

# HAWAI‘I CIVIL RIGHTS COMMISSION

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

February 19, 2016  
Rm. 325, 3:00 p.m.

To: The Honorable Karl Rhoads, Chair  
Members of the House Committee on Judiciary

From: Linda Hamilton Krieger, Chair  
and Commissioners of the Hawai‘i Civil Rights Commission

## Re: H.B. No. 2084, H.D.1

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.

H.B. No. 2084, H.D.1, if enacted, will amend HRS chapter 431, article 10A (accident and health or sickness insurance), chapter 432, article 1 (mutual benefit societies), and chapter 432D (health maintenance organizations), to prohibit the denial, exclusion, or limitation of health care services or treatment on the basis of actual or perceived gender identity.

### **The HCRC supports H.B. No. 2084, H.D.1.**

The HCRC has a state civil rights law enforcement interest in eliminating discrimination in employment-based health benefit plans, with jurisdiction and authority to enforce Hawai‘i state fair employment law, which prohibits employers from discriminating on the basis of race, **sex, including gender identity or expression**, sexual orientation, age, religion, color, ancestry, disability, marital status, arrest and court record, or domestic violence or sexual violence victim status, in “compensation or in the terms, conditions, or privileges of employment.” HRS § 378-2(a)(1)(A).

It is a well-accepted fair employment law principle that an employer is legally responsible for

discriminatory fringe benefit plans offered by third parties whom the employer selects to provide a benefit plan for employees. Employers are ultimately responsible for discriminatory compensation, terms, conditions, and privileges of employment, regardless of whether third parties are also involved in the discrimination. *Arizona Governing Committee for Tax Deferred Annuity and Deferred Compensation Plans, et al., v. Norris*, 463 U.S. 1073 (1983), 1089-1090.

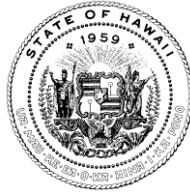
The HCRC's jurisdiction covers employers, but health insurance providers are not within HCRC jurisdiction, except to the extent that there is aider and abettor liability under HRS chapter 378, part I. In addition, most but not all of Hawai'i residents who are covered by private health plans are covered by employment-based plans.

The statutory protections provided by H.B. No. 2084, H.D.1, are timely and appropriate, given the slow movement of health plan insurance carriers to voluntarily eliminate discriminatory coverage exclusions in the absence of express statutory prohibition, with continuing exclusions of health care services relating to "sex transformation," gender reassignment, and gender dysphoria.

In considering enactment of H.B. No. 2084, H.D.1, the Hawai'i Legislature joins an increasing number of states, including California, Colorado, Connecticut, Illinois, Massachusetts, New York, Oregon, Vermont, Washington State, and the District of Columbia, that have laws and policies protecting against discriminatory exclusions and denials of treatment based on gender identity in at least some circumstances.

The federal government is also currently acting to address the issue of discriminatory exclusions in health plans. The U.S. Department of Health and Human Services has issued a Notice of Proposed Rule on Nondiscrimination in Health Programs and Activities, which implements the nondiscrimination provisions of the Affordable Care Act, including proposed rules expressly prohibiting discrimination in health plans on the basis of sex, gender identity, or sexual orientation. Vol. 80, No. 173, Federal Register, September 8, 2015. The proposed rule expressly states that an explicit categorical exclusion of (employee health benefit plan) coverage for all health services related to gender transition is unlawful on its face. 80 FR 54190. (*see also*, fn. 93 on 80 FR 54191).

The HCRC urges your favorable consideration of H.B. No. 2084, H.D.1.



DAVID Y. IGE  
GOVERNOR  
  
SHAN S. TSUTSUI  
LT. GOVERNOR

**STATE OF HAWAII**  
**OFFICE OF THE DIRECTOR**  
**DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**  
335 MERCHANT STREET, ROOM 310  
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CATHERINE P. AWAKUNI COLÓN  
DIRECTOR  
  
JO ANN M. UCHIDA TAKEUCHI  
DEPUTY DIRECTOR

TO THE HOUSE COMMITTEE ON JUDICIARY

TWENTY-EIGHTH LEGISLATURE  
Regular Session of 2016

Friday, February 19, 2016  
3:00 p.m.

**TESTIMONY ON HOUSE BILL NO. 2084, H.D. 1 – RELATING TO INSURANCE.**

TO THE HONORABLE KARL RHOADS, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Gordon Ito, State Insurance Commissioner, testifying on behalf of the Department of Commerce and Consumer Affairs (“Department”). The Department submits the following comments.

The national trend is to prohibit discrimination in health care coverage, services, and treatment on the basis of actual or perceived gender identity. In Hawaii, Article I, section 5 of the Hawaii State Constitution broadly prohibits discrimination because of race, religion, sex, or ancestry.

Furthermore, section 1557 of the Affordable Care Act (2010) (“ACA”) is the first federal civil rights law to specifically prohibit discrimination on the basis of sex in health care. This section makes it unlawful for health care providers and insurers that receive any federal funding, including through the insurance marketplace exchange and health programs, to discriminate against an individual based on race, color, national origin, sex, age, or disability. The federal government is currently considering the adoption of regulations promulgated under section 1557 of the ACA. Pursuant to sections 431:10A-105.5, 432:1-107, and 432D-28, Hawaii Revised Statutes, health insurers, mutual benefit societies, and health maintenance organizations must comply with applicable federal law.

**House Bill No. 2084, H.D. 1**  
**DCCA Testimony of Gordon Ito**  
**Page 2**

Sections 2, 3 and 4 of the bill would prohibit denying, canceling, limiting, or refusing to issue or renew a policy or plan, denying or limiting coverage for a health insurance claim, or imposing additional cost sharing or other limitations or restrictions on access to covered health care services on the basis of actual or perceived gender identity. The Department supports the intent of these sections.

We thank this Committee for the opportunity to present testimony on this matter.

**COUNTY COUNCIL**

Mel Rapozo, Chair  
Ross Kagawa, Vice Chair  
Mason K. Chock  
Gary L. Hooser  
Arryl Kaneshiro  
KipuKai Kualii  
JoAnn A. Yukimura



**OFFICE OF THE COUNTY CLERK**

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**Council Services Division**  
4396 Rice Street, Suite 209  
Lihu'e, Kaua'i, Hawai'i 96766

February 17, 2016

TESTIMONY OF KIPUKAI KUALII  
COUNCILMEMBER, KAUAI COUNTY COUNCIL  
ON  
HB 2084, HD1, RELATING TO INSURANCE  
House Committee on Judiciary  
Friday, February 19, 2016  
3:00 p.m.  
Conference Room 325

Dear Chair Rhoads and Members of the Committee:

Thank you for this opportunity to provide testimony in strong support of HB 2084, HD1, Relating to Insurance. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council, Chair of the Kaua'i County Council Economic Development & Intergovernmental Relations Committee, and member of the National Association of Counties Board of Directors.

