

Accessing your right to gender-affirming care if you are...

In Massachusetts, you have a right to access gender-affirming health care, including access to medical services, mental health care, and surgical intervention to treat gender dysphoria. Gender-affirming care can be life-saving, and whether you are a Massachusetts resident or not, or a young adult, minor, or incarcerated person – you have a right to access safe, affordable, and confidential care in Massachusetts.

... in Massachusetts

You have a right to access gender-affirming health care in Massachusetts.

- This right includes access to supplies, care, and services of a medical, behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative, rehabilitative or supportive nature relating to the treatment of gender dysphoria.
 - Virtual gender-affirming health care commonly includes hormone therapy, behavioral health care, speech therapy, and mental health care.
- After treatment, you also have a right to legally change your gender identity on your birth certificate through an application process. To do so you will need:
 - An affidavit indicating your name and gender. If you are a minor, this affidavit must be completed by a parent or guardian; and
 - A notarized physician's statement that you have completed medical intervention for the purpose of permanent sex reassignment. It is not required to provide any details regarding the nature or extent of medical care or treatment received.
- Regardless of medical intervention, you also have a right to change your gender designation on your state ID by an application process with the Registry of Motor Vehicles. No documentation is required to change your gender designation on your state ID.

... outside of Massachusetts

You can access gender-affirming health care in Massachusetts even if you do not live in Massachusetts. If you have questions about potential legal risk associated with accessing gender-affirming care in Massachusetts, please contact one of the legal resources identified in the "Additional Resources and Information" section of this document.

... under 18

You have a right to access gender-affirming health care in Massachusetts if you are under 18 and have permission from a parent or legal guardian.

- If you are under 18, you may be able to access gender-affirming health care without parental consent if your doctor believes you are mature enough give informed consent to the treatment, and it is in your best interest not to notify your parents.
- If you are in custody of the Department of Children and Families (DCF) and under 18, you have a right to access gender-affirming care with the consent of DCF. You can contact your social worker, attorney, medical provider, or one of the resources listed below for more information.
- If you are over 18, you can consent to your own medical treatment without parental (or DCF) consent.



Accessing your right to gender-affirming care if you are...

... incarcerated in Massachusetts

You have a right to access gender-affirming health care if you are incarcerated.

- If you are in incarcerated and have been diagnosed with gender dysphoria, you have a right to clinically appropriate and medically necessary health care and psychotherapy.
 - You do not need a gender dysphoria diagnosis prior to incarceration in order to access gender-affirming care while in custody.
 - Your care will continue if you are incarcerated after beginning treatment.
 - You also have a right to be addressed in a manner consistent with your gender identity, access approved cross-gender clothing, canteen, and cosmetic items, and be housed with inmates of the same gender identity.
- If you are a juvenile in the custody of the Department of Youth Services, you have a right to continue or request gender-affirming health care.
 - DYS must recognize and respect your gender identity.
 - You may request to begin hormone therapy while in DYS custody and be referred to a medical provider as soon as possible. Your care will continue if you have been committed after beginning treatment.

If you have additional questions, please contact our Reproductive Justice Unit at reprojustice@mass.gov

