

LEGISLATION ADVANCING LGBTQ ACCESS TO MEDICAID

The pieces of legislation highlighted below are current bills (introduced in the 116th Congress) that advance access to health care, especially Medicaid, for LGBTQ¹ individuals. This list is not exhaustive but provides examples of pieces of legislation that uphold reproductive justice values by recognizing intersecting identities and centering those most impacted by attacks on health care coverage. While not all of our organizations endorse all of these bills due to our respective focus areas, the lack of endorsement is not reflective of the value of each piece of legislation.²

Prohibition of Medicaid Funding for Conversion Therapy Act (H.R. 1981)

- *Summary:* Prohibits the use of Medicaid funding for conversion therapy, including all Medicaid plans and plans under Medicaid waivers.
- *Need for the bill:* An individual's bodily autonomy and sexuality should be placed in their own hands and not in the hands of fake doctors.

Equal Access to Abortion Coverage in Health Insurance (EACH Woman) Act (H.R.1692/S.758)

- *Summary:* Ensures coverage for abortion for every person regardless of how much they earn or how they are covered by health insurance. Removes the Hyde Amendment, a harmful barrier to abortion care that disproportionately impacts people of color, LGBTQ individuals, and people living with low incomes.
- *Need for the bill:* Abortion care is health care, and access to services are critical for all people to have bodily autonomy and live with dignity.

The Equality Act (H.R.5/S.788)

- *Summary:* Builds on existing anti-discrimination protections to explicitly include sexual orientation and gender identity in employment, housing, credit, education, public spaces and services, federal-funded programs, and jury service.
- *Need for the bill:* Discrimination against LGBTQ individuals creates barriers to every aspect of life, including in services critical to the health and well-being of all people. Providing consistent and explicit non-discrimination protections for LGBTQ individuals will ensure access to critical resources, allowing individuals to live with dignity.



MOMMA Act (H.R. 1897)

- *Summary:* Extends Medicaid and CHIP coverage for postpartum women to one year after birth, creates grant programs to collect and evaluate maternal safety data, and authorizes funding to provide implicit bias trainings for providers.
- *Need for the bill:* Pregnancy-related deaths and conditions are more likely to occur in the weeks following a birth than during pregnancy or delivery.³ Extending postpartum coverage ensures that every person, including people of color, LGBTQ individuals, and people living with low incomes, is able to access the health care and support they need.

Healthy MOMMIES Act (H.R.2602/S.3494)

- *Summary:* Improves the Medicaid and CHIP program for pregnant and postpartum women, including extending coverage to 365 days postpartum, enhancing the types of Medicaid benefits available (including oral health coverage and doula care), and increasing the federal medical assistance percentage (FMAP) to 100%.
- *Need for the bill:* Comprehensive pregnancy and postpartum coverage and care are necessary for healthy pregnancies and reducing maternal health disparities.

Territories Health Equity Act of 2019 (H.R.1354)

- *Summary:* Improves the treatment of U.S. territories under the Medicaid and Medicare programs, including lifting funding and federal matching assistance caps and providing Medicaid waiver authority.
- *Need for the bill:* This legislation would help ensure that all people with federally funded insurance will have the same coverage, regardless of whether they live in a U.S. state or territory.

ENDNOTES

1 Lesbian, gay, bisexual, transgender, and queer (LGBTQ) people, including non-Binary (NB), Gender non-conforming (GNC), and/or Genderqueer individuals.

2 The Health Equity and Accountability Act (HEAA) has not yet been reintroduced this session, but is another important piece of legislation that would reduce racial and ethnic health disparities and serve as the benchmark of how health equity advocates and Congress seek to comprehensively achieve health equity in the U.S. Similarly, HEAL for Immigrant Women and Families Act would broaden immigrants' eligibility for health coverage and access to care by removing existing barriers to Medicaid, the Children's Health Insurance Program, and other programs. HEAL (bill number H.R. 2788 in the 115th Congress) has yet to be reintroduced in the 116th Congress.

3 Alison Stuebe, et. al, "Extending Medicaid Coverage For Postpartum Moms, *Health Affairs* (May 6, 2019), <https://www.healthaffairs.org/doi/10.1377/hblog20190501.254675/full/>.