The purpose of this measure is to prohibit health insurers, mutual benefit societies, and health maintenance organizations from discriminating with respect to participation and coverage under a policy, contract, plan, or agreement against any person on the basis of actual gender identity or perceived gender identity. The practice of denying health insurance coverage and access to healthcare to a person based on gender identity or gender expression is against public policy.

For the reasons stated above, I urge the House Committee on Judiciary to support this measure. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188.

Sincerely,

KIPUKAI KUALII  
Councilmember, Kaua'i County Council

AMK:mn



February 16, 2016

House's Committee on Judiciary  
Hawaii State Capitol  
415 South Beretania Street, Room 325  
Honolulu, HI 96813

Hearing: Friday, February 19, 2016 – 3:00 p.m.

RE: **STRONG SUPPORT for House Bill 2084 HD 1 – RELATING TO INSURANCE**

Aloha Chairperson Rhoads, Vice Chair San Buenaventura and fellow committee members,

I am writing in STRONG SUPPORT to House Bill 2084 HD 1 on behalf of the LGBT Caucus of the Democratic Party of Hawai'i. HB 2084 HD 1 will ensure that members of the transgender will be covered by their insurance plans for their health needs.

This bill is desperately needed as it is a matter of health and safety for the members of our transgender 'ohana. No one should be denied health coverage based on their gender identity or perceived gender identity. This is exactly what is happening right now here in the Aloha state. Insurance companies are denying health care coverage based solely on their gender identity and that is not showing Aloha by any stretch of the imagination.

Without this assurance of health insurance coverage members of Hawaii's transgender 'ohana are not receiving the medical care that they need. The medical needs for each person is unique and that is the same for transgender 'ohana members. We don't allow insurance companies deny coverage based on any other protected class except gender identity, we need to fix that and this bill will do just that.

This bill is also a matter of human decency - life is hard enough our government shouldn't make it harder by legalized discrimination against our transgender 'ohana – so please pass House Bill 2084, it is the right and moral thing to do.

We look forward to you passing this bill and bring another plank of our Party's into reality and in the process move our Founding Father's promise to form a more perfect union. Not passing this bill would be an injustice and as Dr. King told us: "Injustice ANYWHERE is threat to justice EVERYWHERE."

Mahalo nui loa,

Michael Golojuch, Jr.  
Chair



16 February 2016

Chair Karl Rhoads  
Vice Chair Joy A. San Buenaventura  
Committee on Judiciary  
House of Representatives  
State of Hawai'i  
Honolulu, HI

***House Bill 2084, Relating to Insurance  
Testifying in STRONG SUPPORT***

Dear Chair Rhoads, Vice Chair San Buenaventura and Committee Members:

Thank you for the opportunity to submit testimony on behalf of this important bill. I write on behalf of Equality Hawai'i, the state's largest political, social justice and advocacy organization for the LGBT community and our allies, and wish to register our support for HB 2084, Relating to Insurance.

Today, more than 3 million transgender individuals are estimated to reside in the United States, and perhaps as many as 15,000 live in Hawai'i. These individuals face discrimination in their health care through transgender-specific exclusions included in some form in virtually all insurance policies offered by health insurance companies in Hawai'i. Gender identity discrimination occurs when individuals are denied equal access to health care and services. Thus, transgender individuals are excluded from health insurance coverage not based on lack of medical necessity of treatment, but based simply on their gender identity or perceived gender identity, and even though the same and similar care is covered for non-transgender policy holders.

A state law preventing these types of exclusions, for many, is a matter of life and death. Individuals who are prevented from obtaining healthcare to aid in transition face high rates of suicide, and a lack of even more generalized health care due to anti-transgender stigmas that are, in part, exacerbated by these types of discriminatory insurance policies. These discriminatory exclusions not only impact transition related services, they also prevent transgender individuals from obtaining treatment of what is generally considered common wellness care. We are also in favor of this legislation since, at its core, it discriminates against a vulnerable, under-served, often low socio-economic population, many of whom are unable to obtain any health care due to the lack of insurance coverage – and not just because they have no coverage, but because the coverage they do have includes these exclusions. Also, these discriminatory exclusions not only impact individual lives, but also the availability of care providers willing to serve this vulnerable population.



Leading medical and psychological authorities including the American Medical Association, American Psychiatric Association, American Academy of Family Physicians, National Association of Social Workers, World Professional Association for Transgender Health, National Commission on Correctional Health Care, American Public Health Association, and the American College of Obstetrician and Gynecologists all recognize the importance of transgender healthcare and preventing health care discrimination based on a person's gender identity or gender expression. In fact, the AMA has specifically passed a resolution geared at eliminating these types of discriminatory insurance policy barriers to health care coverage. Ensuring transgender healthcare obviously also reduces future health care costs faced by private insurers and the state in the long run.

It is exactly because of the interest in ensuring the availability of health care, that there is a current trend in other states to put in place policies preventing transgender health care exclusions – with 10 other jurisdictions including the District of Columbia already establishing such policies. This is clearly the trend, and it is rapidly gaining momentum.

In furtherance of the purpose and intent behind this bill, we respectfully request your consideration of the following amendment:

- **Revision to the definition of “gender transition” in section 431:10A(e) and section 432:1(e) to delete the commas around the clause “including sex characteristics”, delete the word "including", and add the word “or” between the words “appearance” and “sex characteristics”.**

**With these changes, the definition of “gender transition” will read:**

**“Gender transition” means the process of a person changing the person's outward appearance or sex characteristics to accord with the person's actual gender identity.**

The purpose of this amendment is to ensure that the new law does not inadvertently exclude medically necessary treatment of internal sex organs. .

We are also willing to work with the insurance companies and all interested parties to ensure an easy transition. Transgender people and the transgender community are a strong, diverse and vibrant part of our Hawai'i ohana, and HB 2084 represents an exciting opportunity to make a real, positive difference in their lives. Justice deferred, as the time-honored maxim goes, is justice denied, and transgender people have been denied justice for far too long through a requirement that a growing number of states and professional associations say must be changed.





We respectfully ask your support in delivering a measure of justice this session through voting for HB 2084.

