



movement advancement project ▶

Healthcare Laws and Policies: Nondiscrimination in Private Insurance

No updates required since August 30, 2018

Alabama

- No law protecting LGBT individuals from discrimination in private insurance

Alaska

- No law protecting LGBT individuals from discrimination in private insurance

Arizona

- No law protecting LGBT individuals from discrimination in private insurance

Arkansas

- No law protecting LGBT individuals from discrimination in private insurance

California

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Ban on trans exclusions.
- See [AB 1586](#) (2005). Further clarified in [Letter No. 12-K](#) (2013).

Colorado

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Ban on trans exclusions
- See CRS 10-3-1104 and accompanying guidance Bulletin No. [B-4.49](#) (2013).

Connecticut

- No law protecting LGBT individuals from discrimination in private insurance
- Ban on trans exclusions.
- See Bulletin [IC-34](#) (2013).



Delaware

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Ban on trans exclusions.
- See SB 97/79 Del. Laws Ch. 47 (2013) and accompanying guidance [Bulletin No. 86](#) (2016).

District of Columbia

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Ban on trans exclusions.
- See D.C. Official Code 31-2231.11 and accompanying guidance [Bulletin 13-IB-01-30/15](#) (2014).

Florida

- No law protecting LGBT individuals from discrimination in private insurance

Georgia

- No law protecting LGBT individuals from discrimination in private insurance

Hawaii

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Ban on trans exclusions.
- See [HI Rev Stat § 431:10A-118.3 \(2016\)](#).

Idaho

- No law protecting LGBT individuals from discrimination in private insurance

Illinois

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Ban on trans exclusions.
- See 775 ILCS 5/5-102(A) and accompanying guidance [Bulletin 2014-10](#) (2014).

Indiana

- No law protecting LGBT individuals from discrimination in private insurance



Iowa

- No law protecting LGBT individuals from discrimination in private insurance

Kansas

- No law protecting LGBT individuals from discrimination in private insurance

Kentucky

- No law protecting LGBT individuals from discrimination in private insurance

Louisiana

- No law protecting LGBT individuals from discrimination in private insurance

Maine

- No law protecting LGBT individuals from discrimination in private insurance

Maryland

- Guidance includes a ban on trans exclusions in compliance with ACA provisions
- See [Bulletin 15-33](#) (2015).

Massachusetts

- Guidance includes a ban on trans exclusions in compliance with ACA provisions and MA state precedent interpreting "sex" to include gender identity in other discrimination contexts.
- See [Bulletin 2014-03](#) (2014).

Michigan

- Guidance includes a ban on trans exclusions in compliance with ACA provisions
- See [Bulletin 2016-10-INS](#) (2016).

Minnesota

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Guidance includes a ban on trans exclusions in compliance with ACA provisions.
- See [Administrative Bulletin 2015-5](#) (2015).

Mississippi

- No law protecting LGBT individuals from discrimination in private insurance



Missouri

- No law protecting LGBT individuals from discrimination in private insurance

Montana

- Guidance prohibits discrimination in private insurance on the bases of sexual orientation and gender identity in compliance with ACA provisions
- Guidance includes a ban on trans exclusions in compliance with ACA provisions.
- See [Advisory Memorandum](#) (2016).

Nebraska

- No law protecting LGBT individuals from discrimination in private insurance

Nevada

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Ban on trans exclusions.
- See NRS 651.070 and NAC 686A.140(7), clarified in [Bulletin No. 15-002](#) (2015).

New Hampshire

- No law protecting LGBT individuals from discrimination in private insurance

New Jersey

- Law prohibits discrimination in private insurance on the basis of gender identity only
- Ban on trans exclusions.
- See NJ [A4568](#) (2017).

New Mexico

- [Bulletin No. 2018-013](#) prohibits discrimination in private insurance on the basis of gender identity
- Ban on trans exclusions. See [Bulletin No. 2018-013](#) (2018).

New York

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Ban on trans exclusions.
- See [11 CRR-NY 52.16](#) and [Insurance Circular Letter No. 7](#) (2014).



North Carolina

- No law protecting LGBT individuals from discrimination in private insurance

North Dakota

- No law protecting LGBT individuals from discrimination in private insurance

Ohio

- No law protecting LGBT individuals from discrimination in private insurance

Oklahoma

- No law protecting LGBT individuals from discrimination in private insurance

Oregon

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Ban on trans exclusions.
- See ORS 746.015 and OAR 836-080-0055 (wherein "sexual orientation" is defined as "an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity"). See also [DFR 2016-1](#) (2016).

Pennsylvania

- Policy prohibits discrimination in private insurance on the bases of gender identity in compliance with DHHS and ACA provisions.
- Policy includes a ban on trans exclusions.
- See 46 Pa.B. 2251 [Notice 2016-05](#) (2016).

Rhode Island

- Policy prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Policy includes a ban on trans exclusions.
- See [Health Insurance Bulletin 2015-3](#) (2015).

South Carolina

- No law protecting LGBT individuals from discrimination in private insurance

South Dakota

- No law protecting LGBT individuals from discrimination in private insurance



Tennessee

- No law protecting LGBT individuals from discrimination in private insurance

Texas

- No law protecting LGBT individuals from discrimination in private insurance

Utah

- No law protecting LGBT individuals from discrimination in private insurance

Vermont

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Ban on trans exclusions.
- See [8 V.S.A. § 4724](#). See also [Bulletin 174](#) (2013).

Virginia

- No law protecting LGBT individuals from discrimination in private insurance

Washington

- Law prohibits discrimination in private insurance on the bases of sexual orientation and gender identity
- Ban on trans exclusions.
- See [RCW 48.30.300](#) (where sexual orientation discrimination includes discrimination based on gender identity or expression). See also [Letter to Health Insurance Carriers](#) (2014).

West Virginia

- No law protecting LGBT individuals from discrimination in private insurance

Wisconsin

- No law protecting LGBT individuals from discrimination in private insurance

Wyoming

- No law protecting LGBT individuals from discrimination in private insurance