



Oregon

Tina Kotek, Governor



Division of
Financial
Regulation

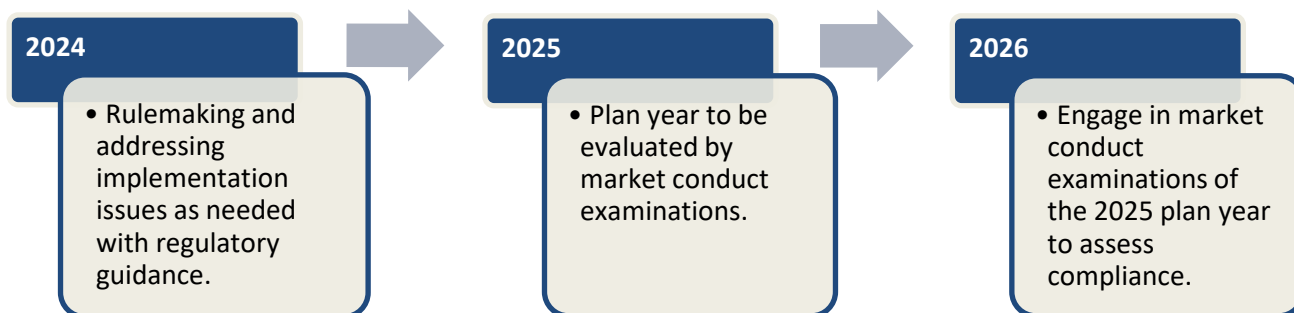
Department of Consumer
and Business Services

The Oregon Insurance Code prohibits unfair discrimination in the availability of insurance, application of rates for insurance, benefits payable under insurance policies, or any other terms or conditions of insurance policies.¹ The code specifically prohibits a health benefit plan from discriminating on the basis of a person’s actual or perceived gender identity.²

The Department of Consumer and Business Services (DCBS) supports House Bill 2002.

In 2016, the Division of Financial Regulation issued a bulletin on nondiscrimination related to transgender people in the transaction of insurance in Oregon. This bulletin clarifies the nondiscrimination requirements of the Oregon Insurance Code and the expectations the division has for health insurers regarding coverage of medically necessary treatment for gender incongruence.³ This includes guidelines for coverage of gender-affirming treatment and mental health services for gender dysphoria, along with expectations that health insurers should provide consumers with clear information about coverage of gender-affirming treatment.

HB 2002 builds upon this guidance by codifying requirements for health benefit plans to cover gender-affirming treatment in statute, including, but not limited to, the specific services listed in the bill. HB 2002 requires that compliance be evaluated by DCBS to understand how this coverage is being implemented by health insurance companies. As outlined in the bill, compliance would occur in the following stages:



DCBS looks forward to engaging in a collaborative rulemaking process with health insurers, care providers, consumer advocates, and the general public to improve access to gender-affirming treatment in Oregon. We are happy to answer any questions and appreciate the committee’s consideration of House Bill 2002.

Andrew R. Stolfi
Director and insurance commissioner
Department of Consumer and Business Services

¹ ORS 746.015(1).

² ORS 746.021

³ Division of Financial Regulation, Bulletin 2016-1. <https://dfr.oregon.gov/laws-rules/Documents/Bulletins/bulletin2016-01.pdf>