Mahalo,

*Rebecca A. Copeland*

Rebecca Copeland  
Equality Hawai'i

Testimony of  
John M. Kirimitsu  
Legal and Government Relations Consultant

Before:  
House Committee on Judiciary  
The Honorable Karl Rhoads, Chair  
The Honorable Joy A. San Buenaventura, Vice Chair

February 19, 2016  
3:00 pm  
Conference Room 325

**Re: HB 2084, HD1 Relating to Insurance**

Chair, Vice Chair and committee members, thank you for this opportunity to provide testimony on HB 2084, HD1 prohibiting discrimination of insurance coverage on the basis of gender identity.

**Kaiser Permanente supports this bill, as amended.**

Kaiser Permanente appreciates the amendments recommended by the House Health Committee, and supports the amended version of this bill.

As Hawaii's largest HMO, Kaiser Permanente proudly provides culturally competent care to all of its patients, and supports parity in coverage without discriminating on any protected basis. That being said, Kaiser Permanente is currently awaiting State approval of its 2017 benefit package, which removes all transgender re-assignment surgery exclusionary language. Currently, Kaiser Permanente offers transgender re-assignment surgery as an optional rider to large employer groups.

Thank you for your consideration.



Committee: Committee on Judiciary  
Hearing Date/Time: Friday, February 19, 2016, 3:00 p.m.  
Place: Conference Room 325  
Re: Testimony of the ACLU of Hawaii in Support of H.B. 2084, H.D.1  
Relating to Insurance

Dear Chair Rhoads and Members of the Committee on Judiciary:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of H.B. 2084, H.D.1, which prohibits discrimination in health insurance on the basis of gender identity or perceived gender identity.

Hawaii’s transgender community faces discrimination in healthcare

In Hawaii, most health insurance plans contain discriminatory blanket exclusions of benefits connected to “sex-transitioning.” Many of these plans cover the exact same treatment, such as hormone replacement therapy, for conditions unrelated to transitioning. This is discrimination, plain and simple. According to a 2011 study, 19% of transgender people report being denied access to medical services simply because they are transgender.<sup>1</sup> The ACLU of Hawaii has received reports that health insurance plans in Hawaii are using these exclusions to deny coverage for services unrelated to transitioning, merely because the patient’s file notes that they are transgender.

This denial of medical services results in transgender people paying thousands of dollars out of pocket for the same services that are covered for cisgender (non-transgender) patients under the same insurance plan. This perpetuates the disproportionate rates of poverty experienced by the transgender community.<sup>2</sup>

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<sup>1</sup>Jaime M. Grant et al., *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*, 72 (2011), [http://www.thetaskforce.org/static\\_html/downloads/reports/reports/ntds\\_full.pdf](http://www.thetaskforce.org/static_html/downloads/reports/reports/ntds_full.pdf).

<sup>2</sup> 15% of transgender survey respondents reported extreme poverty, with annual incomes of less than \$10,000, as compared to 4% of the overall population. Center for American Progress and Movement Advancement Project, *Paying an Unfair Price: The Financial Penalty for Being Transgender in America*, 3 (2015), <http://www.lgbtmap.org/file/paying-an-unfair-price-transgender.pdf>.

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
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[www.acluhawaii.org](http://www.acluhawaii.org)

Transition-related services constitute medically necessary care

The same medical treatment excluded from coverage in most Hawaii health insurance plans has been consistently regarded as medically necessary care by the medical community and courts. In 2008, the American Medical Association passed a resolution recognizing “an established body of medical research” that “demonstrates the effectiveness and medical necessity of mental health care, hormone therapy, and sex reassignment surgery as forms of therapeutic treatment for many patients diagnosed with [Gender Dysphoria].”<sup>3</sup> Although not every transgender person has Gender Dysphoria, those who do often require treatment in the form of hormone therapy and/or surgery.

H.B. 2084, H.D.1 is in line with current state and federal policy

State law prohibits discrimination on the basis of gender identity in the areas of housing, employment, and public accommodations. This measure would be consistent with existing public policy and scientific data. Recently, the U.S. Department of Health and Human Services issued a proposed rule relating to section 1557 of the Affordable Care Act (“ACA”), clarifying that health insurance plans with blanket exclusions of coverage for transition-related services violate the ACA.<sup>4</sup> Accordingly, Hawaii’s major health insurance providers will inevitably need to update their plans to comply with the ACA. This legislation is necessary, however, to protect the remaining patients under health insurance plans not covered by the ACA’s requirements.

Thank you for the opportunity to testify.

Sincerely,



Mandy Finlay  
Advocacy Coordinator  
ACLU of Hawaii

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<sup>3</sup> American Medical Association, Res. 122 A-08: Removing Financial Barriers to Care for Transgender Patients [http://www.tgender.net/taw/ama\\_resolutions.pdf](http://www.tgender.net/taw/ama_resolutions.pdf); See also <https://www.ama-assn.org/ssl3/ecom/PolicyFinderForm.pl?site=www.ama-assn.org&uri=/resources/html/PolicyFinder/policyfiles/HnE/H-185.950.HTM>.

<sup>4</sup> U.S. Department of Health and Human Services, 80 Fed. Reg. 75,487 (proposed December 02, 2015). <http://www.hhs.gov/civil-rights/for-individuals/section-1557/nondiscrimination-health-programs-and-activities-proposed-rule/index.html>.



February 19, 2016

The Honorable Karl Rhoads, Chair  
House Committee on Judiciary  
The Honorable Joy A. San Buenaventura, Vice-Chair  
House Committee on Judiciary

**Re: HB 2084 HD1 – Relating to Insurance**

Dear Chair Rhoads, Vice-Chair San Buenaventura and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to offer comments on HB 2084 HD1, which seeks to prohibit health insurers, mutual benefit societies, and health maintenance organizations from discriminating with respect to participation and coverage under a policy, contract, plan, or agreement against any person on the basis of actual or perceived gender identity.

HMSA is certainly empathetic to the intent of this Bill and we recognize the considerable movement toward broadly expanding health care services to this population. To this point, in response to the Department of Health and Human Services ruling in 2014, HMSA created and currently offers a gender reassignment policy under our Federal 087 plan. As written, we see HB 2084 HD1 as seeking to ensure equal access to current benefits provided in a plan rather than an expansion of benefits.

Thank you for allowing us to testify on HB 2084 HD1.

