



Government of the District of Columbia  
Vincent C. Gray, Mayor  
Department of Insurance, Securities and Banking



William P. White  
Commissioner

**BULLETIN**  
**13-IB-01-30/15**

**TO: ALL INSURANCE COMPANIES, HEALTH MAINTENANCE ORGANIZATIONS AND HOSPITAL AND MEDICAL SERVICE CORPORATIONS AUTHORIZED TO WRITE HEALTH INSURANCE IN THE DISTRICT**

**FROM: WILLIAM P. WHITE, COMMISSIONER** *W.P. White 3/15/13*

**SUBJECT: PROHIBITION OF DISCRIMINATION IN HEALTH INSURANCE BASED ON GENDER IDENTITY OR EXPRESSION**

**DATE: MARCH 15, 2013**

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The intent of this bulletin is to communicate to insurance companies writing health insurance in the District of Columbia the Department's position regarding the prohibition of discrimination based on gender identity or expression. District of Columbia Official Code § 31-2231.11(c), codifying what is commonly known as the District's Unfair Insurance Trade Practices Act, states:

"No person shall refuse to insure, refuse to continue to insurer, or limit the amount of coverage available to an individual because of marital status, race, color, personal appearance, sexual orientation, gender identity or expression, matriculation, political affiliation, or an individual's status as a victim of an intrafamily offense, sexual assault, dating violence, or stalking."

Section 31-2231.11(c) applies to health insurance policies and the practices of health insurance companies writing individual or group coverage in the District of Columbia. An example of such a discriminatory provision could be an exclusionary provision that has the effect, intended or otherwise, of targeting one or more of the protected classes enumerated in § 31-2231.11(c). Examples of such language might include:

“Any treatment or procedure designed to alter an individual’s physical characteristics to those of the opposite sex.”

“Sex transformation operations and related services.”

“Sex change: Any treatment, drug, service or supply related to changing sex or sexual characteristics”

Discriminatory language of this nature shall no longer be enforceable and companies employing such language should file updated policy forms within 90 days of the issuance of this bulletin.

Please note however that this bulletin is not intended to mandate or require the expansion of coverage or benefits, except to the extent that covered services are currently being denied on the basis of exclusionary provision specifically prohibited by this bulletin. Should you have any questions regarding this bulletin, please contact Philip Barlow, Associate Commissioner of Insurance, at (202)442-7823 or [philip.barlow@dc.gov](mailto:philip.barlow@dc.gov).