

**KNOW
YOUR****RIGHTS**

Know Your Rights: How to File a Complaint for LGBTQIA+ Health Care Discrimination with State Enforcement Agencies

The Landscape of LGBTQIA+ Healthcare Discrimination

LGBTQIA+ people face unique barriers to accessing essential healthcare in the United States. LGBTQIA+ patients are also [more likely](#) to experience depression, suicide, substance use, and to be victims of violence and harassment than non-LGBTQIA+ patients. However, relative to straight adults, LGB adults are [more likely to face cost barriers](#) to accessing healthcare and LGBTQIA+ adults face [higher levels of discrimination and unfair treatment](#) in healthcare settings than their straight and cisgender peers. While research shows that having a usual source of care, or consistently seeing the same medical provider, is associated with increased use of preventive care and improved health outcomes, LGBTQIA+ people are [7% more likely](#) to report not having a usual source of care than non-LGBTQIA+ people. LGBTQIA+ adults are also [more likely to report](#) that negative experiences seeking health care has caused their health to get worse, made them less likely to seek health care, or caused them to switch health care providers.

Federal Law

Since its passage in 2010, [Section 1557](#) of the Affordable Care Act (ACA) has protected individuals from sex discrimination by health care entities that receive federal funding. Protections include preventing people from being denied health care or health coverage and ensuring equal access to insurance. Section 1557 covers hospitals and doctors' offices that receive federal funding; most health care plans, including most employer-sponsored plans; health insurance plans sold in the ACA marketplaces; and health programs run by the federal government, including Medicaid, Medicare, CHIP, and the IHS.

Under the Biden Administration, the Department of Health and Human Services (HHS) applied the

interpretation of sex discrimination in the U.S. Supreme Court's decision in [Bostock v. Clayton County](#) to Section 1557 of the ACA. This meant that HHS properly understood Section 1557 to protect people receiving health care from discrimination because of their [sexual orientation and gender identity](#). However, the Trump Administration has since [made clear](#) that it will not enforce the law to protect individuals from gender identity discrimination.

As the federal government steps back from enforcing critical anti-discrimination laws on the basis of gender identity, state agencies have become an important resource to address healthcare discrimination. Some states have also passed more comprehensive non-discrimination protections for sexual orientation and gender identity in health care and in public accommodations (facilities or services available to the public at large, which in some states includes hospitals and health insurance plans).

Federal: You can [file a complaint](#) with the Department of Health and Human Services' Office for Civil Rights (OCR). While OCR has indicated its intent not to enforce Section 1557 of the ACA with respect to claims of discrimination based on gender identity, it is still enforcing Section 1557 in other contexts, which include prohibiting discrimination based on race, color, national origin, sex, age, and disability in health programs receiving federal funding.

HOW CAN I FIND A LAWYER?

These materials have been prepared by the National Women's Law Center (NWLC) for informational purposes only. The provision of this material does not create an attorney-client relationship between any attorney at NWLC and the reader and does not constitute legal advice. Organizations and individuals are encouraged to contact a lawyer licensed in their jurisdiction for advice on their specific circumstances. If you are facing sex-based discrimination as a student or employee, the [Legal Network for Gender Equity](#) can help connect you to attorneys. Attorneys in our Legal Network will have a first meeting or call with you for free.

To contact the Legal Network for Gender Equity, fill out an online intake form here: <https://nwlc.org/legal-assistance> or call us at: 202-319-3053. You can also check the National Employment Lawyers Association attorney database here: <http://exchange.nela.org/memberdirectory/findalawyer>. You may also find legal help through the American Bar Association Directory: https://www.americanbar.org/groups/legal_services/flh-home/flh-bardirectories-and-lawyer-finders.

How to Submit a Complaint to your State

*Note: Only states with LGBTQIA+ anti-discrimination protections in healthcare are included. If a state is not included, it means there is not a state-level remedy.

However, many cities and localities prohibit anti-discrimination. You can find a list from the Movement

Advancement Project [here](#).

