

# FAQ: Apple Health coverage and state law protections for gender-affirming care

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Washington State's Apple Health (Medicaid) program covers a range of medically necessary services, including those related to gender-affirming health care, consistent with state law and established clinical guidance. These services are reviewed and authorized based on clinical need and existing coverage policies.

This approach reflects Washington-specific requirements under state statutes and administrative code, and is supported by protections for both patients and providers under state law.

## **Has the federal government made any changes related to coverage of gender-affirming care or the ability of health care providers to provide services?**

- As of April 24, 2025, no new federal rules or mandates have been issued that change Medicaid coverage of gender-affirming care or restrict provider participation.
- On April 11, 2025, the Centers for Medicare & Medicaid Services (CMS) [issued a letter](#) to state Medicaid agencies related to states' responsibilities to ensure Medicaid payments are consistent with quality of care and that covered services are provided in a manner consistent with the best interest of recipients.
- Around the same time, the U.S. Department of Health and Human Services released guidance around whistleblower tips and complaints.
- Gender-affirming care provided consistently with state law and clinical guidelines remains covered by Apple Health.

## **What does the CMS letter mean for Washington State Apple Health clients?**

- As of April 24, 2025, there have been no changes to Apple Health coverage of gender-affirming care in Washington.
- Providers and managed care organizations (MCO) should continue to follow existing Apple Health policies, prior authorization processes, and claims and encounters submission processes. Claims made for gender-affirming care services, including for

patients under the age of 19, that follow these policies will continue to be treated as valid, lawful, and appropriate for payment by the Health Care Authority.

- Apple Health clients may continue to seek medically necessary gender-affirming care as currently allowed under Washington State law.

### **If I am enrolled in a Washington State PEBB or SEBB plan, will my coverage change?**

- As of April 24, 2025, there are no changes to coverage for enrollees in Public Employees Benefits board (PEBB) or School Employees Benefits board (SEBB) programs.
- Enrollees should consult their health plan for details about covered services, cost-sharing and provider networks, and may continue to access medically necessary care in accordance with their health plan.

### **Does Washington State require coverage of medically necessary gender-affirming treatment?**

- Yes. Washington State law requires coverage of medically necessary gender-affirming treatment and prohibits discrimination in how these services are covered:
  - Under RCW 74.09.675, the Health Care Authority (HCA) and managed care plans cannot apply blanket exclusions to medically necessary gender-affirming treatment.
  - For individuals enrolled in state-regulated commercial insurance plans, RCW 48.43.0128 ensures these services cannot be denied or limited.
  - Additionally, RCW 41.05.017 requires that health plans offered through Washington’s PEBB and SEBB programs, including the Uniform Medical Plan, cannot exclude or limit coverage based on gender identity or the fact that a service is for gender-affirming care.

### **Does Washington State law protect patients who receive medically necessary gender-affirming treatment?**

- Washington State has a Shield Law (Chapter 7.115 RCW) that provides legal protection for patients who receive gender-affirming care or reproductive health services that are lawful in Washington State. The law also prevents state agencies, courts, and law enforcement from cooperating with out-of-state investigations, subpoenas, or civil actions related to such care, particularly when those actions originate from states that restrict or ban these services.

- These protections apply to actions within Washington State's jurisdiction. Individuals with legal concerns, particularly those related to potential federal investigations, should seek advice from legal counsel, as state law may not override federal enforcement authority in all circumstances.

**Does Washington State law protect providers, parents, and others who provide or assist in the receipt of medically necessary gender-affirming care?**

- Yes. Washington's Shield Law (RCW 7.115) also protects providers, parents, and others who assist in the provision or receipt of gender-affirming care or reproductive services from legal actions originating in other states that restrict or ban such care.
- In addition, RCW 18.130.450 affirms that the provision of medically necessary gender-affirming care by a Washington-licensed health care provider, when delivered within their scope of practice, is not unprofessional conduct.

**Does Washington State law protect patient information related to the provision of gender-affirming treatment?**

- Under RCW 70.02 health care providers and facilities are prohibited from disclosing personally identifiable health care information, including information related to gender-affirming care, without patient consent, except under certain circumstances permitted by law.
- Additional privacy protections may apply under Washington's **My Health My Data Act**, which extends confidentiality obligations to certain non-clinical entities that handle health-related data.
- Providers should follow standard confidentiality and documentation practices and are encouraged to consult with legal counsel or their compliance office if they receive any out-of-state requests for information related to gender-affirming care.

**Additional Resources:**

- [Washington's Shield Law](#)
- [Reproductive and gender-affirming care shielding](#)
- [My Health My Data](#)