This measure is especially important because this is giving trans people my community a chance at healthier and safer way when receiving gender affirming surgeries that is monitored through your healthcare, verses trans folks getting black market silicone injections and surgeries in third world country with no follow care. It will prevent trans folks going back into prostitution to afford these gender affirming surgeries, homeless population not getting any type of care because they cant afford medical. As a case manager working with trans folks, its so empowering to hear so many trans folks receiving the adequate care they need. Its working and we cant go back, please support HB385 please! Mahalo,

HB-285

Submitted on: 2/7/2021 10:59:32 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Pride at Work - Hawaii	Pride @ Work - Hawaii	Support	No

Comments:

Aloha Representatives,

Pride at Work - Hawai'i, the state-wide chapter of Pride At Work (a constituency group of the national AFL-CIO) and an affiliate of the Hawai'i State AFL-CIO, fully supports HB 285.

Mahalo nui loa,

Prie at Work - Hawai'i



Aloha,

I write on behalf of our clinic to voice our **STRONG SUPPORT** of HB285. As a healthcare provider of affirming care for transgender and gender non-conforming people on Maui, we consistently see and hear the stories from our patients of stigma, suffering, and discrimination. Mālama I Ke Ola Health Center strives to provide our transgender and gender non-conforming patients care with the ability to live their fullest lives in dignity, while contributing to society. As a community health center, our mission is to care for all people regardless of their ability to pay, i.e. insured or uninsured. However, the navigation of care needs, especially beyond our clinic walls, becomes so much more difficult for our transgender and gender non-conforming patients without insurance.

HB285 ensures and clarifies that transgender and gender non-conforming people are protected by the state's gender identity nondiscrimination in insurance law. The measure would also require providing transgender applicants and insured persons with information on gender transition services coverage, compliance with worldwide standards on gender transition-related care. The law must be clarified by this measure so insurance companies do not deny legally required coverage to Hawai'i's transgender population, which is the highest per capita of any state.¹

Federal and Hawai'i laws prohibit most public and private health plans from discriminating against an individual because they are transgender.² **With few exceptions, this means that it is illegal discrimination for a health insurance plan to refuse to cover medically necessary transition-related care.**

Unfortunately, despite existing state and federal law, *transgender people in Hawai'i are still denied coverage* for medically necessary procedures. Further, many insurance policies in Hawai'i do not fully inform transgender people about available transition related care, nor do they explain how to seek recourse upon denial of coverage. Therefore, transgender people are often left without the medical care they need and are legally entitled to.

To ensure that existing federal and state gender identity non-discrimination insurance laws are complied with and that our transgender community members receive the health care they need, please **PASS HB285**.

Sincerely,

John R Vaz MD
Chief Medical Officer



¹ ANDREW R. FLORED ET AL., HOW MANY ADULTS IDENTIFY AS TRANSGENDER IN THE UNITED STATES? 2 (2016).

² Affordable Care Act Section 1557; Haw. Rev. Stat. § 431:10A-118.3; Haw. Rev. Stat. § 431:1-607.3.



TO: House Committee on Health, Human Services, and Homelessness
Representative Ryan I. Yamane, Chair
Representative Adrian K. Tam, Vice Chair

DATE: Monday, February 8, 2021

FROM: AF3IRM Hawai'i

RE: HB 285 - Relating to Insurance

Position: SUPPORT

Discrimination against LGBTQ+ folks, particularly trans, māhū, and femme folks in Hawai'i is alive and rampant. AF3IRM Hawai'i testifies today in strong support on HB 285, because trans affirming healthcare is a human right and we must fight for it. Transphobia and discrimination must end in all forms, and one major way to end this violence is through vital healthcare services. Gender transition services should not only be afforded to those who are able to pay, and we stand firmly that trans folks should not be subject to violence or exploitation in order to secure resources to transition.

HB 285 would prohibit health insurance companies from denying coverage on the basis of gender identity if the policy covers the treatment for purposes other than gender transition. It would also require insurance companies to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.

Our trans community deserves much better than the current conditions they are forced to exist under. HB 285 demonstrates the significant gaps that exist in our healthcare system for LGBTQ+ folks, and these gaps must be addressed. We stand in strong solidarity with the trans, māhū, and queer community and thus stand in strong support of HB 285.

Mahalo for your time and consideration on this important matter.



HB285

RELATING TO INSURANCE

Ke Kōmike Hale o ke Olakino, ka Lawelawe Kānaka, a me ka Pilikia Ho‘okuewa

Pepeluali 9, 2021

9:30 a.m.

Lumi 329

The Office of Hawaiian Affairs’ (OHA) Beneficiary Advocacy and Empowerment Committee will recommend that the Board of Trustees **SUPPORT** HB285, which would improve and clarify the law that protects against gender identity discrimination in health insurance. OHA has been long committed to Maui Ola, the holistic health and well-being of all ‘ōiwi, as it relates to traditional and cultural concepts of health and the social, environmental, and personal factors that influence health. This measure would provide a meaningful and permanent way to ensure that our mähū¹ (Native Hawaiian gender), transgender, and gender non-conforming community members’ unique medical needs are treated, considered, and valued.

Mähū, transgender, and gender non-conforming people have deep roots in traditional Hawaiian society, and remain a significant but often unacknowledged part of Hawai‘i’s community today. Hawaiian culture has a rich history of gender diversity and acceptance of those who would now be considered lesbian, gay, bisexual, transgender, or gender non-conforming. In pre-colonial Hawaiian culture and society, aikāne and mähū were revered and maintained special roles in society and in certain cultural practices.² Today, Hawai‘i also ranks first in the nation as the state with the highest proportion of its population composed of transgender adults.³ Unfortunately, our community today does not meaningfully acknowledge and accommodate our mähū, transgender, and gender non-conforming communities, resulting in various forms of systemic and invidious discrimination not reflective of Hawai‘i’s cultural history and traditional values.

