

**Written Statement for the Record
Committee on Oversight and Reform**

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Healthcare Discrimination for Transgender Americans

My name is Leslie Michelle McMurray, I'm a married transgender woman with two children and five grandchildren. I'm an advocate living in Dallas, Texas. I am a 30+ year veteran of the radio and television industry and now work with a local LGBTQ community center to tell my story of lived discrimination against transgender individuals.

At the invitation of committee staff, I would like to provide my personal experience on the real, ongoing challenges faced by transgender Americans in obtaining appropriate healthcare.

Above all, I would hope that members of the committee understand:

- *Section 1557 of the Affordable Care Act (ACA) is a life-saving protection for transgender individuals.*
- *Misconceptions around the costs of transgender health care should not be used to deny life-saving care.*
- *Transgender people are merely asking for the same rights as everyone else. Not special rights.*

Pre-existing conditions

When I came out as transgender, I lost my job. That day. With it went my health insurance. I quickly learned that the vast majority of private insurers considered being transgender to be a "pre-existing condition" and therefore they would be unwilling to insure me.

I was fortunate in that my previous career had paid me well enough that I was able to put some money away for retirement. As I was nearing 60, I was looking forward to having that money assist with living expenses as I got

older. Turns out, I needed that money to pay for life-saving surgery related to being transgender. As I mentioned, I'm one of the "lucky" ones because I could scrape together money needed for surgery - and I became a cash customer for my healthcare.

Let me explain for a moment what that looks like. Without health insurance, I had no primary care physician. So, I just went without care unless it was an emergency. I used "urgent care" as my doctor or just waited out whatever was bothering me. That's no way to live.

Finally, in 2016 Section 1557 was implemented and mandated coverage for people like me.

That didn't last long as Texas Attorney General, Ken Paxton filed suit on behalf of the Franciscan Alliance and federal judge Reed O'Connor issued a nationwide injunction against Section 1557, once again permitting discrimination against transgender people and women seeking an abortion.

Following this decision, the Trump administration proposed a rule change in May of last year that would specifically eliminate protections against healthcare discrimination against transgender people. This change could end up costing lives while providing no discernable benefit to the public at large. The finding of the Court stated Section 1557 as written was a violation of the "Religious Freedom and Restoration Act." Once again, someone else's religion is interfering with my access to healthcare. This rule change is still listed as pending at OMB.

On Friday, February 21st I was at Southern Methodist University for a Global Symposium on Equality and Human Rights. One of the panelists was a high ranking official with a major health insurer. He spoke about diversity efforts within the company - but when the panel concluded and they took questions - I asked him directly:

"I am a transgender woman. Prior to the ACA, my wife and I were unable to obtain health insurance from (company) because you considered being transgender a "pre-existing" condition. Today, Section 1557 (the anti-discrimination protections) and the ACA in general are under assault. Can you assure transgender people that if this (the elimination of Section 1557 and the ACA) were to happen, that we would still be able to obtain health insurance through your company?"

His answer was that he could not assure us that we would be able to buy health insurance from his company if this were to happen and that, “you should be worried.”

Essentially, without a proverbial gun to their heads, they will not do the right thing.

That gave me chills, and I AM worried...as are many others.

Health Care Costs

Making matters worse are the misconceptions with regard to transgender healthcare. One is that it's expensive. It really isn't when compared to most other chronic illnesses facing Americans. For one, transgender people make up an estimated .7% to 1.4% of the population. This number is an estimate, as we are not formally counted in the census. (Estimates provided by the Williams Institute at the UCLA School of Law) Not all of us need or want surgery. For those that do, it might run to \$35,000. (I provided the cost of my surgery in 2014) Once it's done, it's done. I am delighted with the results. The costs now, post-surgery, are about \$15 per month for my HRT.

Compare that to an *annual* cost of \$12,000 per year for someone with an insulin pump. So, after 10 years, that's \$120,000. Nearly quadruple the cost of the most expensive year of transgender healthcare. According to The Academy of Managed Care Pharmacy, insulin pumps cost between \$4,500 and \$6,500 for those without insurance and estimates run from \$3,000 - \$6,000 annually for batteries and other supplies depending on the pump selected. Add the insulin itself – according to the nonprofit Healthcare Cost Institute the cost for type 1 diabetes on average in 2016 was estimated to be \$5,705)

Interference between the doctor/patient (and parent) relationship is irresponsible and dangerous. Please allow established medical science used by experienced medical professionals to make these decisions in concert with the patient and if the patient is a minor, their parents.

Human Rights

Transgender people are not seeking “special” rights – we only want equal rights. When it comes to seeking healthcare or health insurance, we should have equal access to both of these.

When I visit my doctor, the decisions made with regard to my healthcare should be between me and my doctor. Not interfered with by insurance companies and we should not be treated like a political football. A broad range of professional medical organizations agree.

Medical professionals supporting affirming care for transgender patients include:

- The American Academy of Pediatrics
- American Medical Association
- The American College of Osteopathic Pediatricians
- The American Osteopathic Association
- The American Psychiatric Association
- The American Psychological Association
- American Public Health Association
- American Society of Plastic Surgeons
- The Endocrine Society
- National Association of Social Workers
- National Commission on Correctional Healthcare
- World Medical Association
- The Pediatric Endocrine Society
- The American Academy of Child and Adolescent Psychiatry
- The American Academy of Family Physicians
- American Academy of Nursing
- American College of Nurse-Midwives
- American College of Obstetricians and Gynecologists
- American College of Physicians
- American Counseling Association
- The World Professional Association for Transgender Health

A 2016 study in the *Journal of Pediatrics* showed that teenagers who were supported in their transition were no more depressed and only slightly more anxious than their cis-gender peers.

Discrimination in any form is wrong. Denying people lifesaving healthcare because you don't understand them is criminal.

Transgender people are not seeking “special” rights. We are seeking basic dignity and human rights. I’m hoping that isn’t too much to ask.