Sincerely,

Jennifer Diesman  
Vice President, Government Relations



16 February 2016  
**Rev 2/18/2016**

Chair Karl Rhoads  
Vice Chair Joy A. San Buenaventura  
Committee on Judiciary  
House of Representatives  
State of Hawai'i  
Honolulu, HI

***House Bill 2084, Relating to Insurance  
Testifying in STRONG SUPPORT***

Dear Chair Rhoads, Vice Chair San Buenaventura and Committee Members:

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Today, more than 3 million transgender individuals are estimated to reside in the United States, and perhaps as many as 15,000 live in Hawai'i. These individuals face discrimination in their health care through transgender-specific exclusions included in some form in virtually all insurance policies offered by health insurance companies in Hawai'i. Gender identity discrimination occurs when individuals are denied equal access to health care and services. Thus, transgender individuals are excluded from health insurance coverage not based on lack of medical necessity of treatment, but based simply on their gender identity or perceived gender identity, and even though the same and similar care is covered for non-transgender policy holders.

A state law preventing these types of exclusions, for many, is a matter of life and death. Individuals who are prevented from obtaining healthcare to aid in transition face high rates of suicide, and a lack of even more generalized health care due to anti-transgender stigmas that are, in part, exacerbated by these types of discriminatory insurance policies. These discriminatory exclusions not only impact transition related services, they also prevent transgender individuals from obtaining treatment of what is generally considered common wellness care. We are also in favor of this legislation since, at its core, it protects against discrimination aimed at a vulnerable, under-served, often low socio-economic population, many of whom are unable to obtain any health care due to the lack of insurance coverage – and not just because they have no coverage, but because the coverage they do have includes these exclusions. Also, these discriminatory exclusions not only impact individual lives, but also the availability of care providers willing to serve this vulnerable population.



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We are also willing to work with the insurance companies and all interested parties to ensure an easy transition. Transgender people and the transgender community are a strong, diverse and vibrant part of our Hawai'i ohana, and HB 2084 represents an exciting opportunity to make a real, positive difference in their lives. Justice deferred, as the time-honored maxim goes, is justice denied, and transgender people have been denied justice for far too long through a requirement that a growing number of states and professional associations say must be changed.



We respectfully ask your support in delivering a measure of justice this session through voting for HB 2084.

Mahalo,

*Rebecca A. Copeland*

Rebecca Copeland  
Equality Hawai'i



**LATE**



**HAWK HEALTH**

**Date: January 30, 2016**

**To: Hawaii State House of Representatives  
Hawaii State Senate**

**From: Dr. Samuel Hawk**

**RE: HB2084, Health Insurance Coverage**

**Position: Strong Support**

**Dear Representatives and Senators,**

**I'm presenting this testimony in strong support of HB2084, Health Insurance coverage.**

**I own a primary care practice (Hawk Health) in Honolulu and have been working as a primary care physician for the past 4 years. I'm also the founder and CEO of The Lavender Clinic (non-profit) that specializes in Transgender and LGBTQ services. At both my clinics, I teach medical students and post-graduate health education as an Adjunct Faculty with various health/medical schools. I treat people of all ages and backgrounds and military members (active duty, reserve, and veterans). I specialize in transgender health care and am currently the only clinic in the State of Hawaii, with exception of Kaiser, that offers transgender health services. However, I'm the only clinic that manages our transgender patients according to current medical standards for the treatment and health care of transgender individuals (World Professional Association for Transgender Health). I treat adults, adolescent and kids and work with other organizations and health professionals to provide complete medical treatment of transgender patients, behavioral services, support groups, school staff training, and documentation services.**

**The consequences to the transgender community of being discriminated against by the health care insurance field and thus by proxy the health care system and health care providers is profound and affects this community at all levels from our children and teens**

to adults. Our transgender youth have the highest rate of suicidality than any other group - 40%. This is a community that needs our help. These are our children. These are our family members. I have patients who have not received any health care for 20+ years due to feeling unwanted and uncomfortable with seeking help in the medical community. I also have patients who refuse to have necessary life saving medical procedures done due to feeling uncomfortable and mistreated by the medical community. Since I opened my practice doors, I have found untreated and undiagnosed diabetes, hypertension, heart arrhythmias, parathyroid issues, etc. With any of these conditions left untreated or treatment is delayed, there is risk of irreversible consequences to the individual health including death.

This delay to treatment also greatly impacts health care as a whole with increased ER admissions, hospital admissions, and increased long-term care needs. Increased health care expenditures, health insurance premiums and increased demand for physician time, which is already overstrained, are consequences of discriminating against an entire community of people to receive equal treatment and access to our health care system.

The discrimination to the transgender community has even impacted health profession training. Medical schools do not teach transgender health, residency programs do not offer training in transgender health, and currently the only way for a health professional to receive training of this type is individually seeking out rotation sites and conferences. The first step in correcting the problem is equal access to health care for the transgender community.


Hindering individuals from transitioning physically and emotionally and having health care needs met can lead to poor grades, not graduating high school, not attending college, limited employment opportunities, limited means to support oneself, increased risk of homelessness, increased risk of drug use, and increased use of the welfare system all of which impacts all of us not just the transgender community. By eliminating this discrimination and creating full access to health care, we can empower this entire community which will improve the lives of all of us and our home - Hawaii.

Let us become a state that promotes and supports all our communities to make a better life for ourselves and our families and improve the world around us.

Passing HB2084 is vital to the transgender community and all our communities here in Hawaii.

Thank you so much for the opportunity to share my testimony with you.

Kind Regards,



Dr. Samuel Hawk



*Lesbian, Gay, Bisexual, and Transgender Workers and Allies*

**LATE**

February 19, 2016

House Committee on Judiciary  
Rep. Karl Rhoads, Chair  
Rep. San Buenaventura, Vice Chair

### **Testimony in strong support of HB 2084 HD1**

Pride At Work Hawai'i, which advocates for full equality and inclusiveness for lesbian, gay, bisexual, transgender, intersex, and queer workers and our families, strongly supports HB 2084 HD1, which would prohibit health insurers, mutual benefit societies, and health maintenance organizations from discriminating with respect to participation and coverage under a policy, contract, plan, or agreement against any person on the basis of actual gender identity or perceived gender identity.

This bill is critically important to our transgender brothers and sisters. State law should not allow insurance companies to treat its members differently and deny necessary health services. A number of states, including California, Colorado, Connecticut, Illinois, Massachusetts, New York, Oregon, Vermont, Washington State, and the District of Columbia, have enacted laws and policies that protect against discriminatory exclusions and denials of treatment based on gender identity. It is time that Hawai'i join this list.

Thank you for the opportunity to testify in support of HB 2084 HD1.

