



Testimony Re: House Bill 7940 Re: Accident and Sickness Insurance Policies

House Health and Human Services Committee

April 9, 2026

Stephanie Geller, Deputy Director

Chair Donovan and members of the Committee, thank you for the opportunity to provide testimony today. Rhode Island KIDS COUNT would like to voice its strong support for House Bill 7940 and thank Representative Kislak for sponsoring this bill and Representatives Ajello, Knight, Potter, Giraldo, Cortvriend, Caldwell, McEntee, and Tanzi for co-sponsoring. This bill would amend existing state statutes related to unfair discrimination to protect additional classes of individuals and protect against additional forms of discrimination.

Specifically, this bill would **prohibit health insurers from denying benefits to individuals based on their race, ethnicity, color, religion, national origin, language, sex, sexual orientation, gender identity, gender expression, age, disability, pregnancy status, height, or weight** or discriminating in other ways (e.g., through discriminatory plan designs or enrollment decisions).

This bill also specifically states that “no healthcare entity may...have or implement a categorical coverage exclusion or limitation for all health services related to gender transition or other gender-affirming care, or reproductive health care.” However, **this bill does not require coverage of any health service if there is a legitimate, nondiscriminatory reason for denying or limiting coverage.**

In May 2001, Rhode Island became the second state in the country to explicitly prohibit discrimination on the basis of gender identity or expression. Since then, Rhode Island KIDS COUNT has testified on the need to protect health care providers, patients, and access to essential care through the *Health Care Provider Shield Bill* and opposed legislation that would have required educators to use names and pronouns associated with a student’s biological gender instead of their gender identity and established disciplinary measures against educators for violation of these provisions.

This bill is needed because current protections against discrimination in health insurance are limited. Current Rhode Island law only covers race, color, or creed, leaving thousands vulnerable. And the need for this bill is especially urgent because federal non-discrimination protections in health care are being rolled back or unenforced. For example, in May 2025, the Department of

Health and Human Services rescinded guidance clarifying that the *Affordable Care Act* prohibits discrimination based on sexual orientation and gender identity. Subsequent rulemaking and other actions from the U.S. Department of Health and Human Services have further limited access to care nationwide.

This bill supports fair and equitable access to medically necessary care for all Rhode Islanders. It holds insurers accountable now that federal protections are absent or being weakened. It aligns Rhode Island with other states that have modern, comprehensive health insurance protections. Finally, it provides residents with a clear path to seek remedies for discrimination. For all these reasons, we urge you to pass House Bill 7940. Thank you for the opportunity to provide this testimony.