



# Sex Assigned at Birth and Gender Identity

Policy Adoption & Implementation Planning

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# Agenda

**Background**

**Journey**

**Policy**

**Project**

**Discussion**

Background



# Civil Rights Protections

WAHBE strives for highest customer service and inclusivity in serving WA residents.

WAHBE has a legal and policy-based obligation to not discriminate, including on the basis of sexual orientation and gender identity.

Washington state law also has strong protections in the Constitution and statute – identifying freedom from discrimination because sex or sexual orientation as a civil right.

WA Constitution, Art. 31, Sec 1,  
RCW, 49.60.030,  
ACA, 42 U.S.C. 18116, "Section 1557"



# Customer Impact

## Current State

Sex assigned at birth \* ⓘ

Male	Female
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*\*In current state, sex assigned at birth is a required field to complete the HPF application.*

Hi all:

I am writing in with feedback about the signup process for (Healthplanfinder)

Please note that the application only allows an individual to select Male or Female. Especially in healthcare, not all human bodies fit into those two categories. This site has some good resources on intersex conditions: <http://www.isna.org/faq/frequency>. I do not fill comfortable filling out this form as I am neither male nor female, and my medical care needs to reflect that.

Please let me know if there is any plan to remedy this so folks can sign up with accuracy and get the care that they need, including if their body is outside, between, or entirely off the dominant binary.

Thank you so much for your time!



# The Journey



# Workgroup

## WAHBE receives complaints from prospective applicants:

- In response, WAHBE seeks to meaningfully address the alleged harm and demonstrate due diligence in remediating non-compliance

2019

## HHS Sex Assigned at Birth and Gender Identity Workgroup forms:

- First in-kind, non-IT, coalition sponsored work group approved

2020

## Deliverables produced:

- Public facing team training rolled out to all 5 Coalition agencies
- Community stakeholders identified
- Survey development
- Systems inventory

2021

## WAHBE makes recommendation for HHS coalition to:

1. Commit its participating agencies to develop more inclusive application/data collection processes; and
2. Create a cross-agency workgroup to develop methodologies for using and transferring that data across agencies and organizations

2022

## Needs identified through the SGI Workgroup:

- Training subgroup
- Systems inventory subgroup
- Community outreach subgroup
- Survey subgroup
- Policy subgroup

## Policy development:

- User story/persona development across all programs & systems
- Performed resource review
- Policy development on data collection

2023

## We are here:

- In order to reach the goal of implementing the policy across the 5 Coalition organizations, they first need to each run it through their established policy approval structures to adopt the policy.