*PRIDE AT WORK HAWAII'I advocates for full equality and inclusiveness –  
in our workplaces and our unions – for LGBT workers and our families, and builds solidarity between the  
Labor movement and the LGBT community.*

PO Box 22416 Honolulu, HI 96822 (808) 543-6054 prideatworkhi@gmail.com www.prideatworkhawaii.org

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 16, 2016 6:46 PM  
**To:** JUDtestimony  
**Cc:** rkailianu57@gmail.com  
**Subject:** \*Submitted testimony for HB2084 on Feb 19, 2016 15:00PM\*

**HB2084**

Submitted on: 2/16/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**Robert J. Bidwell, MD**

6264 Keokea Pl., Honolulu, Hi. 96825 Tel. 808-428-4545

To: House and Senate Judiciary Committees

From: Robert J. Bidwell, M.D.

**Re: HB 2084 and SB 2666 "Relating to Insurance"**

**Position: Strong Support**

Dear House and Senate Judiciary Chairs, Vice Chairs and Committee Members:

I am presenting this testimony in **strong support of HB 2084 and SB 2666** "Relating to Insurance."

Over the past 25 years, through my position as Assistant Professor (1988-1994) and later Associate Professor of Pediatrics and Director of Adolescent Medicine at the UH John A. Burns School of Medicine, I have provided medical care and counseling to many of Hawai'i's youth and young adults, including transgender young people requiring care related to gender transition. Addressing issues of gender and gender identity, including the dramatically changing field of transition treatment, has also been an important part of my teaching of medical students, resident physicians-in-training, community physicians and other health and social service providers, both in Hawai'i and the continental U.S. over the past 3 decades.

Throughout this period of time, my transgender patients consistently have been denied insurance coverage of medically necessary transition treatments prescribed by me, as also has been true for nearly all transgender patients seeking health care from other health providers across our state. The result has been that many of my patients have deferred these treatments, even though they represent the standard of care in the provision of transgender health services, or have paid for them out-of-pocket to the detriment of their personal and family financial situation. For example, some of my patients have put off going on to college or other life-enhancing post-high school plans because they were simply no longer able to afford them because of the cost of transition treatment. And over the years, too many of my patients have felt forced to consider pursuing ways of finding money that were self-harming in significant ways, such as engagement in street-life, simply in order to pay for medically-necessary treatments that were not covered by their insurance plans (assuming they were able to find insurance coverage at all).

The refusal of insurance companies to cover transgender individuals and the medically-necessary treatments prescribed by their physicians is a historical artifact of a time when transgender individuals were ignored and often pathologized by the medical profession, and disapproved of and discriminated against by the broader community. This was as true in our islands as it was on the U.S. continent. This disapproving stance is out-dated and no longer reflects present-day medical opinion and policy related to the nature of transgenderism and the importance of access to health care by this population, including the essential part transition treatments play in the provision of that care. This refusal of coverage by insurance companies is rooted in an antiquated and uninformed misunderstanding of transgender people and their health care needs. This has caused significant and lasting harm to generations of transgender individuals in Hawai'i, as will



be evidenced by the testimony presented for the Judiciary Committees' hearings on HB 2084 and SB 2666.

In contrast, the medical profession, through rigorous research and an increased openness to self-examination and willingness to listen to the voices of transgender patients, has advanced enormously in its understanding of the lives of transgender people and the health challenges and health care needs they face. It is for this reason that the medical profession now understands that transition health care is not experimental, cosmetic, elective or "optional" in any real meaning of that word. Research has demonstrated over and over again that access to appropriate health care, including transition care, is medically necessary for most transgender individuals, and significantly improves their physical, emotional and social well-being. This is no longer a debate within our profession. It is for these reasons that major medical professional organizations have developed policies vigorously supporting insurance coverage of transgender individuals, including the provision of medically-necessary transition care. Among these organizations are the American Medical Association (AMA), the American Psychiatric Association, the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the World Professional Association for Transgender Health and others.

It is for the above reasons that, consistent with the position of the broader medical profession on these issues, I urge you to support HB 2084 and SB 2666 "Relating to Insurance." It is vitally important to the health and well-being of my patients as well as the broader transgender community throughout our islands. My hope is that Hawai'i will join the growing number of states that are passing legislation consistent with AMA policy, which reflects mainstream opinion within the medical community.

Thank you so much for the opportunity to share my testimony with you.

Respectfully yours,

A handwritten signature in cursive script that reads "Robert J. Bidwell, MD". The ink is dark and the signature is fluid.

Robert J. Bidwell, MD



Law Office of  
Rebecca A. Copeland  
LLC

February 16, 2016

Chair Karl Rhoads  
Vice Chair Joy A. San Buenaventura  
Committee on Judiciary,  
House of Representatives  
State of Hawai'i  
Honolulu, HI

***House Bill 2084, Relating to Insurance  
Testifying in STRONG SUPPORT***

Dear Chair Rhoads, Vice Chair San Buenaventura and Committee Members:

I write in strong support of HB2084 RELATING TO INSURANCE, a bill being considered by this Committee on Friday, February 19, 2016. As you know, this bill would modify existing Hawaii law to prevent transgender-only exclusions on health insurance policies.

I am a local attorney. As a member of the Hawaii State Bar Association, I am in my second term on the Board of Directors for the HSBA as an Oahu Director. I also serve as a Board Member on the City and County of Honolulu's Zoning Board of Appeals, a position I have held for several years. I am also a Board Member on the Hawaii LGBT Legacy Foundation, and a member of the Hawaii Judiciary's Commission on Professionalism. I provide you with my professional background to let you know that in many ways I am just like you and your fellow legislators – a hard-working professional who cares for her community.

My testimony is not submitted in my official capacity for any of the above organizations, but in my personal capacity as a mother. I have two children, an elementary aged daughter and a high school aged son. My son is transgender.

We support my son's journey to live an authentic life – the one he was meant to lead but which may sometimes be difficult because our son was assigned female at birth. Part of our son's transition has been to obtain Hormone Replacement Therapy ("HRT"). Outside of the Kaiser network, there is currently only one physician who provides healthcare services for the transgender community, Dr. Sam Hawk. Dr. Hawk's office offers our son, and others like him, not only transition related services but also primary and behavioral health related services. Many, if not most, of the individuals who seek treatment for these much needed services either do not have insurance coverage, or their insurance policies exclude services based only on their

status as transgender. Services like HRT are not covered because of transgender-specific health insurance exclusions. But, just as important, primary maintenance services, like yearly well exams, are excluded if the person's identifying sex does not match what the insurance company considers a gender-specific service (for example, a transgender male seeking coverage for a pap smear). By making these type of exclusions illegal in Hawaii (something that is a growing trend across the country), this bill will make a real (and in many cases life saving) change for members of our community.