Despite being recognized and included in positions of reverence in the Hawaiian Kingdom and in pre-contact Hawai‘i, mähū, transgender, and gender non-conforming people in Hawai‘i face significant adversities today. Their exclusion from consideration or recognition in policies and programs may not only perpetuate such adversities, but may also limit our society from realizing and benefiting from its members’ true and full potential. This includes exclusion from insurance coverage for what are recognized as medically necessary services,⁴ which inhibits

¹ Mähū is often asserted to be completely different from transgender or gay categories in the West. Niko Besnier & Kalissa Alexe Yeff *Gender on the Edge Transgender, Gay, and Other Pacific Islanders* 8 (2014).

² See, e.g., NOENOE SILVA, *ALOHA BETRAYED: NATIVE HAWAIIAN RESISTANCE TO AMERICAN COLONIALISM* (2004); Lilikalā Kame‘eleihiwa, *Le‘ale‘a o nā Kūpuna: Traditional Hawaiian Sexuality*, Ke Ola Mamo Conference (1999); Keith Bettinger, *Historically Speaking: A quick look at homosexuality and gender roles in pre-contact Hawai‘i*, HONOLULU WEEKLY (Jun. 20-26, 2007).

³ WILLIAMS INSTITUTE, *HOW MANY ADULTS IDENTIFY AS TRANSGENDER IN THE UNITED STATES?* 3 (2016).

⁴ THE WORLD PROFESSIONAL ASSOCIATION FOR TRANSGENDER HEALTH, *STANDARDS OF CARE FOR THE HEALTH OF TRANSEXUAL, TRANSGENDER, AND GENDER NONCONFORMING PEOPLE* 55 (2011).

the realization of Maui Ola for all ‘ōiwi, and the full inclusion and participation of māhū, transgender, and gender non-conforming people in our society. By establishing stronger anti-discrimination laws for insurance policies, this measure would take an important step toward better supporting this segment of our community, improving their lives and well-being, and thereby benefitting our society overall.

Accordingly, OHA urges the Committee to **PASS** HB285. Mahalo piha for the opportunity to testify on this measure.

LATE



Government Affairs

Testimony of
John M. Kirimitsu
Legal and Government Relations Consultant

Before:
House Committee on Health
The Honorable Ryan I. Yamane, Chair
The Honorable Adrian K. Tam, Vice Chair

February 9, 2021
9:30 am
Via Videoconference

HB 285 Relating to Health

Chair, Vice Chair, and committee members, thank you for this opportunity to provide testimony on HB 285 regarding gender transition services.

Kaiser Permanente Hawaii would like to offer comments on this bill.

Kaiser Permanente Hawaii appreciates the opportunity to testify on HB 285, which prohibits health insurance companies from denying coverage on the basis of gender identity if the policy covers the treatment for purposes other than gender transition. Kaiser supports culturally competent care to all of its patients, and supports parity in coverage without discriminating on any protected basis.

Since this bill is a new mandate to increase coverage, an impact assessment report is statutorily required under Sections 23-51 and 23-52 of the Hawaii Revised Statutes. We also note that any addition of a new mandated coverage may trigger section 1311(d)(3) of the federal Patient Protection and Affordable Care Act, which requires states to defray the additional cost of any benefits enacted after December 31, 2011, in excess of the State's essential health benefits.

Thank you for your consideration.

711 Kapiolani Blvd
Honolulu, Hawaii 96813
Telephone: 808-432-5408
Facsimile: 808-432-5906
Mobile: 808-295-5089
E-mail: frank.p.richardson@kp.org

LATE

HB-285

Submitted on: 2/8/2021 1:09:27 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Pride at Work - Hawaii	Pride @ Work - Hawaii	Support	No

Comments:

Aloha Senators,

Pride at Work - Hawai'i, the state-wide chapter of Pride At Work (a constituency group of the national AFL-CIO) and an affiliate of the Hawai'i State AFL-CIO, fully supports SB 521.

Mahalo nui loa,

Pride at Work - Hawai'i

LATE

HB-285

Submitted on: 2/8/2021 3:08:27 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Field	Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

Planned Parenthood Votes Northwest and Hawaii supports HB 285. Thank you!

LATE

HB-285

Submitted on: 2/8/2021 3:28:17 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Pride at Work - Hawaii	Pride @ Work - Hawaii	Support	No

Comments:

Aloha Senators,

Pride at Work - Hawai'i, the state-wide chapter of Pride At Work (a constituency group of the national AFL-CIO) and an affiliate of the Hawai'i State AFL-CIO, fully supports SB 521.

Mahalo nui loa,

Pride at Work - Hawai'i

LATE

HB-285

Submitted on: 2/8/2021 10:34:40 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Renee Rumler	The Lavender Clinic	Support	No

Comments:

A person whose genetic signature is presumed to be XX or XY will experience the external imposition of cultural expectations for the physical characteristics of each gender that follow them throughout the lifespan. If there is a condition, genetic or otherwise, deemed pathological that produces anatomy other than that expected for each gender category, insurance offers procedures to assist the person with meeting the physical characteristics expected from each category of gender. In our current society people are expected to conform to these physiologic gender standards that they had no part in building and have little control over what their bodies will develop genetically. These procedures are covered for cisgender and intersex people, and trans/non-binary/gender diverse people should be granted the same access to procedures covered by insurance.

Unless a trans/non-binary/gender diverse person has independent financial means to access these specific specialized procedures, they will be forced to walk this world judged by others on the outward appearance or expectation of each binary gender expression of male and female. This produces opportunities for discrimination. And may impact a person's safety; this produces an unnecessary risk. The internal imperative to express a true gender identity different than sex assigned at birth mentally, intellectually, spiritually and physically cannot be denied for many trans people. Providing access to procedures that allow a person to medically transition according to their own unique physiology and appearance and providing the best choices for a full and healthy life should be our shared goal. A person and their medical provider should be the determining factor in which medical procedures would be most beneficial for an individual, not an insurance reviewer. Following the standards set forth in the WPATH that have supported many trans and gender diverse individuals around the world and providing the opportunity to transition in the ways most appropriate to their culture could also benefit American transgender and gender diverse people.

