



KNOW YOUR RIGHTS

Gender Affirming Care

Gender Affirming Care Is Legal and Protected in Washington State

Washington Protects Access to Gender Affirming Care:¹

- Health insurers and health plans must not discriminate in any way on the basis of a person's sexual orientation or gender identity.
- Washington forbids health insurers and fully insured health plans from denying or limiting coverage for gender affirming care for persons of any age when prescribed as medically necessary, consistent with a person's gender expression or identity, and in accordance with accepted standards of care.²
- Any such denial or limitation is prohibited unless a health care provider with experience prescribing or delivering gender affirming care has reviewed and confirmed that the denial or limitation is for an appropriate medical reason.
- Age may be one of several factors considered to determine whether a procedure is medically necessary and prescribed in accordance with accepted standards of care.³
- Health insurers and health plans may not apply categorical cosmetic or blanket exclusions to deny gender affirming care when prescribed as medically necessary.
- The Washington Health Care Authority (HCA), Medicaid managed care plans, and health care providers delivering or administering services through the HCA may not discriminate in the administration or delivery of gender affirming care services based on the covered person's gender identity or expression.⁴

- Washington's Medicaid program, Apple Health, covers gender affirming care when it is medically necessary, safe, effective, and not experimental.⁵
- State employee health plans explicitly include coverage for gender affirming care.⁶
- In Washington, it is unprofessional conduct for a licensed professional to perform conversion therapy on a patient under age 18.⁷
- Health care providers, insurers, and facilities need not provide or fund gender affirming care for conscience or religious reasons; however, health insurers must specify the services that are not covered and how the person can still access the care quickly.⁸

Washington Protects Persons in Washington from Civil and Criminal Actions in Other States that Restrict or Criminalize Gender Affirming Care:

- Washington's Shield Law broadly protects people in Washington from investigations or court proceedings in another state that concern lawful gender affirming care provided in Washington.⁹
- In general, the Shield Law prohibits Washington courts, state and local agencies and law enforcement, and Washington-based companies or private entities from making arrests, providing information or otherwise participating in or complying with the other state's legal processes related to lawful gender affirming care provided in Washington.

1 See, for example, RCW 48.43.0128; WAC 284-43-5151; RCW 49.60.030(e); RCW 49.60.040(27); RCW 49.60.178(1); RCW 48.30.300(1), (2).

2 Self-funded health plans that are issued directly by employers rather than health insurers, are governed by ERISA and subject to the antidiscrimination provisions of the Affordable Care Act (Section 1557). If you are not sure if your plan is fully insured or self-funded, you can contact the Washington State Insurance Commissioner (contact information below), and they can assist you.

3 When determining whether a gender affirming care procedure has been prescribed in accordance with accepted standards of care, a health insurer or health plan may consult, for example, those standards of care published by The World Professional Association for Transgender Health (WPATH).

4 RCW 74.09.675(1).

5 WAC 182-531-1675(1); <https://www.hca.wa.gov/free-or-low-cost-health-care/i-need-medical-dental-or-vision-care/transhealth-program>; <https://www.hca.wa.gov/assets/billers-and-providers/faq-ah-coverage-and-state-law-protections.pdf>.

6 See Transgender Legal Defense & Education Fund, State Employee Health Plans – Washington, <https://transequality.org/trans-health-project/resources/state-employee-health-plans>

7 RCW 18.130.180(26).

8 RCW 18.130.160.

9 RCW 7.115.020.



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- The Shield Law also protects Washington health care providers from threats and harassment by making them and their family members eligible for Washington's Address Confidentiality Program.
- It permits a person to sue out-of-state officials for interfering with a person's protected health care services in Washington.¹⁰
- More information on Washington's Shield Law may be found here: <https://www.atg.wa.gov/reproductive-and-gender-affirming-care-shielding-providers-seekers-and-helpers-out-state-legal>

Privacy Protections for Youths' Private Health Information:

- When a youth seeking or receiving gender affirming treatment or reproductive health care services has run away to a licensed youth shelter in Washington, the licensed shelter must contact the Department of Children, Youth, and Families (DCYF)—rather than a youth's parent—within 72 hours of the youth arriving at the shelter, but preferably within 24 hours.¹¹ As soon as possible, DCYF must make a good faith effort to notify the parent and offer services to the youth and the family designed to resolve the conflict, such as reconciliation services, and accomplish a reunification of the family.¹²
- Washington public school staff may not share any student's confidential health information or educational records (including a student's sex or gender) unless required by law.¹³ Generally, parents and legal guardians have a right to their student's records. Staff cannot mislead or withhold such information or records from a student's parent or legal guardian, such as when a parent asks for such information or when referring to the student when speaking with the parent. If school staff have a reasonable concern that disclosure would result in the student being abused or neglected,¹⁴ they should consult with their administration and legal counsel before disclosing the information.¹⁵

Complaints or concerns about violations of state law?

- Apple Health (Medicaid) and Public Employees Benefits Board (PEBB) and School Employees Benefits Board (SEBB) program subscribers, contact the Health Care Authority's ADA Coordinator:
Online: <https://support.hca.wa.gov/hcasupport>;
Phone: 855-682-0787;
Email: compliance@hca.wa.gov
- All other state health care plan subscribers, contact:
 - The Office of the Insurance Commissioner: Phone: 800-562-6900; Phone TDD: 360-586-0241;
Online: <https://www.insurance.wa.gov/consumer-complaint-center-contact-us>
 - The Washington State Human Right Commission: Phone: 800-233-3247;
Online: https://wahum.my.site.com/FileaComplaintOnline/s/?language=en_US
 - The Attorney General's Office: Phone (in WA): 800-551-4636; Phone (outside WA): 206-464-6684; Relay Service: 800-833-6388;
Online: <https://www.atg.wa.gov/contactus.aspx>
- For complaints or concerns related to Washington State public schools, contact the Washington State Office of the Superintendent of Public Instruction's Equity and Civil Rights Office at (360) 725-6162/TTY: (360) 664-3631.

Where to Find Gender Affirming Health Care Providers

- <https://lgbtqhealthcaredirectory.org/>

¹⁰ RCW 7.115.040.

¹¹ See RCW 13.32A.082(1)(b), (2)(c)-(d).

¹² RCW 13.32A.082(3).

¹³ For example, the Federal Educational Rights and Privacy Act (FERPA) may require certain disclosures. 20 U.S.C. § 1232g; 34 C.F.R. Part 99.

¹⁴ As defined in RCW 26.44.020(1).

¹⁵ See *Mirabelli v. Bonta*, 146 S. Ct. 797, 802-03 (2026).