

STATE OF NEW YORK

4730

2025-2026 Regular Sessions

IN ASSEMBLY

February 5, 2025

Introduced by M. of A. GONZALEZ-ROJAS, SEAWRIGHT, SIMONE, RAGA -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to participation in state contracts

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The state finance law is amended by adding a new section
2 139-m to read as follows:

3 § 139-m. Participation in contract prohibited; health insurance;
4 transgender status. 1. A clause shall be inserted in all specifications
5 or contracts hereafter made or awarded by the state or any public
6 department, agency or official thereof, for work or services performed
7 or to be performed, for goods sold or to be sold pursuant to which any
8 contractor, to whom any contract shall be let, granted or awarded,
9 agrees, as a material condition of the contract, that neither such
10 contractor nor any substantially owned or affiliated person, firm, part-
11 nership or corporation has participated or is participating or shall
12 participate in a health plan offered which does not cover services for
13 transgender, non-binary, and gender expansive people, including but not
14 limited to hormone replacement therapy, gender-affirming surgery, and
15 treatment typically associated with one particular gender. Such
16 contract shall also provide that neither such contractor nor any
17 substantially owned or affiliated person, firm, partnership or corpo-
18 ration shall limit health care services, including, but not limited to
19 routine, preventative, mental health services, or procedures, based on
20 sex, gender, gender identity, or documented gender.

21 2. For the purposes of this section, "services for transgender, non-
22 binary, and gender expansive people" shall include gender-affirming
23 health care services, treatment for gender dysphoria or gender incongru-
24 ence and shall also include, but not be limited to medically necessary:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 (a) Hormone therapy, hormone antagonists, menstrual suppression, and
2 pubertal suppression therapy;

3 (b) Surgical procedures and revisions to prior surgery, including
4 reversing prior surgeries;

5 (c) Care that supports surgical recovery, including restoration of
6 function, such as:

7 (i) Non-surgical procedures, such as laser treatment for scars from
8 surgery and medical tattooing to restore function; and

9 (ii) Pre- and post-operative physical and occupational therapies, such
10 as pelvic floor therapy and hand therapy;

11 (d) Hair removal or restoration;

12 (e) Fertility preservation procedures;

13 (f) Durable medical equipment and supplies, such as compression
14 garments, shapewear, prosthetics, and post-operative surgical dressings
15 and devices;

16 (g) Mental health care, including assessment, support letters, and
17 ongoing counseling;

18 (h) Voice care, including the assessment and treatment of the voice
19 and related conditions, including the additional domains of speech,
20 language, and communication under the scope of speech-language patholo-
21 gists, otolaryngologists, and other allied voice professionals; and

22 (i) Any other care, treatments, surgeries, services, or procedures
23 that are deemed medically necessary by a licensed healthcare provider
24 acting within their scope of practice.

25 3. Any such contract shall be rendered forfeit and void by the state
26 comptroller, if, subsequent to execution, such person, firm, partnership
27 or corporation has been participating in such health plan which fails to
28 provide services for transgender, non-binary, and gender expansive
29 people.

30 4. Nothing contained in this section shall operate to impair any
31 existing contract, except that any renewal, amendment or modification of
32 such contract occurring on or after the effective date of this section
33 shall be subject to the conditions specified in this section.

34 5. The comptroller of the state shall have the power to issue rules
35 and regulations pursuant to this section.

36 § 2. This act shall take effect on the ninetieth day after it shall
37 have become a law and shall apply to all contracts entered into, renewed
38 or modified on and after the effective date of this act.