## Goal:

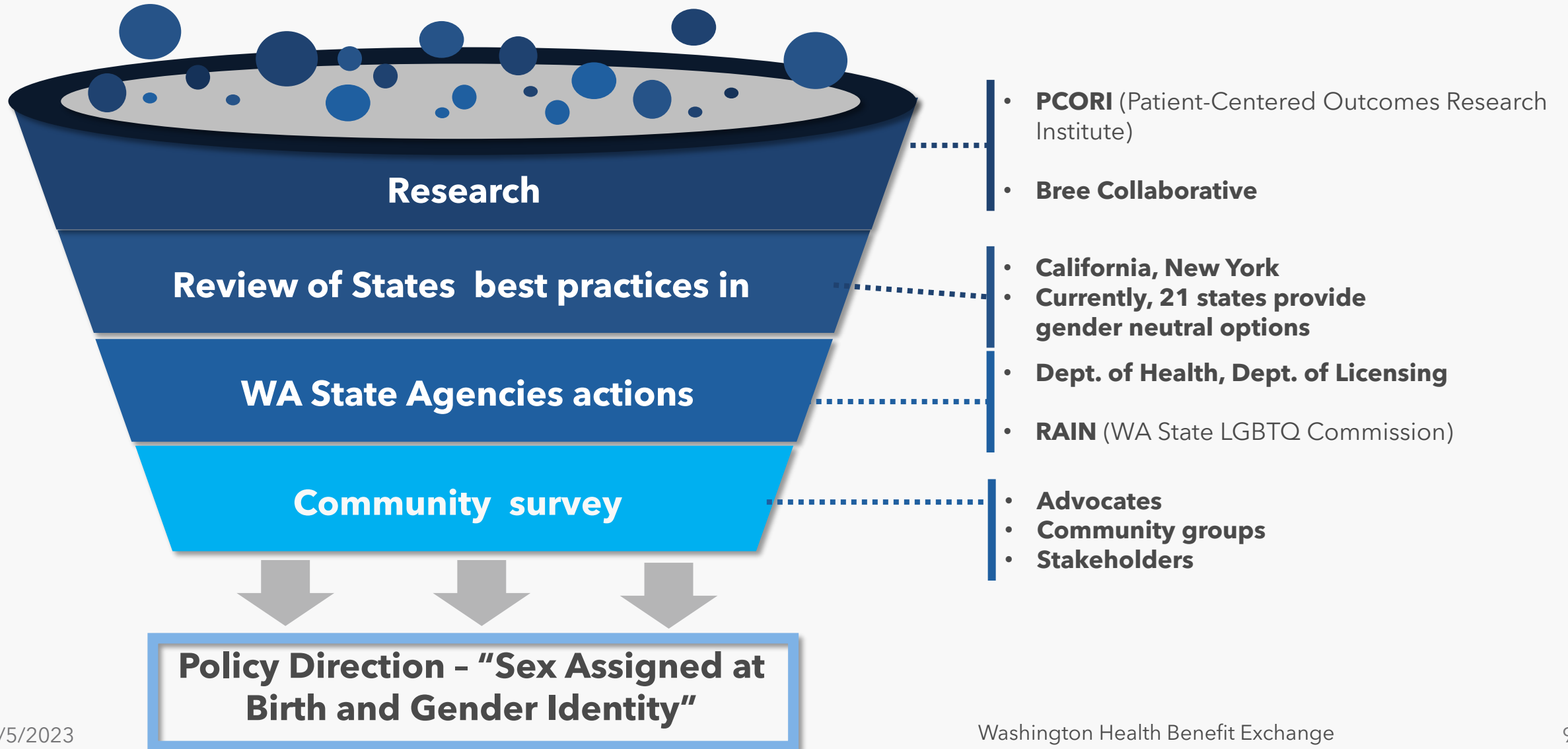
- Implement the policy across the 5 Coalition agencies and develop a feedback loop for the policy group to improve usability

Policy





# Development



# Objectives

**Support the collection of accurate sex assigned at birth and gender data for government operations, analysis, and evidence-based decision-making.**

**Protect the personal information of individuals.**

**Promote the respect, inclusion and personal safety of transgender, non-binary and two-spirit people.**

# Scope

The policy direction **applies** to all **agencies** in the core public administration that:

- Collect sex assigned at birth or gender information from the public
- Collect or maintain information as an employer or potential employer (e.g., in applications for jobs, for security clearances, within personnel files)
- Produce identity documents that display sex assigned at birth or gender information

# Data Use

**Collection:** ensure a clear rationale for the collection of sex assigned at birth or gender information

**Display:** ensure a clear rationale for the display of sex assigned at birth or gender identity information

**Default to gender:** sex assigned at birth information to be used by exception

**Non-intrusive change of identifier:** implementing a consistent approach to changing information that supports program integrity

**Non-binary gender information:** introducing a non-binary gender option

# Approach

The Exchange, in partnership with the Health Care Authority, has determined a business need for state partners to collect sex assigned at birth.

As a result, Healthplanfinder should display the below options to individuals -

- Male
- Female
- X/non-binary
- Prefer not to answer

Agencies/Organizations will have the opportunity to determine if the 'prefer not to answer' option should be displayed.

There is also the option for an open text field that can be displayed to individuals after they select an option.

# Health Benefit Exchange

## Revisiting the Journey

- The Exchange acknowledges this is a journey that is complex.
- This current step represents progress by creating space that better acknowledges diverse identities of the people we serve.

Collection  
of Sex



Collection of  
Gender Identity



Collection  
of Sex  
Assigned at birth



Future State



# The Project



# Overview

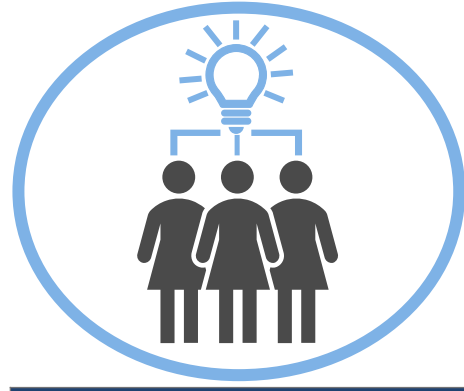
**Purpose:** Socialize the SGI policy with WAHBE stakeholders, garner support for organizational policy adoption, and seek to understand impacts, dependencies, and efforts required to support future policy implementation.