In our clinic, we have seen the consequences of non-covered procedures have tragic outcomes. We assisted a transgender man who wanted chest masculinization

surgery. His insurance said they were going to cover the procedure, but then it was denied. He then was forced to look outside the country for care. He found a surgeon willing to perform this operation for him, but they did not have the standards that would have made this safer for him with his other health conditions. His diabetes had worsened and his levels were outside of the safe levels for surgery. In desperation to meet his flight date, he took large doses of his diabetes medications, even though he had been informed that these would not change his numbers. This act led directly to his death. If his procedure had been covered as originally claimed, he would not have had to panic to meet a deadline and he would likely be alive today. This unnecessary tragedy affects all of us who knew him.

We have also seen the opposite-people who are able to access surgical and other procedures who are then more fully able to participate in all areas of life. The current statistics indicate that transgender youth have suicide attempts at a rate of 40% before they reach adulthood compared with less than 5% of their cisgender peers. These incredibly high numbers can be reduced by providing access to procedures that reduce the gender dysphoria experienced by many transgender people. The numbers of people seeking these procedures do not occur at a frequency that would be negative for an insurance company. There is actually an opportunity for great gain. Preventing one psychiatric hospitalization would pay for many procedures and prevent the additional trauma to people in this community. One example is a young teen being seen in our clinic. He told me, "I wouldn't be alive today without your clinic". He was able to get hormone treatment and covered surgical procedures that allowed his severe gender dysphoria and depression to resolve. Now he is off-island, pursuing a degree in the health professions after developing the confidence in his identity and the ability to be himself among his peers. Seeing the benefits to mental, physical, and overall health for these gender diverse Americans makes it clear that more access allows more opportunity for optimal health. This should not be confined to those who are wealthy enough to pay cash for all procedures.

The section on laser hair removal needs addition of electrolysis. This is the preferred method of hair removal for many top gender affirming surgeons. A recent article in JAMA (the Journal of the American Medical Association) the state of Oregon explored this topic for their gender diverse people seeking gender affirming procedures while on Medicaid. Their state does allow for licensed electrologists to provide this service and be covered by Medicaid and other insurances. They note that if this was not the case, many of these patients would not be able to receive this necessary pre-surgical treatment. As most if not all insurance contracts in our state require MD or other medical provider to administer the electrolysis directly, this produces an unnecessary barrier. We hope the state of Hawaii will be a leader in this area and remove this unneeded obstacle.

Given this, I strongly support this legislation with the following advisements and amendments:

The list of medical procedures provided is not all-inclusive but does provide expanded opportunity for access to services with insurance coverage. As new techniques are developed, expansion of this list will be required.

"Laser hair removal" should be changed to "laser hair removal or electrolysis provided by appropriately licensed electrologist or other appropriately licensed professional."

These specialized medical and surgical procedures were developed to prevent the serious and often extremely destructive consequences of having anatomy that is outside of "within normal limits" for one gender or another. These same effects seen in cisgender and intersex people also are experienced by transgender and gender diverse people. They should be afforded the same right to access procedures that may be protective of their health and livelihood.

Thank you for your time and willingness to consider our perspective today.

Renee Pedersen Rumler

HB-285

Submitted on: 2/5/2021 7:55:09 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nara E Sitachitta	Individual	Support	No

Comments:

I am writing in support of HB285 and its companion SB742. No person should be discriminated against on the basis of their sex or gender identity. HB285 will support our transgender community and allow them the health insurance and protections that they are entitled to without fear of discrimination.

HB-285

Submitted on: 2/5/2021 8:02:53 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Breanna Zoey	Individual	Support	No

Comments:

Hi, as a transgender individual I strongly support HB285 because it would finally require insurance companies to provide transgender individuals with more of the coverage for the medical care that we have been needing for so long. I really hope the measure is also clarified to apply to mutual benefit societies as well, because we have one of those in the state that dominates the health insurance market, and that has a reputation for being quite inadequate when it comes to transgender care... especially when it comes to the services it feels are reasonable and appropriate for transgender individuals as well as the way administrative barriers are put in place to essentially block trans folks from being able to access the few things that are technically covered today.

Until legislation is passed requiring insurance companies and mutual benefit societies to provide adequate coverage for transgender individuals, so many people in our community, myself included, are forced to struggle day in and day out. The big insurance organizations just don't understand or even want to take the time to understand what it's like being trans, the adversity and discrimination they inflict on us, the kind of crummy situations they directly put people like me through, or just how much people just like me are hurting and struggling just to make it through another day and live to see tomorrow.

I personally know how devastating it can be when insurance companies and mutual benefit societies are allowed to decide what services are appropriate or necessary for transgender individuals. They just don't understand, and they never will. Until legislation is passed, they will keep telling trans people "No" without having any real understanding of the real world. I've been told "no" by my insurance provider, and it's made me really question last year whether this is even a world I want to wake up to see tomorrow if nothing changes.

HB-285

Submitted on: 2/5/2021 9:50:54 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Kapua	Individual	Support	No

Comments:

I am in full support of HB285 because I believe everyone should be afforded quality healthcare and insurance companies should not be discriminating against transgender patients.

Insurance companies in Hawaii continue to push transgender patients into silent corners only allowing them to access minimal care because insurance companies don't want to pay for medically necessary gender affirming surgeries. Transgender patients deserve to be treated with quality healthcare like what WPATH standards of care have recommended; yet Hawai'i insurance companies continue to find ways to deny transgender patients this access.