California

California's Department of Health Care Services (DHCS) Office of Civil Rights investigates complaints of discrimination based on sexual orientation and gender identity under state law. These rights are protected under the [Transgender, Gender Diverse, and Intersex \(TGI\) Inclusive Care Act in 2023](#) and under [Cal. Civil Code § 51; Cal. Gov. Code §§ 11135, 12926; 2 Cal. Code Reg. §§ 14000 et seq.](#) Complaints are handled by the Department's Office of Civil Rights.

Submit a complaint of discrimination in California within 365 days from the day discrimination took place using this form: <https://www.dhcs.ca.gov/Documents/1044-DHCS-DISCRIMINATION-COMPLAINT-FORM.pdf>

Learn more about your rights as an LGBTQIA+ person, from CA Department of Justice: <https://oag.ca.gov/lgbtq/rights>

Colorado

Colorado's Department of Public Health and Environment investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [HB 25-1239, the Colorado Anti-Discrimination Act](#).

Submit a complaint of discrimination in Colorado within 300 days of the incident using this form: <https://cdphe.colorado.gov/form/nondiscrimination>. If you feel as though you've been discriminated against with your health insurance, you can contact the Division to ask questions or file a complaint: 303-894-7490 / 800-930-3745 / DORA_Insurance@state.co.us or visit our ["Ask a Question / Make a Complaint"](#) page. Alternatively, you can also file a complaint with the Colorado Department of Civil Rights if you feel you've been discriminated against in a healthcare setting: <https://socgov07.my.salesforce-sites.com/ColoradoCivilRights/>.

You can learn more about the complaint process [here](#) and learn more about LGBTQIA+ health care rights and resources [here](#).

More information about Colorado's LGBTQIA+ non-discrimination protections: <https://www.one-colorado.org/resources/lgbtqia-protections-in-colorado>

Connecticut

Connecticut's Commission on Human Rights and Opportunities investigates complaints of discrimination based on sexual orientation and gender identity under state law. Only gender identity is explicitly protected against discrimination by private insurance. State protections are enshrined under [Bulletin IC-34, HB 6913](#) (banning discrimination in care facilities), and [Public Act 91-58](#).

Submit a complaint of discrimination in Connecticut through one of the regional offices of the

Connecticut Commission on Human Rights and Opportunities: <https://portal.ct.gov/chro/commission/commission/contact-us>

Delaware

Delaware's Division of Human and Civil Rights investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [Senate Bill 97](#) and [Senate Bill 121](#).

Submit a complaint of discrimination in Delaware through the Delaware Division of Human and Civil Rights here: <https://de-dos.my.salesforce-sites.com/?formType=EA>

District of Columbia

The District of Columbia's Office of Human Rights investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [§ 31-2231.11](#) and [§ 2-1402.01](#).

Submit a complaint of discrimination in the District of Columbia through these forms: [https://ohr.dc.gov/page/lgbtqia-resource-portal#:~:text=If%20you%20believe%20you%20have%20experienced%20discrimination%20based%20on%20one,at%20ohr%40dc.gov.&text=ohr%40dc.gov-,File%20a%20claim%20of,English%20\(Print%20%2F%20Online\)](https://ohr.dc.gov/page/lgbtqia-resource-portal#:~:text=If%20you%20believe%20you%20have%20experienced%20discrimination%20based%20on%20one,at%20ohr%40dc.gov.&text=ohr%40dc.gov-,File%20a%20claim%20of,English%20(Print%20%2F%20Online))

If you have questions about completing these forms, you can email ohr@dc.gov.

Hawai'i

Hawaii's Civil Rights Commission investigates complaints of discrimination based on sexual orientation and gender identity under state law. Only gender identity is explicitly protected against discrimination by private insurance. State protections are enshrined under [Title 24 432D-26.3](#).

Submit a complaint of discrimination in Hawaii by filing a Pre-Complaint Questionnaire (PQC) with to initiate the process of filing a complaint: <https://labor.hawaii.gov/hcrc/forms/>

If you need help filling out the PCQ form or if you have any questions, you may visit the Commission in person at their office, call them at (808) 586-8636, or email them at dlir.hcrc.infor@hawaii.gov.

