



**STATE OF CONNECTICUT**  
**DEPARTMENT OF SOCIAL SERVICES**

**NOTICE OF DECISION TO TAKE ACTION ON PROPOSED REGULATION**

In accordance with section 4-168(d) of the Connecticut General Statutes, the Department of Social Services (“DSS”) hereby provides notice that it will proceed with adopting DSS regulation #14-05 concerning coverage of gender dysphoria services. Notice of intent to amend certain Medicaid regulations was posted to the regulations webpage of the Secretary of the State on September 22, 2014. DSS received two public comments.

As required by the Freedom of Information Act and section 4-168(d) of the Connecticut General Statutes, the following items are available for copying at the address specified below, and if, applicable, by the alternate methods detailed below:

- (A) The final wording of the proposed regulation

A copy of the proposed regulation is available for public inspection during regular business hours at the Department of Social Services, Office of Legal Counsel, Regulations and Administrative Hearings, 11<sup>th</sup> Floor, 25 Sigourney Street, Hartford, 06103. An electronic copy of the entire regulation making file including the Notice of Intent to Amend the Regulation, the proposed regulation, fiscal note, small business impact statement, comments received and this Notice of Decision to proceed are also available for public inspection on the Department of Social Services website at <http://www.ct.gov/dss>. Click on “Publications” then “Policies and Regulations.”

- (B) A statement of the principal reasons in support of this intended action

Both written comments received by the Department strongly supported the proposed amendment to the Department of Social Services Medicaid regulations. The comments expressed strong support for the purpose of the regulation -- removal of the coverage exclusions for gender identity services. The proposed amendments to existing regulations will allow Medicaid coverage of sex-reassignment surgery and related services and treatments. One comment noted that without medically necessary treatment individuals may experience clinical depression, loss of self-esteem, serious self-harm and suicide.

The two comments also express support for the regulation as it will bring Connecticut’s Medicaid program in line with Connecticut General Statutes, § 46a-71(a) which prohibits discrimination based upon “gender identity or expression.” These comments also endorsed the regulation as it will bring the Medicaid program in line with the Connecticut Department of Insurance Bulletin IC-34, which prohibits discrimination by based upon gender identity or expression. The fact that Connecticut removed exclusions for transgender-related health care for its state employees was also noted.

- (C) A statement of the principal considerations in opposition to the intended action

Neither of the comments opposed any aspect of the agency’s intended action.

- (D) A statement of the agency’s reasons for accepting or rejecting such considerations.

The two comments received were supportive of and consistent with the Department's rationale for proposing the amendments to the Department's existing regulations.

Copies of the final wording of the proposed regulation and this Notice of Decision to Take Action are also available for copying and inspection upon request to:

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Office of Legal Counsel, Regulations and Administrative Hearings  
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