



# Trans Health Project

*Working for Transgender Equal Rights*

## Alaska Medicaid Regulations and Guidance

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**Alaska Medicaid policy covers transgender-related health care.**

**Regulations:**

[7 AAC 105.130\(a\)\(21\)](#)

**Text:**

"surgical procedures to alter a recipient's body to conform to recipient's gender identity" (effective July 25, 2021)

**Decisions:**

**Court Decision:** [Being v. Crum, No. 3:19-cv-00060-HRH \(D. Alaska filed Dec. 30, 2019\)](#)

**Summary:**

Three transgender plaintiffs challenged Alaska's Medicaid exclusion under Section 1557 of the Patient Protection and Affordable Care Act, 42 U.S.C. § 18116; the comparability and availability requirements of the federal Medicaid Act, 42 U.S.C. §§ 1396a(a)(10)(A)-(B); and the Equal Protection Clause of the U.S. Constitution.

Pursuant to a [settlement agreement](#) reached in January 2021, Alaska [repealed the exclusion](#) and added affirmative coverage effective July 25, 2021.

**Historical Notes:**

7 Alaska Administrative Code 105.110(12) formerly excluded "treatment, therapy, surgery, or other procedures related to gender reassignment" and 7 Alaska Administrative Code 110.405(d)(5) formerly excluded "transsexual surgical procedures or secondary consequences."

In February 2020, the Department of Health & Social Services issued a [proposed rule](#) to allow coverage for non-surgical services (e.g., hormones and counseling), but retain the exclusion for all transgender-related surgeries. They received [public comments](#).

The exclusions [were repealed](#) following the *Being v. Crum* settlement.

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