

**§3174-MMM. Coverage for gender-affirming care  
(REALLOCATED FROM TITLE 22, SECTION 3174-KKK)**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Gender expression" means an individual's gender-related appearance and behavior, whether or not stereotypically associated with the sex assigned to the individual at birth. [PL 2023, c. 288, §1 (NEW); RR 2023, c. 1, Pt. A, §15 (RAL).]

B. "Gender identity" means an individual's internal sense of that individual's gender, regardless of the sex assigned to the individual at birth. [PL 2023, c. 288, §1 (NEW); RR 2023, c. 1, Pt. A, §15 (RAL).]

C. "Transgender individual" means an individual who identifies as a gender different from the sex assigned to the individual at birth. [PL 2023, c. 288, §1 (NEW); RR 2023, c. 1, Pt. A, §15 (RAL).]

[PL 2023, c. 288, §1 (NEW); RR 2023, c. 1, Pt. A, §15 (RAL).]

**2. Reimbursement.** The department shall provide reimbursement for medically necessary treatment for or related to gender dysphoria as defined by the Diagnostic and Statistical Manual of Mental Disorders, 5th edition, published by the American Psychiatric Association or a comparable or equivalent diagnosis.

[PL 2023, c. 288, §1 (NEW); RR 2023, c. 1, Pt. A, §15 (RAL).]

**3. Discrimination prohibited.** The department may not discriminate in its reimbursement of medically necessary treatment on the basis of a MaineCare member's gender identity or gender expression or on the basis that the MaineCare member is a transgender individual.

[PL 2023, c. 288, §1 (NEW); RR 2023, c. 1, Pt. A, §15 (RAL).]

**SECTION HISTORY**

PL 2023, c. 288, §1 (NEW). RR 2023, c. 1, Pt. A, §15 (RAL).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.