

Comments for Chapter: 519.24 Gender Affirmation Surgery

Effective Date: September 1, 2022

<u>Number</u>	<u>Date Received</u>	<u>Comment</u>	<u>Status Result</u>
1	9/22/2022	Can BMS confirm that drug therapy after the gender affirming surgery is covered? It appears only the 12 months of hormonal therapy prior to surgery is addressed.	Hormone therapy is covered after surgery and would be addressed in the pharmacy chapter, not 519.24 which is only for surgery.
2	9/25/2022	<p>1. What kind of feedback are you looking for from the public?</p> <p>2. What is the best way to provide that feedback?</p> <p>3. How are you keeping track of the feedback you're receiving?</p> <p>4. What does the document mean by "medically necessary"? Who has defined what surgeries are medically necessary and which ones are not?</p>	<p>1. Questions related to the policy. Areas that need to be explained, or items that may need to be worded differently for better understanding.</p> <p>2. Submitting the comments and or questions as outlined on the website.</p> <p>3 All of the public comments are reviewed, answered, and posted online with the policy along with any revisions made to the wording.</p> <p>4. Medically Necessary Services are services and supplies that are appropriate and necessary for the symptoms, diagnosis, or treatment of an illness. They are provided for the diagnosis or direct care of an illness within the standards of good practice and not for the convenience of the plan, member, caregiver, or provider. The appropriate level of care can be safely provided in the most efficient and cost-effective way to meet the member's need.</p>

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		<p>5. Is there any chance this will be revised to include minors?</p> <p>6. Who is qualified in WV to perform these surgeries?</p> <p>7. How much do these surgeries cost on average?</p> <p>8. What is the success rate of these surgeries in WV? (Without long term complications, for example: incontinence, long term catheter use, etc.)</p> <p>9. What makes the following degrees appropriate for writing a letter on behalf of a patient? And who is vetting them for the appropriate ability to perform adequate assessment of gender dysphoria in relationship to transgenderism? Doctor of Philosophy (Ph.D.)</p>	<p>Medical standards of practice including WPATH (World Professional Association of Transgender Health) Medical and Surgical Associations, and NIH (National Institute of Health) has defined what surgeries are medically necessary for Gender Affirmation Surgery.</p> <p>5. At this time there is not any discussion of these services being made available to members under the age of 21.</p> <p>6. Some of these procedures are already performed in WV by surgeons that specialize in the body area that the surgery is for. For example, hysterectomies are usually performed by Gynecological surgeons for multiple diagnoses. It is unknown whether there are surgeons in WV qualified to perform all of the potential gender-affirming surgeries which might be sought.</p> <p>7. The WV Medicaid fee schedule is located on our website and can be reviewed for any surgery/procedure.</p> <p>8. That information is not available.</p> <p>9. The providers listed are licensed by state boards and approved to treat</p>

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		<p>Doctor of Education (Ed.D.) Psychiatric physician assistant Licensed Certified Social Worker (LCSW)</p> <p>10. Is hormonal therapy already covered by medicaid in WV? If so, is there an age limit or requirements?</p> <p>11. What makes these procedures considered life saving if the individual is physically healthy prior to surgery?</p> <p>12. Because you know that there are not many reliable or well researched peer reviewed studies, how can we know that these procedures are doing more help than harm? Is there a way to mitigate gender dysphoria without surgery?</p>	<p>behavioral health diagnosis as defined in the DSM-5-TR. WV Medicaid Providers are vetted not only through the Medicaid system but also through Medicare and the Fiscal Agent.</p> <p>10. Hormone Therapy is a covered service with WV Medicaid and is covered under the pharmacy benefit and is not addressed in the surgical policy.</p> <p>11. Research presented by the plaintiffs and as found by the court in the United States District Court in the Southern District of WV as part of the Fain et al v. Crouch et al lawsuit shows that individual lives are saved with surgery due to the reduction in suicides. These procedures are appropriate treatment for an individual with the diagnosis of gender dysphoria after receiving behavioral health therapies and hormone therapy with no or unacceptable relief of their symptoms.</p> <p>12. There are many options other than surgery which are discussed/tried prior to surgery. Those options are between doctor/patient. Research presented by the plaintiffs and as found by the court in the United States District Court in the Southern District of WV as part of the Fain et al v. Crouch et al lawsuit shows</p>

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		<p>13. Why are there not surgery options for those who may choose to detransition?</p> <p>14. Is there a way to fight this change in medicaid coverage despite federal judge Chuck Chambers' ruling?</p>	<p>there has been research related to the benefits and potential deficiencies with Gender Dysphoria Surgery to support the procedures as being beneficial to the member. If a member does not want to have surgery, they may opt to have just hormone therapy. This policy is specific to surgical procedures and is not a comprehensive guide to gender dysphoria treatment.</p> <p>13. Many of the surgical procedures are not reversible, such as hysterectomy.</p> <p>14. The West Virginia Department of Health and Human Resources is appealing the District Court's ruling to the 4th circuit court of appeals; however the district court's decision remains in effect in the meantime.</p>

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