NAIC CONSUMER LIAISON

REPRESENTATIVE RECOMMENDATION

TO THE NAIC EXECUTIVE (EX) COMMITTEE

(Please submit completed request form to Lois Alexander (NAIC) for processing)

RECOMMENDED BY: Debra Judy

DATE: March 27, 2014

ISSUE: Section 1557 of the ACA prohibits discrimination in health care programs on the basis of race, color, national origin, sex, sex stereotypes, gender identity, age or disability. Section 1302 provides that the essential health benefits take into account the health care needs of diverse segments of the population. However, further guidance is needed to ensure transgender individuals are not unfairly denied coverage.

COMMITTEE REFERRAL RECOMMENDATION:

(A) (B) X (C) (D) (E) (F) (G)

ACTION REQUESTED/CHARGE RECOMMENDED: I request that the B Committee be charged with drafting and circulating model guidance to carriers prohibiting the use of coverage exclusions based on gender identity or sexual orientation consistent with the nondiscrimination provisions in the ACA.

I also request that the B Committee review the Unfair Trade Practices Model Act to ensure that it conforms to the nondiscrimination provisions, including those related to sexual orientation and gender identity, in the ACA.

NAIC ACTION:

RECOMMENDATION ACCEPTED: 

RECOMMENDATION DECLINED: 

3/27/15 UPDATE: No changes.