June 8, 2016

Trangender Rights Granted in Health Care

On July 18th, persons claiming to be transgender have new rights in health care. The Obama administration issued an Obamacare nondiscrimination rule on May 18th unilaterally defining “sex discrimination” as “discrimination on the basis of gender identity, sex stereotyping or pregnancy.”

The rule says doctors, hospitals, insurers and others must provide “equal access” to health programs “without discrimination on the basis of sex” and must “treat individuals consistent with their gender identity.” Although sex change operations are not mandatory, enforcement can include remedial action requirements and penalties. No additional provisions beyond current federal law for religious or conscientious objection were included.