I believe it is also important for this body to note that as a form of institutional discrimination, outlawing transgender exclusions on Hawaii health insurance policies would be in accord with Hawaii's existing policy of preventing discrimination against transgender individuals. *E.g.*, Hawaii Revised Statutes ("HRS") § 489-3 (prohibiting discrimination in places of public accommodation based on either gender identity or expression); HRS § 378-2 (prohibiting discriminatory employment practices based on gender identity or expression); HRS § 515-3 (prohibiting discriminatory practices in real property transactions based on gender identity and expression).

As a parent of a transgender teen, an ally to the LGBT community, and a resident of this state, I support the ability of all transgender individuals in this state to live a full and authentic and healthy life.

Mahalo for your consideration of HB2084.

Sincerely,

A handwritten signature in dark ink that reads "Rebecca A. Copeland". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Rebecca A. Copeland  
Attorney, Wife, Mother, and Ally



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 16, 2016 11:11 AM  
**To:** JUDtestimony  
**Cc:** jenniferhairgrove@gmail.com  
**Subject:** \*Submitted testimony for HB2084 on Feb 19, 2016 15:00PM\*

**HB2084**

Submitted on: 2/16/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Hairgrove	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 16, 2016 9:47 PM  
**To:** JUDtestimony  
**Cc:** qwavesjoe@yahoo.com  
**Subject:** Submitted testimony for HB2084 on Feb 19, 2016 15:00PM

**HB2084**

Submitted on: 2/16/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joe Wilson	Individual	Support	No

Comments: I write in STRONG SUPPORT of HB2084 HD1. This effort to prohibit health insurers, mutual benefit societies, and health maintenance organizations from discriminating with respect to participation and coverage under a policy, contract, plan, or agreement against any person on the basis of actual or perceived gender identity is very important. Few groups confront as many barriers to healthcare as transgender patients. Trans individuals are frequently denied access to health services because of their gender identity or expression, and many report experiencing verbal and even physical harassment in medical offices and hospitals. Those who are able to locate care often find that they cannot actually access services, due to a lack of insurance or financial resources. Even transgender patients with health insurance have difficulty obtaining care. This is particularly true if the care sought is for transition related purposes, since most policies exclude coverage for gender-confirming interventions and surgeries. The transgender population's lack of access to care is all the more striking when considered alongside the group's elevated risk for a number of serious health problems. According to the Yale Journal of Health Policy, Law, and Ethics, for example, forty-one percent of transgender individuals have attempted suicide at some point in their lives. While the causes of suicide are complex, growing evidence links high rates of suicidality among transgender youth and adults in part to stigma and discrimination. Leading medical and psychological authorities, including the American Medical Association, American Psychiatric Association, American Academy of Family Physicians, National Association of Social Workers, World Professional Association for Transgender Health, National Commission on Correctional Health Care, American Public Health Association, and the American College of Obstetrician and Gynecologists, recognize the importance of transgender healthcare and preventing health care discrimination based on a person's gender identify or gender expression. In fact, the AMA has specifically passed a resolution geared at eliminating these types of discriminatory insurance policy barriers to health care coverage. It's time that Hawaii does the same.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 16, 2016 6:04 PM  
**To:** JUDtestimony  
**Cc:** meileen@yahoo.com  
**Subject:** Submitted testimony for HB2084 on Feb 19, 2016 15:00PM

**HB2084**

Submitted on: 2/16/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

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

Comments: I strongly support the passage of HB2084. Stop all discrimination! There is no good reason to deny anyone any kind of service, regardless of gender identity or perceived gender identity. Thank you for your support in this matter. Eileen McKee Kihei

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 17, 2016 9:40 AM  
**To:** JUDtestimony  
**Cc:** deanhamer@aol.com  
**Subject:** Submitted testimony for HB2084 on Feb 19, 2016 15:00PM

**HB2084**

Submitted on: 2/17/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dean hamer	Individual	Support	No

Comments: I strongly support HB2084. It's a simple matter of fairness. Why should a transgender person need to pay for the same procedure a cisgender person has covered by insurance.? The only opposition is from those who oppose the very existence of gender diversity.

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House Judiciary Committee

RE- HB 2084

Aloha Chair, Co Chair and members of the committee,

My name is Stacia Ohira and I stand in strong support of HB 2084. As a transgender individual who has been in the workforce for many years I feel that this bill will further protect me and my health needs as a human being. I put in the same amount of money into my health insurance as the next individual however there were many times that my healthcare was put at risk because what I needed to keep my health in order was denied because my insurance would not cover it. My health and the conditions that I need to keep my health in order will be protected in this bill. I will not be forced to have a special insurance or one that costs more than any other human being. I will not be forced to work for a "BIG" company or a company that has "mainland" insurance to be covered for my basic health needs if this bill becomes law. I am not asking for anything "special" just to be treated fairly when it comes to my own health insurance. I pay into my health insurance because it's the law yet however as it stands I am not able to get access to my healthcare.

I beg you to read through this protection of my health and help me live healthy like everyone else. Please feel free to contact me if you have any questions.

Mahalo for your time and for your service to our community.

Sincerely-

Stacia Ohira

808-778-0220

[staciaohira@gmail.com](mailto:staciaohira@gmail.com)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 17, 2016 4:14 PM  
**To:** JUDtestimony  
**Cc:** travis@equalityhawaii.org  
**Subject:** Submitted testimony for HB2084 on Feb 19, 2016 15:00PM

**HB2084**

Submitted on: 2/17/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Travis Knott	Individual	Support	No

Comments: Please support HB2084. At the end of our lives, we recall and judge our time on this planet in hindsight, but are judged and remembered by others for our foresight. Let us not miss an opportunity to have a positive impact on both.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 17, 2016 4:49 PM  
**To:** JUDtestimony  
**Cc:** aznbootydancr808@gmail.com  
**Subject:** Submitted testimony for HB2084 on Feb 19, 2016 15:00PM

**HB2084**

Submitted on: 2/17/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Christina Maria Ventura	Individual	Support	No

Comments: I am a transgender woman and have faced many discrimination moments when accessing healthcare. I have always struggled to save money for my transitioning process and I feel that insurance providers should include my transitioning healthcare needs along with my primary care needs. I support HB2084 as it will allow equal access to healthcare for transgender persons like me who find it hard to save monies for the transitioning process.