Please pass HB285 so that transgender people in Hawai'i may have a chance at a higher quality of life.

HB-285

Submitted on: 2/5/2021 9:56:46 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kawaiarii Keaulana	Individual	Support	No

Comments:

Aloha!!

I am in strong support of HB285, which seeks to improve the non-discrimination law for health insurance to better protect transgender people in Hawai'i.

This measure is especially important because all transgendered individuals in hawaii should have the rights to access all spectrums of quality health care, from all insurance companies. This will insure positive health and well being and will allow for a quality of life.

Mahalo for your consideration.

Mahalo,

Kawaiarii Keaulana

HB-285

Submitted on: 2/5/2021 10:09:47 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bianka K Tasaka	Individual	Support	No

Comments:

I Bianka Tasaka am in full support of HB285, which seeks to improve the non-discrimination law for health insurance to better protect transgender people in Hawai'i.

This measure is especially important because adequate transgender care service is vital to my life, health, survival and my community as I speak and stand on behalf of others in my community as they are experiencing disparities presently. Please consider in support of HB285.

Mahalo,

Bianka K Tasaka

Kauai,Hi 96714

HB-285

Submitted on: 2/5/2021 11:09:37 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tiare Sua	Individual	Support	No

Comments:

I Tiare Anelaokalani Kima Sua am in full support of HB285, which seeks to improve the non-discrimination law for health insurance to better protect transgender people in Hawai'i.

This measure is especially important considering trans healthcare has saved many people's lives. If many of my transgender brothers and sisters in the past has had competent access to trans healthcare, they would have still been here with us today thriving, creating a positive future and living their lives like everyone should. Please consider supporting HB285.

Mahalo,

Tiare Anelaokalani Kima Sua

HB-285

Submitted on: 2/6/2021 8:59:04 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jen Jenkins	Individual	Support	No

Comments:

Tuesday, February 9, 2021, 9:30 AM

Committee on Health, Human Services, & Homelessness

Aloha Chair Yamane, Vice-Chair Tam, and Honorable Members,

I write in **STRONG SUPPORT** of HB285. This measure is an opportunity for Hawai'i to strengthen its anti-discrimination law and to provide greater transparency in services provided for trans-affirming care.

Unfortunately, transgender patients experience significant hurdles to accessing care. A 2018 [study](#) found that 70% experience some kind of discrimination when seeking care, leading nearly half to avoid visits to the emergency department for acute care needs.

Hawai'i has the largest transgender population per capita of any state - this means we need these protections to be as strong as possible. Please **pass** HB285 so Hawai'i stays at the forefront of trans-affirming care and anti-discrimination both in law and in practice.

Mahalo,

Jen Jenkins

HB-285

Submitted on: 2/6/2021 1:08:05 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Desiree Lianne Napolis	Individual	Support	No

Comments:

I am in full support of HB285, which seeks to improve the non-discrimination law for health insurance to better protect transgender people in Hawai'i.

This measure is especially important because I believe everyone should be treated with respect and dignity!

Mahalo,

Desiree Lianne Napolis

HB-285

Submitted on: 2/6/2021 2:27:05 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nora Pollard	Individual	Support	No

Comments:

Having seen the pain my transgender siblings and I have had to go through, and the hoops that get placed along our path to jump through in pursuit of simply being happy and safe in our bodies, I wholeheartedly support any measure that lessens that pain and gives one less hoop to strain through. Trans Healthcare is not a burden, it is not something to avoid supporting. It saves lives, young and old, as we move towards being our true selves and feeling safe offering our strengths to our communities, friends and families. Thank you for having the decency and bravery to stand up for trans people across the islands.

HB-285

Submitted on: 2/6/2021 3:46:16 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Anntoinette Wasser	Individual	Support	No

Comments:

I am in full support of HB285 which seeks to improve the non-discrimination law for health insurance to better protect transgender individuals in Hawaii. This measure is especially important because everyone should have the equality medical care regardless of gender. As a transgender woman I am very greatful for the insurance coverage I have today and would love to have all transgender individuals experience the same.

Mahalo

HB-285

Submitted on: 2/6/2021 8:16:58 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shalei Eleneke	Individual	Support	No

Comments:

I am in full support of HB285, which seeks to improve the non-discrimination law for health insurance to better protect transgender people in Hawai'i. This measure is especially important because I am also a transgendered woman_____ (insert a short personal message here).

Mahalo,

HB-285

Submitted on: 2/6/2021 8:28:44 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
jerrine kaiulani madayag	Individual	Support	No

Comments:

I am in full support of HB285, which seeks to improve the non-discrimination law for health insurance to better protect transgender people in Hawaii.

Mahalo

HB-285

Submitted on: 2/6/2021 9:09:16 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
June Palimoo	Individual	Support	No

Comments:

I am in full support of HB285 which seeks to improve the non discrimination law for health insurance to better protect transgender people in Hawaii.

This measure is especially important to me because I am a 50 year old transgender woman with full health insurance (HMSA) and it doesn't cover my needs that I need to live a healthy life!

Mahalo,

June Palimo'o

HB-285

Submitted on: 2/7/2021 7:38:52 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sina Sison	Individual	Support	No

Comments:

I am in full support of HB285, which seeks to improve the non-discrimination law for health insurance to better protect transgender people in Hawai'i. This measure is especially important because it can better help improve transgender people's lives which is already disenfranchised.

Mahalo,

HB-285

Submitted on: 2/7/2021 7:39:26 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
asia manu	Individual	Support	No

Comments:

I am in full support of HB285, which seeks to improve the non/discrimination law for health insurance to better the tech for transgender people in Hawai'i. This measure is especially important because it can better help improve transgender peoples which is already disenfranchised...

