



Transgender Legal Defense & Education Fund

Working for Transgender Equal Rights

TLDEF Secures Health Care Victory for Railroad Workers Nationwide

Health Plans Representing 350,000 Rail Industry Employees & Families Drop Blanket Exclusions for Transgender Related Health Care

Kozak.Email1.png

(NEW YORK, NY - August 13, 2020) Transgender Legal Defense & Education Fund (TLDEF) today announced a major health care achievement for railroad employees who are either transgender or who have transgender dependents in their families.

The two health plans covering virtually all railroad workers nationwide — employees and their families numbering 350,000 — have dropped blanket exclusions for transgender-related surgery. The removal followed TLDEF's request on behalf of Leah Kozak, a Buffalo-based transgender freight conductor who was denied medically necessary surgery under one of the railroad industry health care plans.

"Today's advancement means that an entire industry will now be providing medically necessary care to its transgender employees and their families," said **TLDEF Executive Director Andy Marra**. "We commend both the rail industry and labor unions for making the right decision to invest in the health and well-being of its transgender workers and those with children who are transgender."

Workers for 40 different railroads are covered under one of two nationwide plans that are jointly managed by the railroads via the National Carriers' Conference Committee (NCCC) and unions, including the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART) - Transportation Division.

Ms. Kozak was initially denied access to medically necessary care under her railroad health care plan because it explicitly excluded surgery to treat her gender dysphoria. Had this exclusion stayed in place, she would have been forced to pay for the procedure out of pocket. Ms. Kozak worked for the railroad for 20 years. She came out as a woman in 2018 with the support of her family and her railroad coworkers.

"Ms. Kozak dedicated 20 years to her job in a freight yard and paid into the employee health plan, but she was denied access to medically necessary care because of the exclusion," said **Noah Lewis, Director of the Trans Health Project at TLDEF**. "In making this important change, the rail industry now ensures all transgender railroad employees and their dependents will receive the health care they need going forward."

In mid-January TLDEF launched the [Trans Health Project](#), an initiative designed to combat the systematic health-insurance discrimination facing transgender people nationwide. The project will work to expand access to transgender-related health care by educating affected individuals about their legal rights; cultivating a robust movement to achieve health care equity; expanding enforcement of existing legal protections; and driving clinical policy changes among insurance carriers.

Transgender people face significant barriers to accessing medically-necessary care. According to the [2015 U.S. Transgender Survey](#), more than half of transgender people who have sought transgender-related surgery coverage have faced denials. A quarter of transgender people have experienced a problem with their insurance in the past year related to their gender identity and more than a third of transgender people did not see a doctor because of cost. About half of Americans receive their health insurance through an employer-based plan. Removing exclusions in employee health plans is vital for transgender workers.

About TLDEF

TLDEF is committed to ending discrimination based upon gender identity and expression and to achieving equality for transgender people through public education, test-case litigation, direct legal services, and public policy efforts. Please support TLDEF today to help us transform the legal landscape for transgender and non-binary people nationwide. To learn more about how you can support TLDEF's work, visit tldef.org.

Media Contact

Jonathan Adams, Director of Communications

Phone: [646-845-4205](tel:646-845-4205)

Email: communications@transgenderlegal.org

Content last updated on Jul 13, 2021 - PDF generated from: <https://transgenderlegal.org/stay-informed/tldef-secures-health-care-victory-railroad-workers/> on Nov. 21, 2024.

Please consider making a donation at <https://transgenderlegaldefense.networkforgood.com> to support our work.

Copyright © 2024 Transgender Legal Defense & Education Fund, Inc. | Tel: 646.862.9396 Fax: 646.993.1684