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**Testimony on HB2084 relating to health insurance for transgender individuals.**  
**BJ Avery 17 February 2016**

I have a hormone imbalance that requires me to receive injections of estrogen on a regular basis in order to maintain my physical health. My body does not produce either estrogen or testosterone on its own and as a result if I go without hormone treatment for an extended period of time, my health deteriorates dramatically and I am no longer to be healthy and active due to my body's lack of sufficient hormones. When I was unable to afford hormones for close to a year in 2013-14, my muscles deteriorated to the point that exercise was extremely difficult, in spite of having retained a regular exercise routine throughout the year my physical fitness deteriorated dramatically. I became unable to maintain my own body temperature and had hot and cold flashes several times a day. It became difficult to maintain an active energy level throughout the day and I had to drop many of my usual social activities as my health deteriorated. I was told by my doctor that my symptoms and hormone levels were similar to those experienced by many post-menopausal women, although I was only 25 years old at the time. When I receive sufficient dosages of hormones, I'm able to avoid this deterioration of health and live a happy, healthy, and active lifestyle.

In spite of this, when I first came to Hawaii I was extremely hesitant to approach this subject with my doctor. My body's inability to produce hormones on its own is a direct result of surgeries I received years ago in pursuit of a physical transition from my birth sex of male, to my current legal and social sex of female. Even though this transition was years in the past and my need for hormones now is purely to maintain my physical health, the insurance documents I received when I began my new coverage in Hawaii clearly stated that all health services related to gender transition were explicitly excluded from coverage. I investigated different options for health insurance, but all the options available to me through my employer or through the insurance marketplace all included this exclusion. Even though many people require and regularly receive hormone treatments for many different reasons, I knew that if my doctor did not want to cover my hormones they were well within their legal rights to deny my treatment simply because I am trans. My need to maintain my own physical health could easily have been painted as a treatment "related to gender transition" and denied. Even more than that, I feared that if my insurance provider knew I was trans, I could be denied for all sorts of other medical treatments at a whim.

I have thankfully been able to get the care I need, through a combination of working with my insurer for some of my health issues, and paying out-of-pocket for others. However, the kind of discrimination I feared remains perfectly legal. If my insurer decides that they do not want to treat me at all because I am a transgender woman, it is currently perfectly legal. If my insurer decides to stop paying for the blood tests that I use to measure my hormone levels, in the absence of new legislation they will be within their legal rights to do so even if my doctors believe the tests to be medically necessary. This bill won't force my insurer to pay for treatments that are specific to my needs as a trans woman, but it will make it illegal for them to deny me routine care that is available to everyone else. This will allow me to go to the doctor and share my medical history and medical needs without fear that I risk losing my coverage entirely.

Please consider passing HB2084 into law so that all of Hawai'i's residents can have equal access to medical treatments that are already being offered to non-transgender people, but can currently be denied to transgender individuals.

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

HEARING: On Friday, February 19, 2016, at 3:00 p.m., in Conference Room 325

IN STRONG SUPPORT FOR HB 2084, HD 1, RELATING TO INSURANCE

To: Rep. Karl Rhoads, Chair; Rep. Joy A. San Buenaventura, Vice Chair; and Committee Members

From: Josephine (Jo) Chang, LGBT parent support (DA MOMS) and community educator

Aloha, Chair Rhoads, Vice Chair San Buenaventura, and members of the Committee on Judiciary. Although we have made much progress in providing legal rights and protections from discrimination for gays and lesbians, we have not done enough to also include and provide much needed protections and support for our transgender family members, friends, colleagues, and community members. While transgender persons experience discrimination in all areas of life, it is particularly harmful and life threatening when it is found in our health care systems and in health insurance, a basic necessity for all of us to even begin to try to access needed health care and services. And yet, health insurance has been and remains largely discriminatory towards transgender persons, and particularly by the widespread categorical exclusion of gender transition services – that threatens their very lives.

This continued discrimination and exclusions in health insurance ignores the support of major medical and mental health professional organizations in the U.S. for health care for transgender persons, including gender transition services. Examples of these organizations include the American Medical Association, American Psychiatric Association, American Psychological Association, and American Academy of Family Physicians, for the treatment of the diagnosis of gender dysphoria, in accordance with the Diagnostic and Statistical Manual of the American Psychiatric Association in determining medical necessity. See: [http://www.lambdalegal.org/publications/fs\\_professional-org-statements-supporting-trans-health](http://www.lambdalegal.org/publications/fs_professional-org-statements-supporting-trans-health).

While economic impact is sometimes raised as a concern, other jurisdictions note that this is unfounded. For example, the State of California's department of insurance determined that prohibiting the kind of discrimination that SB 2666 would also address, "would have an insignificant and immaterial economic impact." See: "Economic Impact Assessment Gender Nondiscrimination in Health Insurance," State of California Department of Insurance, April 13, 2012; and "Why Gender Identity Nondiscrimination in Insurance Makes Sense," by Kellan Baker and Andrew Cray, May 2, 2013.

As a community as well as a society, we should not allow discrimination and categorical exclusion from critical health care to continue in our state through insurance provisions and unwarranted insurance practices, to the great harm and sometimes loss of life of transgender people in Hawaii. So many families and family members, friends and colleagues, and valuable community members throughout our state need the passage of HB 2084, HD 1. I ask your support for HB 2084, HD 1. It will make desperately needed services accessible to some of the most disadvantaged and vulnerable members of our communities, that is long overdue. Thank you.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 17, 2016 5:17 PM  
**To:** JUDtestimony  
**Cc:** ckkulia@yahoo.com  
**Subject:** Submitted testimony for HB2084 on Feb 19, 2016 15:00PM

**HB2084**

Submitted on: 2/17/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
cathy kapua	Individual	Support	No

Comments: My name is Cathy Kapua and I am in full support for HB2084. I am a transgender woman and have lived in Hawaii my whole life and have always struggled to save money for gender transitioning services. I feel that transgender transitioning services should be included in primary healthcare as it is important to the livelihood of myself and others like me. As a Native Hawaiian transgender woman, I have struggled to find healthcare that was competent and reasonably priced for my transitioning needs. I believe that if I was afforded the same access to healthcare for my gender transition, I would have been much more successful in navigating through society in the gender that I identify with. I have undergone gender conforming surgeries in third world countries because the costs were obtainable in out-of-pocket costs, and I feel that nobody should have to go through the risky and health hazardous procedures in a country that does not have regulations surrounding surgical procedures. I, and others like me, felt that it was the only affordable option to live in my true identity. Please accept my comments into consideration as this bill is supporting a community that has had little options in healthcare in the past. This bill will allow healthcare options to people who have struggled to be accepted in society.

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Aloha,  
Representative Karl Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair  
And other members of the House Judiciary Committee,

I am writing in STRONG SUPPORT of HB2084 HD1 as it relates to health insurance prohibiting health insurers from exclusions as it relates to gender identity or perceived gender identity.

