

AMENDED IN ASSEMBLY JUNE 4, 2020

AMENDED IN ASSEMBLY MAY 4, 2020

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL

No. 2218

Introduced by Assembly Member Santiago
(Principal coauthor: Senator Wiener)
~~(Coauthor: Assembly Member Carrillo)~~
(Coauthors: Assembly Members Carrillo and Gonzalez)

February 12, 2020

An act to add Division 119 (commencing with Section 150900) to the Health and Safety Code, ~~and making an appropriation therefor,~~ relating to access to health services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2218, as amended, Santiago. Transgender Wellness and Equity Fund.

Existing law establishes an Office of Health Equity in the State Department of Public Health for purposes of aligning state resources, decisionmaking, and programs to accomplish certain goals related to health equity and protecting vulnerable communities. Existing law requires the office to develop department-wide plans to close the gaps in health status and access to care among the state's diverse racial and ethnic communities, women, persons with disabilities, and the lesbian, gay, bisexual, transgender, queer, and questioning communities, as specified.

This bill would establish the Transgender Wellness and Equity Fund, under the administration of the office, ~~for grants~~ *the purpose of funding grants, upon appropriation by the Legislature,* to transgender-led

(Trans-led) organizations and hospitals, health care clinics, and other medical providers that provide gender-conforming health care services and have an established partnership with a Trans-led organization, to create, or fund existing, programs focused on coordinating trans-inclusive health care, as defined, for people that identify as transgender, gender nonconforming, or intersex.

~~The bill would appropriate \$15,000,000 from the General Fund to the Transgender Wellness and Equity Fund, established pursuant to this bill, for these purposes.~~

Vote: ~~2/3-majority~~. Appropriation: ~~yes-no~~. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares the following:

2 (a) At least 218,400 people in California identify as transgender.

3 (b) In California, 27 percent, or 796,000, of youth 12 to 17,
4 inclusive, years of age are viewed as gender nonconforming by
5 their peers at school.

6 (c) One in five transgender adults in California have attempted
7 suicide—a rate six times that of the state’s adult cisgender
8 population.

9 (d) Transgender adults are significantly more likely to report
10 having a disability due to a physical, mental, or emotional
11 condition, 60 percent compared to 27 percent of cisgender adults.

12 (e) Transgender adults are more likely to delay or not get needed
13 doctor-prescribed medicine, at a rate of 32 percent compared to
14 11 percent of cisgender adults.

15 SEC. 2. Division 119 (commencing with Section 150900) is
16 added to the Health and Safety Code, to read:

17

18 DIVISION 119. TRANSGENDER WELLNESS AND EQUITY

19

20 150900. (a) The Transgender Wellness and Equity Fund is
21 established in the State Treasury.

22 (b) The State Department of Public Health’s Office of Health
23 Equity shall administer the Transgender Wellness and Equity Fund
24 for purposes of funding grants to create programs, or funding
25 existing programs, focused on coordinating trans-inclusive health

1 care for individuals who identify as transgender, gender
2 nonconforming, or intersex (TGI).

3 ~~(c) The grants available from~~ *Upon appropriation by the*
4 *Legislature, moneys in the Transgender Wellness and Equity Fund*
5 *may be used to fund grants for the following purposes:*

6 (1) The grants shall be available to Trans-led organizations for
7 the purpose of increasing the capacity of health care professionals
8 to effectively provide transgender health care and institute
9 trans-inclusive best practices. This includes the creation of
10 educational materials or facilitation of capacity building trainings.

11 (2) The grants shall be available to Trans-led organizations for
12 the purpose of facilitating therapeutic arts programs, such as
13 dancing, painting, or writing.

14 (3) The grants shall be available to Trans-led organizations for
15 purposes of assisting, identifying, and referring TGI people to
16 access supportive housing. This includes case management
17 opportunities, financial assistance, and assisting TGI people in
18 receiving and utilizing housing vouchers. If a Trans-led
19 organization has already implemented a trans-specific housing
20 program, funding may be utilized to maintain or expand existing
21 housing programs.

22 (4) The grants shall be available to a hospital, health care clinic,
23 or other medical provider that currently provides gender-affirming
24 health care services, such as hormone therapy or gender
25 reassignment surgery, to continue providing those services, or to
26 a hospital, health care clinic, or other medical provider that will
27 establish a program that offers gender-affirming health care
28 services and has an established relationship with a Trans-led
29 organization that will lead in establishing the program.

30 (d) A hospital, health care clinic, or other medical provider that
31 applies for a grant must apply in partnership with a Trans-led
32 organization and consult with the Trans-led organization
33 throughout the process of creating and implementing its
34 trans-inclusive health care program.

35 (e) This section does not limit or impact payer coverage
36 requirements of health care or other social services.

37 (f) For purposes of this section, the following definitions apply:

38 (1) “Health care” means all of the following:

39 (A) Medical, behavioral, and spiritual care, which includes, but
40 is not limited to, guided meditation and nondenominational therapy.

1 (B) Therapeutic arts programs, which includes, but is not limited
2 to, dancing, painting, and writing classes.

3 (C) Services related to substance use disorder or substance
4 abuse.

5 (D) Supportive housing as a mechanism to support
6 TGI-identified individuals in accessing other social services.

7 (2) “Trans-led organization” means any of the following:

8 (A) An organization in which the president, chief executive
9 officer, or executive director that drives the direction of the
10 organization identifies as TGI and at least 75 percent of the people
11 employed by the organization identify as TGI.

12 (B) An organization governed by a board, a collective, or an
13 advisory committee in which the majority of staff, collective, or
14 committee members identify as TGI.

15 (C) An organization that serves as a fiscal sponsor to a group,
16 collective, or volunteer-run organization in which the chair or
17 president of the board is an individual who identifies as TGI.

18 ~~SEC. 3. The sum of fifteen million dollars (\$15,000,000) is~~
19 ~~hereby appropriated from the General Fund to the Transgender~~
20 ~~Wellness and Equity Fund, established pursuant to Section 150900~~
21 ~~of the Health and Safety Code.~~