Faafetai/Mahalo for your Support of bill HB285

HB-285

Submitted on: 2/7/2021 11:14:02 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Thaddeus Pham	Individual	Support	No

Comments:

Chair Yamane, Vice Chair Tam, and the HHH Committee,

As a voting and active citizen as well as an experienced public health professional, I am writing in **UNEQUIVOCAL SUPPORT of HB285**, which would ensure and clarify that transgender and gender nonconforming people are protected by the state’s gender identity nondiscrimination in insurance law. The measure would also require providing transgender applicants and insured persons with information on gender transition services coverage, compliance with worldwide standards on gender transition-related care.

In 2016 the Hawaii Legislature passed ACT 135 (mahalo, Rep Yamane for co-sponsoring that bill!) which made great headway to protect our local transgender communities by prohibiting exclusions by insurance payers. The law must be clarified by this measure, so insurance companies do not deny legally required coverage to Hawai’i’s transgender population, which is the highest per capita of any state. Federal and Hawai’i laws prohibit most public and private health plans from discriminating against an individual because they are transgender. With few exceptions, this means that it is illegal discrimination for a health insurance plan to refuse to cover medically necessary transition-related care.

Unfortunately, despite existing state and federal law, transgender people in Hawai’i are still denied coverage for medically necessary procedures. Further, many insurance policies in Hawai’i do not fully inform transgender people about available transition related care, nor do they explain how to seek recourse upon denial of coverage. So, often, transgender people are left without the medical care they need and are legally entitled to.

The individual and public health implications of this are very real, with data from the Hawai’i Dept. of Health’s most recent Sexual and Gender Minority Health Report showing stark health disparities for transgender people, especially youth. As has been made clear by the ongoing COVID pandemic, quality and comprehensive healthcare for all communities are essential not only for public health but also economic sustainability and growth.

To ensure compliance with federal and state gender identity non-discrimination insurance laws and to provide necessary and quality health care for transgender community members, I urge you to pass HB285.

With thanks,

Thaddeus Pham (he/him)

HB-285

Submitted on: 2/7/2021 11:51:49 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alohalani Alapai	Individual	Support	No

Comments:

Aloha committee,

I am in Full support of the HB285 which seeks to improve the Non-Discrimination Law for health insurance to better protect transgender people in this Beautiful State of Hawai'i.

I stand here in full Representation of our Transgender society that is in need and important to receive Medical coverage, medical advice, mental care assistance starting as soon as possible. Just like the same for the rest of our non transgender population. It should be in all FAIRNESS for ALL .

This measure is Especially Important to Me because A HEALTHY HEART MIND AND SPIRIT of a Transgender person can Welcome a Thriving citizen of our community and We can reap Wonderful benefits.

I am asking for Your Kokua and Thanking You all in advance to PLEASE PASS HB285 because You will be assisting thousands of Transgender Living today and way into the future. It may even be in helping your very own children, grandchildren and your future great grandchildren. And you would want them PROTECTED.

Mahalo Ä• Nui Loa,

Alohalani Alapai

for I am a living testimony

HB-285

Submitted on: 2/7/2021 12:11:34 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
GABRIELLA LOPEZ	Individual	Support	No

Comments:

Aloha

My name is Gabriella Lopez. I am in full support of HB285, which seeks to improve the non-discrimination law for health insurance to better protect transgender people in Hawaii.

This measure is especially important for the health and emotional well being of trans people who just want to live normal and happy lives. By mitigating the costs of transition, it would keep them from resorting to illegal means.

Thank you,

Gabriella

HB-285

Submitted on: 2/7/2021 12:33:01 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Leikia Parker	Individual	Support	No

Comments:

I am in full support of HB285 which serves to improve the non-discrimination law for health insurance to better protect transgender people of Hawaii.

This Measure is especially important because being a transgender woman myself working! pay taxes! Transgender should not have our medical insurance stripped from us. We need our trans health insurance just like the rest of the human race we bleed red Inhale and exhale oxygen to survive just like any Other human being!

Mahalo.

HB-285

Submitted on: 2/7/2021 1:07:09 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
LACIE KENOLIO	Individual	Support	No

Comments:

I support this bill.

HB-285

Submitted on: 2/7/2021 1:46:51 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tami Whitney	Individual	Support	No

Comments:

As a concerned citizen and public health professional, I write in **STRONG SUPPORT** HB285, which would ensure and clarify that transgender and gender nonconforming people are protected by the state’s gender identity nondiscrimination in insurance law. The measure would also require providing transgender applicants and insured persons with information on gender transition services coverage, compliance with worldwide standards on gender transition-related care. The law must be clarified by this measure, so insurance companies do not deny legally required coverage to Hawai’i’s transgender population, which is the highest per capita of any state.

Federal and Hawai’i laws prohibit most public and private health plans from discriminating against an individual because they are transgender. **With few exceptions, this means that it is illegal discrimination for a health insurance plan to refuse to cover medically necessary transition-related care.**

Unfortunately, despite existing state and federal law, transgender people in Hawai’i are still denied coverage for medically necessary procedures. Further, many insurance policies in Hawai’i do not fully inform transgender people about available transition related care, nor do they explain how to seek recourse upon denial of coverage. So, often, transgender people are left without the medical care they need and are legally entitled to.

To ensure that existing federal and state gender identity non-discrimination insurance laws are complied with and that our transgender community members receive the health care they need, please **PASS**HB285.

Mahalo

Tami Whitney

HB-285

Submitted on: 2/7/2021 1:55:22 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Regina Lo	Individual	Support	No

Comments:

I am in support of HB285, which seeks to improve the non-discrimination law for health insurance to better protect transgender people in Hawai'i.

This measure is especially important because as an aging transgendered citizen, health insurance should not be based on male/female, but all inclusiveness including transgendered, gender fluid, non-binary, etc.

