



## Legislation Text

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**File #:** Res 0521-2004, **Version:** \*

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### Res. No. 521

Resolution calling upon the The New York State Department of Social Services and the New York State Department of Health to repeal Subdivison 1 of Section 505.2 of Title 18 of the New York Codes, Rules and Regulations, which denies reimbursement for care, services, drugs and supplies for the purpose of gender reassignment surgery.

By Council Members Sears, Brewer, Gerson and James

Whereas, Gender identity disorders (GIDs) are recognized clinical diagnoses in both the International Classification of Diseases-10 (ICD-10) and the Diagnostic and Statistical Manual of Mental Disorders-Fourth Edition (DSM-IV), representing the consensus opinion of both American and international medical experts; and  
Whereas, The standard of care for adults with gender identity disorders, as established by the U.S.-led International Gender Dysphoria Standards of Care for Gender Identity Disorders, Sixth Version, 2001, indicates that a therapeutic approach, based on rigorous clinical assessment, may include gender reassignment surgery for certain individuals; and

Whereas, The standard of care for a gender reassignment surgical approach to gender identity disorders requires services that include mental health services and hormonal drug therapy; and

Whereas, The New York State Human Rights Law provides that the State has the responsibility to act to assure that every individual within this State is afforded an equal opportunity to enjoy a full and productive life style; and

Whereas, The New York City Human Rights Law also provides that there is no greater danger to the health, morals, safety and welfare of the City and its inhabitants than the existence of groups prejudiced against one another and antagonistic to each other because of their actual or perceived differences; and

Whereas, Subdivision 1 of Section 505.2 of Title 18 of the New York Codes, Rules and Regulations states that payment is not available for care, services, drugs or supplies rendered for the purpose of gender reassignment or intended to promote such treatment; and

Whereas, Subdivision 1 of Section 505.2 of Title 18 of the New York Codes, Rules and Regulations is inconsistent with the standards of care for adults with gender identity disorders and the human rights principles of New York State and New York City; now, therefore, be it

Resolved, That the Council of the City of New York calls upon The New York State Department of Social Services and the New York State Department of Health to repeal Subdivision 1 of Section 505.2 of Title 18 of the New York Codes, Rules and Regulations, which denies reimbursement for care, services, drugs and supplies for the purpose of gender reassignment surgery.

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