



HEALTH BENEFITS FOR TEAMSTERS

Via Email & First Class Mail
nlewis@transcendlegal.org

November 26, 2018

Noah E. Lewis, Executive Director
Transcend Legal
3553 82nd Street #6D
Jackson Heights, NY 11372-5148

Re: **Morgan Blake McNeill**

Dear Executive Director Lewis:

The Board of Trustees has reviewed your November 8, 2018 letter, submitted on behalf of Mr. McNeill, in which Mr. McNeill requests coverage for his gender reassignment surgery. The Board also reviewed your memorandum in which you seemingly argue that Allegiant Care is engaging in unlawful discrimination in failing to include coverage for gender reassignment surgery.

Regarding your letter and memorandum, I would note that Mr. McNeill's plan of benefits does not "exclude[] all treatments for gender dysphoria." However, the plan, in fact, has excluded gender reassignment surgery. I also would note that Allegiant Care is not subject to suit under either the ADA or Title VII and that the final rules implementing Section 1557 of the ACA make clear that there is no requirement that Allegiant Care (or any other insurer) cover any specific transgender-related health care procedure even when a procedure is deemed medically necessary.

The above notwithstanding, the Trustees have decided to amend Allegiant Care's Cigna-administered plans to include coverage for gender reassignment surgery based on Cigna's guidelines. The Trustee's decision has been communicated to Cigna.

Very truly yours,

A handwritten signature in black ink, appearing to read "Christina Kosha".

Christina Kosha, Manager

Cc David W. Laughton, Fund Director