



## Senator Scott Wiener, 11<sup>th</sup> Senate District

### Senate Bill 923 – TGI Inclusive Care Act

#### SUMMARY

Senate Bill 923 aims at providing a model for trans-inclusive care. Specifically, this bill requires evidence-based cultural competency training under continuous medical education. Departments will track and monitor complaints and publically post findings in their annual reports or website. Health plans will have available through their call center and webpage, a list of all in-network providers who offer gender-affirming services. Lastly, the Health & Human Services Agency will convene a working group comprised of various representatives to develop quality standards with input from at least 3 TGI-serving organizations who will recommend training curriculum.

Gender-affirming services include but are not limited to: chest reconstruction, mastectomy, facial feminization surgery, hysterectomy, voice masculinization or feminization, hormone therapy related to gender dysphoria or intersex conditions, gender-affirming gynecological care, or voice therapy related to gender dysphoria or intersex conditions.

#### BACKGROUND

The Williams Institute estimates that in the state of California, at least 218,400 individuals identify as transgender. Despite making up a significant portion of the State's population, transgender, gender non-conforming and/or intersex (TGI) people often do not receive the health care they need.<sup>1</sup>

<sup>1</sup> Andrew R. Flores, Jody L. Herman, Gary J. Gates, and Taylor N. T. Brown. The Williams Institute. "How many adults identify as transgender in the United States". June 2016. Accessed at: <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Adults-US-Aug-2016.pdf>.

<sup>2</sup> The National Center for Transgender Equality, "The Report of the 2015 U.S. Transgender Survey". Accessed at:

Many transgender patients encounter discrimination and difficulty accessing culturally competent health care. The National Center for Transgender Equality reported that one-third of all transgender individuals who had seen a health care professional in 2014 had at least one negative experience related to being transgender, with higher rates for people of color and people with disabilities. These negative experiences include being refused treatment, verbally harassed, physically or sexually assaulted, or having to teach the provider about transgender people in order to receive appropriate care.<sup>2</sup>

#### PROBLEM

Research demonstrates that TGI people, compared with the general population, suffer from more chronic health conditions and experience higher rates of health problems related to HIV/AIDS, substance use, mental illness, and sexual and physical violence, as well as a higher prevalence and earlier onset of disabilities that can also lead to health issues.

In 2018, 30% of primary care providers in the Midwest, who were surveyed by the Annals of Family Medicine, reported they did not feel capable of providing transgender care. Additionally, a small but concerning number would not be willing to care for transgender patients in need: nearly 15% of providers are unwilling to provide routine care, with that number increasing for specific services.<sup>3</sup>

23% of transgender individuals reported that fears of discrimination caused them to postpone or not

<https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>.

<sup>3</sup> Deirdre A. Shires, Daphna Stroumsa, Kim D. Jaffee, Michael R. Woodford. The Annals of Family Medicine. "Primary Care Clinicians' Willingness to Care for Transgender Patients." Nov 16, 2018. Accessed at: <https://www.annfam.org/content/16/6/555.full>.

receive necessary medical care, which is especially troubling considering TGI people’s health needs.<sup>4</sup>

In 2019, 44% of TGI people surveyed in the #Out4MentalHealth Community survey reported traveling farther than 30 minutes to see a primary care provider.<sup>5</sup> TGI people have trouble finding providers to provide routine care, so finding providers who can provide gender-affirming surgeries within their health plan can pose an even greater challenge.

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### SOLUTION

Due to the ongoing exclusion of and oppression facing TGI communities, including a lack of family and community acceptance and the prevalence of murder and violence against transgender women, it is critically important for physicians to have cultural competency regarding the health inequities facing the TGI community.

SB 923 ensures that California prioritizes the delivery of inclusive healthcare by ensuring that patients have tools to find providers and ensure curriculum is relevant to TGI patient’s unique health needs.

All TGI Californians should be able to access comprehensive health care that is -inclusive of their needs. Every person deserves to receive quality, compassionate health care from understanding and respectful health care providers – providers who do not make assumptions about their gender, and honor their bodily autonomy.

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### SUPPORT

- California LGBTQ Health and Human Services Network (Sponsor)
- Equality California (sponsor)
- National Health Law Program (Sponsor)
- TransCommunity Project (Sponsor)
- Trans Families Support Services (Sponsor)
- Western Center on Law & Poverty (Sponsor)
- Break the Binary LLC (Co-sponsor)
- California TRANScends (Co-sponsor)
- Gender Justice LA (Co-sponsor)
- Orange County TransLatinas (Co-sponsor)

- Queer Works (Co-sponsor)
- Rainbow Pride Youth Alliance (Co-sponsor)
- San Francisco Office of Transgender Initiatives (Co-sponsor)
- The TransPower Project (Co-sponsor)
- TransCanWork (Co-sponsor)
- Transgender Health and Wellness Center (Co-sponsor)
- Tranz of Anarchii INC (Co-sponsor)
- Unique Woman’s Coalition (Co-sponsor)
- Unity Hope (Co-sponsor)
- A Tribe Called Queer
- Access Reproductive Justice
- AIDS Project Los Angeles Health
- Bay Area Legal Aid
- Building the California Dream Alliance
- CalVoices
- California Calls
- California Commission on Aging
- California Physicians Alliance
- California Pan-Ethnic Health Network
- California Rural Legal Assistance Foundation
- California Teachers Association
- Children Now
- Community Health Initiative of Orange County
- Community Legal Aid SoCal
- County Behavioral Health Directors Association
- Desert AIDS Project Health
- End the Epidemics
- GLMA Health Professionals Advancing LGBTQ Equality
- Health Access California
- Justice in Aging
- Legal Aid Society of San Diego
- Los Angeles LGBT Center
- National Association of Social Workers, California Chapter
- Pacific Environment
- Public Law Center
- San Francisco AIDS Foundation
- Women’s Foundation California

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### FOR MORE INFORMATION

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<sup>4</sup> The National Center for Transgender Equality

<sup>5</sup> Walker, P. M., Scanlan, N., McAllister-Wallner, A., Taylor, M., O’Brien, R., Parra, L., Israel, T., & Esopo, K. (2019). Surveying the road to equity: The annual state of LGBTQ communities, 2019. #Out4MentalHealth Project

Accessed at: <https://californialgbtqhealth.org/wp-content/uploads/2020/11/Surveying-the-Road-to-Equity-2019-State-of-LGBTQ-Communities-Report.pdf>