Illinois

Illinois's Department of Human Rights investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [775 ILCS 5/, the Illinois Human Rights Act](#).

Submit a complaint of discrimination in Illinois within two (2) years of the incident by filing a completed

complainant information sheet to the Illinois Department of Human Rights. The link for public accommodations Complainant Information Sheets can be found here: <https://dhr.illinois.gov/filing-a-charge/public-accommodations.html>

This then must be sent via email, fax, or mail to the Department's contact information listed at the bottom of the charge form.

Maine

Maine's Human Rights Commission investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [Title 24-A Chapter 56-A §4320-L](#) and [Title 5, Chapter 337 §4591](#).

Submit a complaint of discrimination in Maine within 300 days of the incident to the Maine Human Rights Commission through their online intake form: https://mainehumanrightscommission.formstack.com/forms/intakes_2025

Complaints of discrimination must be filed at the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333-0051.

Maryland

Maryland's Commission on Civil Rights investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [Section 15-1A-22](#).

Submit a complaint of discrimination in Maryland within six (6) months of the incident to the Maryland Commission on Civil Rights. You can initiate the process by completing their preliminary questionnaire: <https://doit.state.md.us/selectsurvey/TakeSurvey.aspx?PageNumber=1&SurveyID=7423578&Preview=true>

Massachusetts

Massachusetts's Attorney General investigates complaints of discrimination based on sexual orientation and gender identity under state law. Only gender identity is explicitly protected against discrimination by private insurance. State protections are enshrined under [Division of Insurance Bulletin 2014-03](#).

Submit a complaint of discrimination in Massachusetts with the Office of the Attorney General online here: <https://www.mass.gov/how-to/file-a-civil-rights-complaint>

You can also file a complaint with the Massachusetts Commission Against Discrimination for discrimination in a public place: <https://www.mass.gov/how-to/how-to-file-a-complaint-of-discrimination>.

If you require further help, you can also contact the [Massachusetts Transgender Political Coalition's](#) hotline at (617) 963-2917.

Michigan

Michigan's Department of Civil Rights investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [Bulletin 2023-07-BT/CF/CU/INS](#) and the Michigan Supreme Court's ruling in [Rouch World LLC et al v Michigan Department of Civil Rights et al](#).

Submit a complaint of discrimination in Michigan within 180 days of the incident with the Michigan Department of Civil Rights here: <https://dtmb.state.mi.us/MDCRRRequestforService/RequestComplaint>

Minnesota

Minnesota's Department of Human Rights investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [Section 363A.17](#) and [Administrative Bulletin 2021-3](#).

Submit a complaint of discrimination in Minnesota within (one) 1 year of the incident to the Minnesota Department of Human Rights here: <https://mn.gov/mdhr/intake/consultationinquiryform/>

Nevada

Nevada's Equal Rights Commission investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [NRS 689A.033](#) and [NRS 233.157](#).

Submit a complaint of discrimination in Nevada within 300 days of the incident online with the Nevada Equal Rights Commission here: <https://mynerccomplaint.nv.gov/landing/>

You can find more information about required documentation here: <https://detr.nv.gov/NERC>

New Hampshire

New Hampshire's Department of Health and Human Services investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [RSA 415-C:7](#) and [RSA 420-C:5](#).

Submit a complaint of discrimination in New Hampshire within 180 days of experiencing an act of discrimination by the Department of Health and Human Services here: <https://www.dhhs.nh.gov/sites/g/files/ehbemt476/files/documents2/file-complaint.pdf>

If you believe you experienced discrimination in a public accommodation, you must file a discrimination complaint within 180 days of the incident with the New Hampshire Commission for Human Rights here: <https://www.humanrights.nh.gov/public-accommodations-discrimination-intake-questionnaire>

New Jersey

New Jersey's Division for Civil Rights investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [Bulletin 23-05](#) and [PL 2021 Chapter 33](#).

