



# Trans Health Project

*Working for Transgender Equal Rights*

## Iowa Medicaid Regulations and Guidance

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**Iowa Medicaid policy excludes transgender-related health care.**

**Statutes:**

[HF 766, 2019-2020 Reg. Sess. \(Iowa 2019\).](#)

**Text:**

Adds subsection three to the state public accommodations nondiscrimination statute (Iowa Code § 216.7 (2019)), which prohibits discrimination on the basis of gender identity in public accommodations or services. Subsection three specifies that "[t]his section shall not require any state or local government unit or tax-supported district to provide for sex reassignment surgery or any other cosmetic, reconstructive, or plastic surgery procedure related to transsexualism, hermaphroditism, gender identity disorder, or body dysmorphic disorder."

**Decisions:**

**Administrative Decision:** [Vasquez v. Iowa Dep't of Human Services](#)

**Summary:**

The ACLU of Iowa and national ACLU LGBT and HIV Project filed a lawsuit to block implementation of an Iowa law that specifically allows denial of coverage under Medicaid of essential, gender-affirming surgery to transgender Iowans.

**Court Decision:** [Good v. Iowa Dep't of Human Servs., No. CVCV055470 \(Iowa Dist. Ct. Jun. 6, 2018\) aff'd Good v. Iowa Dep't of Human Servs., 924 N.W.2d 853 \(Iowa 2019\)](#)

**Summary:**

The Iowa district court struck down Iowa's categorical Medicaid ban as discrimination under the Iowa Civil Rights Act and the Iowa Equal Protection Clause, as violative of privacy rights, and as unreasonable, arbitrary and capricious. The Iowa Supreme Court held that the exclusion is discrimination under the Iowa Civil Rights Act.

**Court Decision:** [Smith v. Rasmussen, 249 F.3d 755 \(8th Cir. 2001\)](#)

**Summary:**

The Eighth Circuit Court of Appeals declined to overturn a Medicaid surgery ban where hormones were covered but not surgery.

**Court Decision:** [Pinneke v. Preisser, 623 F.2d 546 \(8th Cir. 1980\)](#)

**Summary:**

The Eighth Circuit Court of Appeals struck down Iowa's Medicaid transgender exclusion, which "reflect[ed] inadequate solicitude for the applicant's diagnosed condition, the treatment prescribed by the applicant's physicians, and the accumulated knowledge of the medical community."

**Historical Notes:**

Per the Movement Advancement Project: In March 2019, the [Iowa Supreme Court ruled that the state's previous exclusion of transgender health coverage](#) that the state's previous exclusion of transgender health coverage (see [441 IAC 78.1\(249A\)](#)) violated the state's civil rights law, and therefore was illegal. The decision found that gender-affirming health care is medically necessary and therefore may not be excluded. However, in May 2019, the Iowa governor signed into law a bill ([HF 766](#)) that allows Medicaid and other state-funded health care providers to choose not to cover transgender-related care.

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