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## Notice of Intent to Amend Regulations

In accordance with the provisions of Section 4-168(a) of the *General Statutes of the State of Connecticut (CGS)*, as amended, the **Department of Social Services** hereby gives notice that it proposes to **amend** regulations concerning **the Treatment of Gender Dysphoria**, under the authority of **Section 17b-262 of the General Statutes of Connecticut**. Full text or a description of the proposed regulations, a statement of the purposes for which they are proposed, and information concerning when, where and how interested parties may present views on and obtain copies of the proposed regulations, and of any small business impact and regulatory flexibility analyses required pursuant to CGS section 4-168a, is provided below.

**1. Description of the proposed regulations.**

(Or, check here  if full text of the proposed regulations is appended to this notice in lieu of description.)

The Department of Social Services (the “department”) proposes to amend several regulations to repeal the prohibition on payment for sexual reassignment surgery and related services and procedures. In particular, the department will amend sections 17b-262-342 (physicians services); 17b-262-456 (psychiatrists’ services); and 17b-262-612 (nurse practitioner services) of the Regulations of Connecticut State Agencies. The department also proposes to amend Sections 171.4E.II (medical clinics) and 150.1E.II (hospital inpatient services) of its Medical Services Policy Manual, to repeal the prohibition on payment for sexual reassignment surgery and related services and procedures.

The regulation also makes some technical changes to the regulations being amended, including changes in formatting and punctuation and updates to terminology.

**2. Statement of purpose.**

This regulation will bring the department’s Medicaid coverage regulations into line with current medical practice. In particular, the regulation will eliminate the provision in various regulations and medical services policies that prohibits payment for sexual reassignment surgery and related services and procedures. These coverage exclusions were originally based upon the view that such surgeries and related procedures and services were experimental or unproven in nature. The medical community now recognizes a variety of surgeries and treatments for “gender identity disorder” or “gender dysphoria”. These diagnoses are recognized in the Diagnostic and Statistical Manual of Mental Disorders (DSM-4) and the forthcoming DSM-5.

This regulation is necessary to enable the department to cover the full complement of services for clients with a diagnosis of gender dysphoria or gender identity disorder. The exclusion of such services is no longer reasonable. There now exists a body of scientific evidence that demonstrates: broad agreement that gender dysphoria is diagnosable; the safety and efficacy of the surgeries when medically necessary; and broad consensus that the services should longer be considered experimental. The regulation will also remove any potential conflict between the department's coverage policy and the state prohibition against discrimination based on "gender identity or expression" as enacted in Public Act 11-55.

**3. Procedure(s) for submitting comments.**

All written comments regarding these regulations must be submitted within thirty days of the publication of this notice in the Connecticut Law Journal to the Department of Social Services, Office of Legal Counsel, Regulations and Administrative Hearings, 55 Farmington Avenue, Hartford, Connecticut, 06105, Attention: Brenda Parrella, Director, or via email: [brenda.parrella@ct.gov](mailto:brenda.parrella@ct.gov). A hearing will be scheduled on the proposed regulation if requested by fifteen persons, by a governmental subdivision or agency or by an association having not less than fifteen members, if notice of the request is received by the Department within fourteen days after the date of publication of this notice in the Connecticut Law Journal. When submitting correspondence, please reference "Regulation Number 14-05 – Services for Gender Dysphoria."

**4. Deadline for submitting comments.**

Check here  if comments must be submitted no later than 30 days following posting of this notice to the Secretary of the State's regulations webpage, or indicate a different closing date here:

**5. Procedure(s) for obtaining copies of the proposed regulations, the small business impact and regulatory flexibility analyses, if required pursuant to CGS section 4-168a, and the fiscal note:**

A copy of the complete text of this regulation is available, at no cost, upon request from the Office of Legal Counsel, Regulations and Administrative Hearings, Department of Social Services, 55 Farmington Avenue, Hartford, Connecticut 06105; email: [patricia.mccooley@ct.gov](mailto:patricia.mccooley@ct.gov). A copy of the complete text of this regulation is also available online at <http://www.ct.gov/dss>; select "Publications," then select "Policies and Regulations," then select "Notices of Intent, Operational Policies, and Proposed Regulations," then select "14-05."

**6. Other relevant or statutorily required information (provide cites), if any.**

**7. If box in Number 1 above is checked, insert full text of the proposed regulations below.**