*The purpose of this project is **not to** begin implementing and/or operationalizing the policy.*



## Objective 1

Teams feel confident in the organization's ability to support and deliver the future implementation work, when it is prioritized.



## Objective 2

Staff are aware of the SGI policy and pending organizational adoption of the policy.



## Objective 3

Teams understand the efforts required to support and deliver future policy implementation.

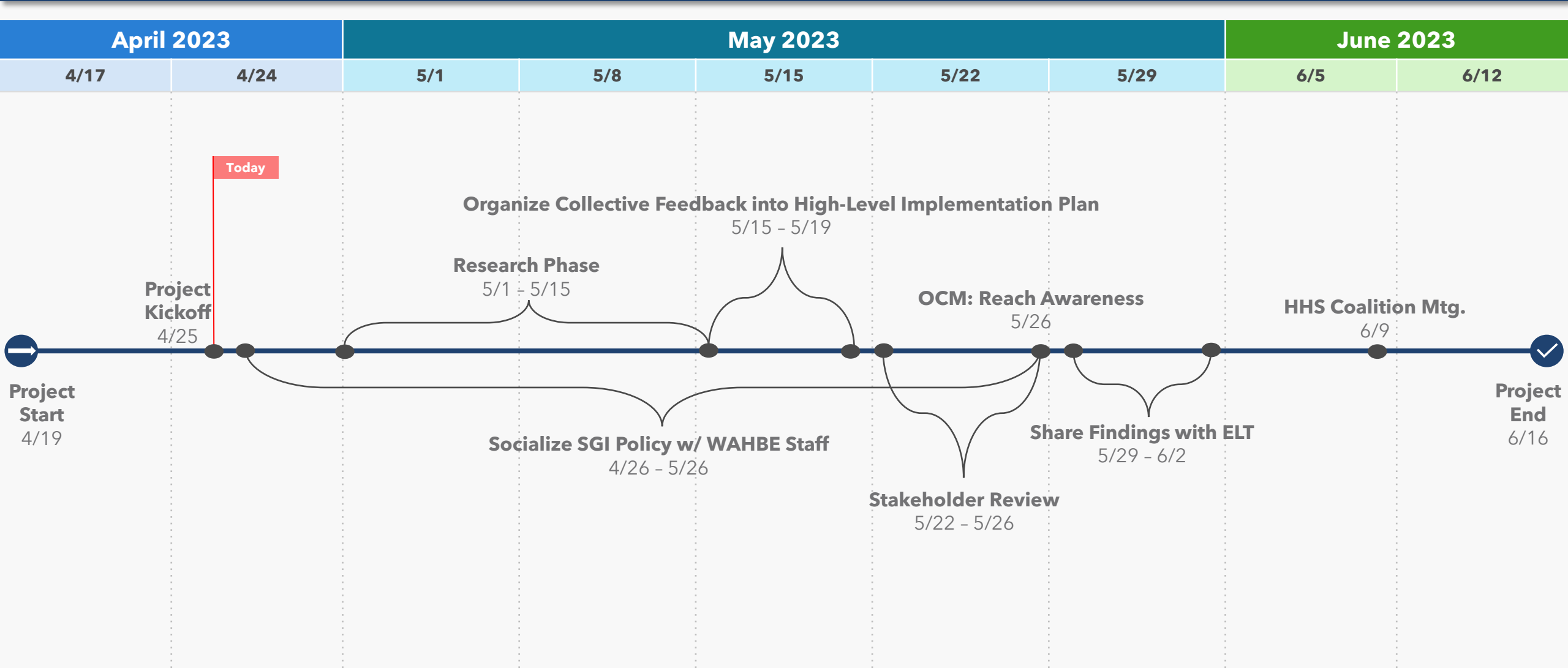


## Objective 4

WAHBE's HHS G2 Chair representative is prepared to report back to the coalition on policy adoption and how WAHBE can be compliant with the policy.



# Timeline



# Questions





[WWW.WAHEALTHPLANFINDER.ORG](http://WWW.WAHEALTHPLANFINDER.ORG) | [WWW.WAHBEXCHANGE.ORG](http://WWW.WAHBEXCHANGE.ORG)