I'd like to first thank you for this opportunity to submit testimony in support for all transgender individuals who wish to seek medically necessary services for their transition and or other health related issues without being excluded by health insurers.

My name is Kaleo Ramos and I am a transgender individual (female to male) who has been transitioning for the last, almost 10 years. My transition has come with hurdles, first correcting my birth certificate with the Department of Health, then with insurers to cover the cost of hormone therapy, and now fighting insurers to cover the cost of medically necessary genital reconstructive surgery. I have so far spent over \$30,000 (\$12,000 for a bilateral mastectomy, \$122 every three months on hormone therapy, \$90 each for chest binders before surgery, \$64 each for prosthesis, etc.) on my transition and looking at paying around \$30,000 more to complete genital reconstruction, all to finally live my authentic self. My body and society imprisoned me for 29 years.

I cannot tell you enough of how much being able to seek out medically necessary services covered by insurers would improve the quality of my life. I came along way, walking through life in what felt like a forever path of thick mud. I was the little kid who knew I was different at age 5 when I hated having to "do girly things." I was the little kid crying my eyes out in my room at the age of 8 when I first tried to kill myself to take me away from this earth. I just could not make sense of things and how different I felt from other girls. I was a boy inside, but too ashamed to tell anyone fearing that I would be a disappointment to my family. At the late age of 29, I decided to transition and my life has progressed rapidly and successfully, but not without challenge. I finished school, completed four college degrees, suffered and overcame depression and anxiety, secured a career, became an activist, raised thousands of dollars for charitable organizations, and spent quality time with my family and friends. My life is great, except one thing, the cost of genital reconstructive surgery and hormone therapy has been two enormous financial hurdles.

1. Genital reconstructive surgery is estimated to cost me around \$25,000 not including a \$300 consultation with the doctor, additional cost for post care for 9 weeks following the 8 hour surgery, plus three doctor visits during over the next few months.

2. Hormones cost me about \$60 copay for a 10 mL bottle every three months. A 10 ML bottle of testosterone will last three months as long as my doctor does not increase the dosage, recently new blood work has shown low testosterone, therefore my dosage will likely increase. An additional bottle of testosterone will cost me \$122 at cost. Syringes are an extra few dollars and I'm only allowed 10 needles every 90 days or it's an extra cost.

The cost of such surgeries, hormone therapy and other medically necessary services could become emotional and financial burdens for us trans people. Aside from surgeries and hormone therapy mentioned above, trans folk also need other medically necessary services such as pap smears (female to male), mammograms (female to male AND male to female), prostate exams (male to female), hysterectomies (female to male), orchiectomies (male to female), and hormone blockers (for trans teens), etc., all of which are not covered by insurers after gender markers are legally corrected. So please, by supporting HB2084 you allow trans folk equal access to medically necessary services in order to support their transitions. It's a human right.

Sincerely,

Kaleo Ramos

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 18, 2016 9:19 AM  
**To:** JUDtestimony  
**Cc:** mssesepasara@yahoo.com  
**Subject:** Submitted testimony for HB2084 on Feb 19, 2016 15:00PM

**HB2084**

Submitted on: 2/18/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
maddalynn ashton	Individual	Support	No

Comments: Kuaana project supports this bill 100%, this bill will be the better for our transgender community.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 18, 2016 12:58 PM  
**To:** JUDtestimony  
**Cc:** johnjohnjohngawaran@gmail.com  
**Subject:** Submitted testimony for HB2084 on Feb 19, 2016 15:00PM

**HB2084**

Submitted on: 2/18/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
John Gawaran	Individual	Comments Only	No

Comments: This needs to pass because health care should be available to everyone no matter the circumstances.

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**To:** JUDtestimony  
**Cc:** aerocraker@gmail.com  
**Subject:** Submitted testimony for HB2084 on Feb 19, 2016 15:00PM

**HB2084**

Submitted on: 2/18/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Alexander Duong	Individual	Support	No

Comments: I suppose the bill as it provides critical support to those in need of medical coverage regardless of gender.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 18, 2016 2:08 PM  
**To:** JUDtestimony  
**Cc:** kunaned@gmail.com  
**Subject:** Submitted testimony for HB2084 on Feb 19, 2016 15:00PM

**HB2084**

Submitted on: 2/18/2016

Testimony for JUD on Feb 19, 2016 15:00PM in Conference Room 325

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

Comments: I support this bill fully. It is time for everyone to be able to access medical care based on their need vs. what is allowed. Transgender individuals continue to face discrimination in health care based on gender and gender identity. It's time to make access to health care equal.

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Brandi A. Yamamoto, Bachelor of Social Work Student

Email: brandiay@hawaii.edu

Phone: (808) 651-5464

**LATE**

February 18, 2016

Rep. Karl Rhoads, Chair

Rep. Joy A. San Buenaventura, Vice Chair

House Judiciary Committee

**RE: HB 2084 HD 1, Health Insurance, Discrimination, Gender Identity**

Hearing Date: Friday, February 19, 2016 at 3:00pm

Hearing Place: House Conference Room 325

Dear Representatives Rhoads, San Buenaventura, and Committee Members,

I am testifying in strong support of House Bill 2084.

As a student majoring in social work, I have learned about various social issues that I will encounter as a social worker. Health insurance coverage, as well as discrimination against individuals who identify themselves as part of the lesbian, gay, bisexual, transgender, and queer (LGBTQ) community are included among these issues. As a future social worker, it will be my job to advocate for clients to ensure that they receive equal treatment and consideration for all services that they are entitled to or eligible for.

With this in mind, I feel that everyone, including those in the LGBTQ community, is entitled to health care coverage without discrimination. Identifying as a gender that is different from that with which an individual is born does not mean that the individual is no longer a human being. These individuals will suffer from health problems just as any other human being who is receiving health care benefits.

Growing up in Hawaii, I have learned that our state is considered to be more accepting of diverse populations because of our rich multicultural history. The citizens of Hawaii have been tolerant of the many different ethnic groups who all live together in mixed communities, sharing the local culture. Why should the LGBTQ community be excluded? To me, there is no acceptable answer for this question. Individuals that identify themselves as part of the LGBTQ community have a right to receive health insurance coverage just as any other person does.

By passing House Bill 2084, we will be one step closer to reaching equality for all citizens in our state and set an example for other states that are still debating on these issues. This bill will also help to contribute to the upkeep of health and well being for all of Hawaii's residents.

Thank you very much for your time and consideration.

Respectfully Submitted,

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