



Healthcare Policy Roundup

July 10, 2018

Catch the Highlights!

- *Cuomo passes executive order securing contraception coverage in New York State*
- *City to inspect 130,000 apartments for lead exposure amid NYCHA scandal*
- *State releases guidance for health care delivery among transgender and gender non-conforming patients*

Questions? Comments?

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State secures contraception coverage for New Yorkers:

Just hours before President Trump nominated Judge Brett Kavanaugh to fill a vacant seat on the Supreme Court, New York Governor Andrew Cuomo signed an executive order securing contraceptive coverage for individuals throughout New York State. Kavanaugh has previously ruled against contraceptive coverage and abortion access on the basis of moral and religious freedom.

The new state executive order requires health insurers to cover all forms of contraception without a co-pay as well as over-the-counter emergency contraception (e.g. "Plan B") without a prescription. The move responds to concerns that a conservative-ruled Court will roll back protections for individuals seeking abortion. At a recent press conference, Cuomo warned New Yorkers that the Court was moving to repeal *Roe v. Wade* – a landmark case passed in 1973 decriminalizing abortion.

Cuomo also highlighted challenges within New York State. Earlier this year, a conservative state Senate refused to pass the Reproductive Health Act which would codify an individual's right to abortion. Earlier this week, the Governor called on state Senators to revote on the codification of *Roe v. Wade* protections. These actions build on the Governor's 2018 Women's Agenda.

City to inspect 130,000 NYCHA units for lead exposure:

The city will conduct lead inspections on 130,000 units owned by the New York City Housing Authority (NYCHA) as part of its efforts to address rampant health and safety hazards throughout NYCHA-run apartments. City focus on NYCHA conditions intensified after a 2016 report found that nearly 50,000 apartments were knowingly uninspected for lead exposure.

The city announced that it will increase the number of apartments inspected after NYCHA officials questioned the accuracy of the agency's current testing method. According to de Blasio, "there [are] 130,000 more [units] that we don't have a definitive answer on. Our goal is to do now a very intensive inspection using the latest technology."

The city will also conduct unit inspections in apartments where children have showed blood lead levels of five micrograms or higher. The city has previously limited its unit audits to apartments where children had levels of ten micrograms or higher. The Administration also plans to release quarterly reports on all lead inspections and remediation in place of its current annual report. Data for 2017 and the first half of 2018 is expected to be released next month.



State releases guidance for delivery of transgender healthcare:

Earlier this week, the New York State Department of Health (NYSDOH) issued new guidance streamlining delivery of care for transgender and gender non-conforming (TG/GNC) New Yorkers. The guidance standardizes procedures for prior authorization of hormone therapy and gender-affirming surgery among individuals covered by Medicaid Managed Care, HIV Special Needs, and Health & Recovery plans.

The guidance is a major win for TG/GNC advocates who have documented hundreds of cases in which TG/GNC patients have received delayed care or denied coverage for care due to gender markers. The announcement comes amid federal efforts to roll back transgender protections under Section 1557 of the Patient Protection and Affordable Care Act.

According to Rebecca Novick, Director of the Health Law Unit at Legal Aid Society, NYSDOH has been relatively responsive to complaints around gender-based discrimination in healthcare: "It started with the lawsuit in terms of the Medicaid coverage, but New York has taken a number of positive steps to strengthen protections for transgender New Yorkers." The guidance will go into effect September 1.