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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2607

03/06/2023 Authored by Finke, Kozlowski, Curran, Gomez, Pursell and others
The bill was read for the first time and referred to the Committee on Commerce Finance and Policy
03/11/2024 Adoption of Report: Amended and re-referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health care; clarifying that health plans must cover gender-affirming
1.3 care; proposing coding for new law in Minnesota Statutes, chapter 62Q.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. [62Q.585] GENDER-AFFIRMING CARE COVERAGE; MEDICALLY
1.6 NECESSARY CARE.

1.7 Subdivision 1. Requirement. No health plan that covers physical or mental health
1.8 services may be offered, sold, issued, or renewed in this state that:

1.9 (1) excludes coverage for medically necessary gender-affirming care; or

1.10 (2) requires gender-affirming treatments to satisfy a definition of "medically necessary
1.11 care," "medical necessity," or any similar term that is more restrictive than the definition
1.12 provided in subdivision 2.

1.13 Subd. 2. Minimum definition. "Medically necessary care" means health care services
1.14 appropriate in terms of type, frequency, level, setting, and duration to the enrollee's diagnosis
1.15 or condition and diagnostic testing and preventive services. Medically necessary care must
1.16 be consistent with generally accepted practice parameters as determined by health care
1.17 providers in the same or similar general specialty as typically manages the condition,
1.18 procedure, or treatment at issue and must:

1.19 (1) help restore or maintain the enrollee's health; or

1.20 (2) prevent deterioration of the enrollee's condition.

2.1 Subd. 3. **Definitions.** (a) For purposes of this section, the following terms have the
2.2 meanings given.

2.3 (b) "Gender affirming care" means all medical, surgical, counseling, or referral services,
2.4 including telehealth services, that an individual may receive to support and affirm the
2.5 individual's gender identity or gender expression and that are legal under the laws of this
2.6 state.

2.7 (c) "Health plan" has the meaning given in section 62Q.01, subdivision 3, but includes
2.8 the coverages listed in section 62A.011, subdivision 3, clauses (7) and (10).