Mahalo,

HB-285

Submitted on: 2/7/2021 6:18:56 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
marie louise der kinderen	Individual	Support	No

Comments:

I write in STRONG SUPPORT HB285, which would ensure and clarify that transgender and gender nonconforming people are protected by the state's gender identity nondiscrimination in insurance law. The measure would also require providing transgender applicants and insured persons with information on gender transition services coverage, compliance with worldwide standards on gender transition-related care. The law must be clarified by this measure, so insurance companies do not deny legally required coverage to Hawai'i's transgender population, which is the highest per capita of any state.

Federal and Hawai'i laws prohibit most public and private health plans from discriminating against an individual because they are transgender. With few exceptions, this means that it is illegal discrimination for a health insurance plan to refuse to cover medically necessary transition-related care.

Unfortunately, despite existing state and federal law, transgender people in Hawai'i are still denied coverage for medically necessary procedures. Further, many insurance policies in Hawai'i do not fully inform transgender people about available transition related care, nor do they explain how to seek recourse upon denial of coverage. So, often, transgender people are left without the medical care they need and are legally entitled to.

To ensure that existing federal and state gender identity non-discrimination insurance laws are complied with and that our transgender community members receive the health care they need, please PASSHB285.

Mahalo

HB-285

Submitted on: 2/7/2021 6:37:53 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stacia Ohira	Individual	Support	No

Comments:

Aloha Chair and committee members:

I am writing in full support of HB 285 relating to health insurance. I have been paying into my Healthcare system for many years now. I find it difficult to believe that I am not protected when it comes to transgender Healthcare things that I need medically necessary may not be protected. Please help me stay medically insured so that I can remain healthy mind body and spirit.

Mahalo for your support.

HB-285

Submitted on: 2/7/2021 7:09:39 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lorenzo Perillo	Individual	Support	No

Comments:

I write in STRONG SUPPORT HB285, which would ensure and clarify that transgender and gender-nonconforming people are protected by the state's gender identity nondiscrimination in insurance law. The measure would also require providing transgender applicants and insured persons with information on gender transition services coverage, compliance with worldwide standards on gender transition-related care. The law must be clarified by this measure, so insurance companies do not deny legally required coverage to Hawai'i's transgender population, which is the highest per capita of any state.

Federal and Hawai'i laws prohibit most public and private health plans from discriminating against an individual because they are transgender.

With few exceptions, this means that it is illegal discrimination for a health insurance plan to refuse to cover medically necessary transition-related care.

Unfortunately, despite existing state and federal law, transgender people in Hawai'i are still denied coverage for medically necessary procedures. Further, many insurance policies in Hawai'i do not fully inform transgender people about available transition-related care, nor do they explain how to seek recourse upon denial of coverage. So, often, transgender people are left without the medical care they need and are legally entitled to.

To ensure that existing federal and state gender identity non-discrimination insurance laws are complied with and that our transgender community members receive the health care

they
need, please PASSHB285.

Mahalo

HB-285

Submitted on: 2/7/2021 7:17:18 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nanea Lo	Individual	Support	No

Comments:

Hello,

My name is Nanea Lo and I'm writing in support of HB285. Despite existing state and federal law, transgender people in Hawai'i are still denied insurance coverage for medically necessary care.

Support this bill to improve the law and make sure that trans folks get the care we need!

me ke aloha 'Ä• ina,

HB-285

Submitted on: 2/7/2021 9:34:53 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Galacgac	Individual	Support	No

Comments:

I support HB 285 so that our trans loved ones in our community receive the necessary medical care they deserve. There is no place for discrimination against trans people by health insurance companies.

HB-285

Submitted on: 2/7/2021 9:35:26 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Catherine Ritti	Individual	Support	No

Comments:

I'm writing in support of HB 285. Current state and federal laws are not working to ensure that transgender people in Hawaii are able to receive medical coverage for necessary care. This bill will work to further protect transgender people from discrimination in getting the medical care they need. Please support this bill.

Thank you,

Catherine Ritti

HB-285

Submitted on: 2/7/2021 11:09:02 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Tomita, PhD	Individual	Support	No

Comments:

I am a licensed clinical psychologist in strong support of this bill. I specialize in the mental health treatment of lesbian, gay, bisexual, transgender, queer, intersex, asexual, and other related identity (LGBTQIA+) populations and have been completing provider certification with the World Professional Association of Transgender Health (WPATH). I have also published research in WPATH's and the American Psychological Association's peer-reviewed journals and contributed to local LGBTQIA+ data reports, all of which had significant emphasis on transgender health.

Currently, there are insurance companies that define some gender-affirming medical interventions as "cosmetic" in their policy statements, where the WPATH and multiple peer reviewed studies have indicated that these interventions may be medically necessary for the treatment of gender dysphoria. Insurance companies should not establish barriers against providers treating patients with current best practices. It should be the medical professionals clinical judgment to determine what is medically necessary based on up-to-date research. Any barrier, including policy language and lack of assistance in navigating insurance coverage, contributes directly to unnecessarily prolonged gender dysphoria related distress. It is unclear at this time how permanent the consequences of this institutionalized prolonged gender dysphoria may be. Multiple studies have found gender dysphoria to be linked to disproportionately high rates of suicidal ideation, depression, and other mental health concerns in transgender and other gender minority individuals. Additionally, barriers to obtaining medically necessary gender-affirming medical interventions is a form discrimination based on gender identity which, similarly, has been linked to disproportionately high rates of the same mental health concerns in the relevant populations.

As a specialist in transgender health, I see the direct affects of gender dysphoria and gender-based discrimination every work week. Words cannot express how hopeless it feels to watch clients illegally and unnecessarily suffer from barriers to treatments that have already been found to be effective. It is for the clients in my care that I am desperately in strong support of this bill.