Submit a complaint of discrimination in New Jersey by filing with a complaint within 180 days with the Division for Civil Rights here: <https://bias.njcivilrights.gov/en-US/dcr-complaint-intake-home/>

New Mexico

New Mexico's Department of Workforce Solutions investigates complaints of discrimination in public accommodations based on sexual orientation and gender identity under state law. State protections are enshrined under the [New Mexico Human Rights Act](#).

Submit a complaint of discrimination in New Mexico within 300 days of the incident with the New Mexico Department of Workforce Solutions: <https://www.dws.state.nm.us/Filing-a-Charge-of-Discrimination>

New York

New York's Division of Human Rights investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [Bulletin 23-05](#) and [PL 2021 Chapter 33](#).

Submit a complaint of discrimination in New York by filing an online report through their Discrimination Reporting Form here: <https://webapps.dhr.ny.gov/discrimination-report>. You can also reach their call center at (844) NYS-DHR1 or (844) 697-3471.

Oregon

Oregon's Healthy Authority investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under the [2007 Oregon Equality Act \(SB 2\)](#) (public accommodations) and [HB 2002](#) (gender-affirming healthcare).

Submit a complaint of discrimination in Oregon using one of their report forms in six (6) languages (<https://www.oregon.gov/oha/ei/pages/public-civil-rights.aspx>) or by calling the Civil Rights Coordinator at 844-882-7889.

If you believe you experienced discrimination in a public accommodation, you can file a discrimination complaint with the Oregon Bureau of Labor and Industries through their online form here: <https://complaints.boli.oregon.gov/home/landing>. You can also contact them at BOLI_help@boli.oregon.gov or call 971-245-3844.

Pennsylvania

Pennsylvania's Attorney General's Office investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [16 PA. Code CH. 41](#).

Submit a complaint of discrimination in Pennsylvania by filing a Civil Rights Complaint with the Pennsylvania Attorney General's Office: <https://www.attorneygeneral.gov/submit-a-complaint/civil-rights-complaint-2/>

Rhode Island

Rhode Island's Commission for Human Rights investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [2023-S 0412 and 2023-H 5428aa](#).

Submit a complaint of discrimination in Rhode Island by filing a charge with the Rhode Island Commission for Human Rights here: <http://www.richr.ri.gov/filecharge/iq.php>

The steps to file a charge can be found here: <http://www.richr.ri.gov/filecharge/index.php>

Vermont

Vermont's Human Rights Commission investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [Insurance Bulletin 174](#), [S.0131](#) (1992), and [Public Act 41](#) (2007).

Submit a complaint of discrimination in Vermont by filing a complaint with the Vermont Human Rights Commission: <https://hrc.vermont.gov/complaint>

Virginia

Virginia's Attorney General investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under the [2020 Virginia Values Act](#) (SB 868).

Submit a complaint of discrimination in Virginia with the Virginia Attorney General here: <https://www.oag.state.va.us/citizen-resources/civil-rights>

If you experienced a specific issue with a healthcare professional, you may also submit a non-anonymous and unretractable claim with the Virginia Department of Health Professionals: <https://www.dhp.virginia.gov/PractitionerResources/Enforcement/FileaComplaint/>

Washington

Washington's Human Rights Commission investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [Chapter 49.60](#) and [§ 284-43-5940](#).

Submit a complaint of discrimination in Washington within 6 months of the incident to the Washington Human Rights Commission here: https://wahum.my.site.com/FileaComplaintOnline/s/?language=en_US

Wisconsin

Wisconsin's Department of Health Services investigates complaints of discrimination based on sexual orientation and gender identity under state law. State protections are enshrined under [AB70](#) (1981) and the [June 29, 2020 bulletin by the Office of the Commissioner of Insurance](#).

Submit a complaint of discrimination in Wisconsin directly with the Department of Health Services here if you experienced an act of discrimination from a DHS employee: <https://www.dhs.wisconsin.gov/forms/f8/f80983.pdf>

If you believe you experienced an act of discrimination in a public accommodation, you can file a complaint with the Wisconsin Department of Workforce Development here: <https://dwd.wisconsin.gov/dwd/forms/erd/erd-10241-e.htm>