



November 8, 2021

Regarding: WA OIC Public Hearing on Health Insurance Discrimination R 2021-14 (Related to SB 5313 Rulemaking)

To Whom It May Concern:

The Non-Binary, Gender Non-Conforming, and Allies (NGNCA) Student Association of Seattle University School of Law hereby submit in writing the following statements for consideration in regard to the public hearing for Health Insurance Discrimination R 2021-14 as part of the SB 5313 Rulemaking process.

The NGNCA supports and advocates for gender non-binary, gender non-conforming, and transgender students in all aspects of their academic journeys, including when those journeys intersect with students' personal lives and bodily autonomy. Since our founding, transgender and non-binary students have reached out to the NGNCA for advice, support, and information about access to gender affirming care, including of the medically prescribed or physical variety. It is on behalf of those students that we write to you today.

First, we thank the rulemaking committee and the legislature for this ongoing advocacy to improve the health, well-being, and livelihood of non-binary, gender non-conforming, and transgender individuals living in Washington State.

We respectfully request that the committee expand the language used in the rules to be as gender inclusive as possible (e.g.: changing "facial feminization surgery" to "gender affirming facial surgery") so as to provide clear coverage for all genders of persons seeking affirming care in a variety of manners. We likewise seek for the committee to explicitly emphasize that the examples given of gender affirming care within the rules is a non-exhaustive list, and that known or new gender affirming care options which are not specifically stated in the rules must likewise be subject to the same processes as those listed.

Second, we implore the rulemaking committee to consider the need for community information regarding the implementation of these changes and the rights that transgender and non-binary persons have under Washington State law. The burden on the transgender and non-binary

community to self-educate, find resources, and to invest in the understanding of complex laws is a taxing and endless endeavor. We seek that the committee allocate resources to the education of the community regarding the final rules so as to ease this burden.

Finally, we request that if the committee removes language from the rules at the behest of carriers who believe that they will be unable to comply with the draft rules' requirement for carriers to identify providers who offer gender affirming treatment, care, or services, and of which type(s), that the committee consider alternative methods for making this information available to the transgender and non-binary persons seeking gender affirming care.

We again thank the committee for its efforts in ensuring that life-saving legislation for non-binary, gender non-conforming, and transgender residents such as this be implemented to the utmost degree as to ensure that its purpose is fulfilled.

Sincerely and on behalf of our members,

The Non-Binary, Gender Non-Conforming, and Allies (NGNCA) Student Association of Seattle University School of Law

### **NGNCA Leadership Team**

Jay Conrad, *President and Founder* (they/them/theirs and it/its)

Emery Birch, *Vice President* (he/him/his)

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