Thank you for your time,

Kevin Tomita, PhD

HB-285

Submitted on: 2/8/2021 1:42:31 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Justin Mark Hideaki Salisbury	Individual	Support	No

Comments:

Aloha HHH Committee,

Mahalo for hearing this bill and my mana`o.

This bill is about equal rights. Sometimes, a minority may not be covered by the way that the majority has written a policy, so we need to make special adjustments in order to make it truly equal.

If someone needs medical treatment as part of their transition, that is a necessity. You or I, as cisgender people, may not feel that necessity for ourselves, but it is a necessity for those who need it. Gaining access to the right healthcare services will have positive spillover effects for other parts of a person's health, which the insurance companies ought to consider as smart business. If someone cannot access the right care for their transition, it can create anxiety and a lot of other problems that negatively affect a person's health.

If I need some kind of testosterone therapy one day, I expect that my health insurance would cover it because I was assigned male at birth. What about someone who was assigned female at birth who also needs testosterone therapy? Why should that person be denied if the healthcare company already covers that same treatment for me?

Representative Ryan I. Yamane, Chair
Representative Adrian K. Tam, Vice Chair
Committee on Health, Human Services, & Homelessness

Submitted by: Danielle Sato
Submitted on: Monday, February 8, 2021

Support for H.B. No. 285, Relating to Insurance

My name is Danielle Sato, and I am a current first-year medical student at the John A. Burns School of Medicine at the University of Hawai'i. I am submitting this letter as an individual citizen **strongly in support of H.B. No. 285**, Relating to Insurance, which would provide fundamental legal protections for transgender and gender-nonconforming individuals from the discriminatory health insurance policies on the basis of gender identity.

Living one's life in the most authentic way possible is a cornerstone of happiness, and being able to openly express one's gender identity is a pivotal aspect of human health. Gender-affirming health care not only helps transgender individuals combat the difficulties of gender dysphoria, but also contributes to better mental health status overall. The power of respecting gender identity becomes abundantly clear when looking at national surveys. More than half of transgender and nonbinary youth have seriously considered suicide in the past 12 months, but youth whose pronouns are respected report only half the amount of suicide attempts. Moreover, personal experiences working with LGBTQ youth throughout my undergraduate and graduate careers has shown me first-hand the impact a culture of inclusivity, openness, and affirmation has on one's self-esteem and overall well-being.

As such, gender-affirming care – which includes but is not limited to hormone therapy, chest augmentations & reductions, and genital surgeries – should be considered as medically essential, as opposed to cosmetic. The current permitting of discrimination on the basis of gender identity is not only inappropriate and outdated, but clearly dangerous to so many transgender and gender-nonconforming individuals' health. This is particularly concerning when these same medical treatments and procedures are often covered by health insurance companies when the patient in question is cisgender.

On the broader legislative stage, this bill would align with the recent Supreme Court decision in June 2020, which ruled in favor of similar anti-discrimination law for LGBTQ individuals in the workplace. Just as one should not be fired from their job because of their gender identity, one should be not barred from receiving medical care on such grounds.

For all of these reasons, **I urge the committee to pass H.B. No. 285**, and solidify this pillar of anti-discrimination for our transgender siblings, loved ones, and community members. Thank you for this opportunity to testify.

References

Puckett, Jae A et al. "Barriers to Gender-Affirming Care for Transgender and Gender Nonconforming Individuals." *Sexuality research & social policy : journal of NSRC : SR & SP* vol. 15,1 (2018): 48-59. doi:10.1007/s13178-017-0295-8
The Trevor Project. (2020). 2020 National Survey on LGBTQ Youth Mental Health. New York, New York: The Trevor Project.

HB-285

Submitted on: 2/8/2021 4:39:49 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kamuela Werner	Individual	Support	No

Comments:

Aloha:

I am in strong support of HB 285.

Me ke aloha,

Kamuela Werner

HB-285

Submitted on: 2/8/2021 6:35:46 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Olivia Dahl	Individual	Support	No

Comments:

I fill transgenders are human beings and deserve these health benefits like anyone else who has right to fix themselves according to who they are for a better life.

HB-285

Submitted on: 2/8/2021 7:27:06 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kunane Dreier	Individual	Support	No

Comments:

Aloha no kakou,

I write in **STRONG SUPPORT** HB285, which would ensure and clarify that transgender and gender nonconforming people are protected by the state's gender identity nondiscrimination in insurance law. The measure would also require providing transgender applicants and insured persons with information on gender transition services coverage, compliance with worldwide standards on gender transition-related care. The law must be clarified by this measure, so insurance companies do not deny legally required coverage to Hawai'i's transgender population, which is the highest per capita of any state.[\[1\]](#)

Federal and Hawai'i laws prohibit most public and private health plans from discriminating against an individual because they are transgender.[\[2\]](#) **With few exceptions, this means that it is illegal discrimination for a health insurance plan to refuse to cover medically necessary transition-related care.**

Unfortunately, despite existing state and federal law, transgender people in Hawai'i are still denied coverage for medically necessary procedures. Further, many insurance policies in Hawai'i do not fully inform transgender people about available transition related care, nor do they explain how to seek recourse upon denial of coverage. So, often, transgender people are left without the medical care they need and are legally entitled to.

To ensure that existing federal and state gender identity non-discrimination insurance laws are complied with and that our transgender community members receive the health care they need, please **PASS**HB285.

Mahalo.

Kunane Dreier

[1] Andrew R. Flored et al., How Many Adults Identify as Transgender in the United States? 2 (2016).

[2] Affordable Care Act Section 1557; Haw. Rev. Stat. § 431:10A-118.3; Haw. Rev. Stat. § 431:1-607.3.

HB-285

Submitted on: 2/8/2021 7:32:51 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch, Sr.	Individual	Support	No

Comments:

Please pass HB285.

Mike Golojuch, Sr.

