

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

—
H.P. 676 - L.D. 1040

**An Act to Require Reimbursement for Gender-affirming Care for
MaineCare Members**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §3174-KKK is enacted to read:

§3174-KKK. Coverage for gender-affirming care

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Gender expression" means an individual's gender-related appearance and behavior, whether or not stereotypically associated with the sex assigned to the individual at birth.

B. "Gender identity" means an individual's internal sense of that individual's gender, regardless of the sex assigned to the individual at birth.

C. "Transgender individual" means an individual who identifies as a gender different from the sex assigned to the individual at birth.

2. Reimbursement. The department shall provide reimbursement for medically necessary treatment for or related to gender dysphoria as defined by the Diagnostic and Statistical Manual of Mental Disorders, 5th edition, published by the American Psychiatric Association or a comparable or equivalent diagnosis.

3. Discrimination prohibited. The department may not discriminate in its reimbursement of medically necessary treatment on the basis of a MaineCare member's gender identity or gender expression or on the basis that the MaineCare member is a transgender individual.