HB-285

Submitted on: 2/8/2021 7:58:27 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Wallace Engberg	Individual	Support	No

Comments:

I write in **STRONG SUPPORT** HB285, which would ensure and clarify that transgender and gender nonconforming people are protected by the state's gender identity nondiscrimination in insurance law. The measure would also require providing transgender applicants and insured persons with information on gender transition services coverage, compliance with worldwide standards on gender transition-related care. The law must be clarified by this measure, so insurance companies do not deny legally required coverage to Hawai'i's transgender population, which is the highest per capita of any state.[\[1\]](#)

Federal and Hawai'i laws prohibit most public and private health plans from discriminating against an individual because they are transgender.[\[2\]](#) **With few exceptions, this means that it is illegal discrimination for a health insurance plan to refuse to cover medically necessary transition-related care.**

Unfortunately, despite existing state and federal law, transgender people in Hawai'i are still denied coverage for medically necessary procedures. Further, many insurance policies in Hawai'i do not fully inform transgender people about available transition related care, nor do they explain how to seek recourse upon denial of coverage. So, often, transgender people are left without the medical care they need and are legally entitled to.

To ensure that existing federal and state gender identity non-discrimination insurance laws are complied with and that our transgender community members receive the health care they need, please **PASS**HB285.

Mahalo

[\[1\]](#) Andrew R. Flored et al., How Many Adults Identify as Transgender in the United States? 2 (2016).

[\[2\]](#) Affordable Care Act Section 1557; Haw. Rev. Stat. § 431:10A-118.3; Haw. Rev. Stat. § 431:1-607.3.

HB-285

Submitted on: 2/8/2021 8:05:37 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tea™sha Kahumoku-Derricotte	Individual	Support	No

Comments:

Fully support bill

HB-285

Submitted on: 2/8/2021 8:12:46 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Gabriel Bautista	Individual	Oppose	No

Comments:

I believe all healthcare is necessary for all genders

HB-285

Submitted on: 2/8/2021 8:20:16 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Keleka Kaneaiakala	Individual	Support	No

Comments:

As a Native Hawaiian Transgender living on the island of Oahu, I have found it very essential to have health insurance that covers my customizes and supports my medical needs. I am very fortunate to live in a state that supports my medical needs while some of my colleagues in the upstate continent struggle to get the proper health care they need. I believe everyone wether they are Transgender or not should receive proper health care, support and services, And for this I am in support of Bill HB285.

Mahalo,

Keleka K. Kaneaiakala

HB-285

Submitted on: 2/8/2021 8:55:20 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stacey Ka?au?a	Individual	Support	No

Comments:

Aloha,

it is if the utmost importance equity is recognized when it comes to medical care for our people. I support this bill to ensure all of our people are treated with dignity and respect as the next person. Mahalo.

LATE

HB-285

Submitted on: 2/8/2021 10:11:59 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Kau'i Losalio	Individual	Support	No

Comments:

Health insurance agencies should be prohibited from discriminating against clients based on gender identity. We need to support everyone on the gender spectrum. If we don't, then there's no aloha left in Hawai'i for our own people. Do the right thing.

LATE

HB-285

Submitted on: 2/8/2021 11:18:00 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alani Bagcal	Individual	Support	No

Comments:

Representative Ryan Yamane, Chair

Representative Adrian Tam, Vice-Chair

House Committee on Health, Human Services and Homelessness

Dear Chair Yamane, Vice-Chair Tam, and esteemed members of the committee

My name is Alani Bagcal and I am writing today in support for HB 285.

Hawai'i is responsible for taking care of ALL it's people, that means making sure that insurance companies are prohibited to discriminate against people who are trying to access gender affirming care. It is absolutely no one's business, beside the patient to decide what health care they can and cannot access to affirm their gender identity.

Thank you for this opportunity to testify in strong support of this bill.

Alani Bagcal

alani.bagcal@ppvnh.org

96815

LATE

HB-285

Submitted on: 2/8/2021 12:01:59 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mychal Ozoa	Individual	Support	No

Comments:

My name is Mykie E. Menor Ozoa-Aglugub and I strongly support HB285. Our transgender relations deserve a full spectrum of healthcare free of discrimination. Thank you for your time and kind consideration.

LATE

HB-285

Submitted on: 2/8/2021 2:48:17 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Monique DeSimone	Individual	Support	No

Comments:

For trans and non-binary individuals, transitional treatments can be a matter of life or death. Denying coverage on the basis of gender identity with a treatment that is otherwise covered is making the determination on whether someone deserves to live and be affirmed. I strongly urge the approval of HB 285 to stop the discriminatory practice of denying covered care on the basis of gender identity.

Sincerely,

Monique DeSimone

LATE

HB-285

Submitted on: 2/8/2021 5:22:39 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alanna Brissette	Individual	Support	No

Comments:

I am in full support of HB285, which seeks to improve the non-discrimination law for health insurance to better protect transgender people in Hawai'i.

This measure is especially important because I am a transgender individual and I should be allowed the same insurance benefits according to the gender of which I identify.

Respectfully,

Alanna Brissette

LATE

HB-285

Submitted on: 2/9/2021 7:29:34 AM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Eileen McKee	Individual	Support	No

Comments:

Sorry for the tardiness of this testimony.
I strongly support HB285.

Mahalo for considering my testimony.

Eileen McKee

Kihei, 96753

HB-285

Submitted on: 2/9/2021 2:45:47 PM

Testimony for HHH on 2/9/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tracey Zhang	Individual	Support	No

Comments:

Aloha,

Good morning chair, vice chair and members of the committee,

My name is Tracey Zhang and I support HB 285. As a social worker, it is important to the community to recognize and honor equality. Whether it is for education, employment, bathrooms and transitioning surgeries. As we have all learned, our Hawaiian culture praised and looked up to the transgender communities. We have failed to honor this tradition. Let us rebuild and begin equality for all and for our beautiful Hawaiian culture.