

August 15, 2025

The Honorable Pamela G. Beidle  
Chair, Senate Finance Committee  
Miller Senate Office Building, 3 East  
11 Bladen Street  
Annapolis, MD 21401

The Honorable Joseline A. Peña-Melnyk, Esq.  
Chair, House Health and Government Operations Committee  
Taylor House Office Building, Room 241  
6 Bladen Street  
Annapolis, MD 21401

Re: Gender-Affirming Care Protections

Dear Chair Beidle and Chair Peña-Melnyk:

The Maryland Health Care Commission (MHCC) is in receipt of your letter dated July 24, 2025 requesting that MHCC urge electronic health networks (EHNs) and health information exchanges (HIEs) (collectively referred to as vendors) to begin implementing protections for gender-affirming care codes ahead of final rulemaking. On August 1, 2025, MHCC convened a town hall with vendors to discuss your request and gauge vendor willingness to proceed with implementing technical capabilities to filter and restrict from disclosure the gender-affirming care codes consistent with ongoing efforts to implement protections for mifepristone data and related abortion care codes.

Vendors were provided with a copy of informal draft amendments to COMAR 10.11.08 and the Maryland Department of Health's anticipated plans to finalize the amendments as part of the standard regulatory process over the next six months. The MHCC asked each vendor to specify their plans for implementing restrictions related to the gender-affirming care codes concurrently with the regulatory process.<sup>1</sup>

Nearly all vendors (15 out of 17) expressed a commitment to begin working on implementation prior to final rulemaking, though implementation timelines vary by vendor. Change Healthcare/Optum and Veradigm have indicated that they do not plan to proceed prior to promulgation of the final amendments to COMAR 10.11.08.

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<sup>1</sup> The MHCC does not anticipate updating its regulatory frameworks for EHNs (COMAR 10.25.07, Certification of Electronic Health Networks and Medical Care Electronic Claims Clearinghouses) and HIEs (COMAR 10.25.18, Health Information Exchanges: Privacy and Security of Protected Health Information) because the regulations already cover the designation of new codes by the Secretary of Health.

The MHCC will continue to monitor vendor implementation progress about quarterly. The following table reflects vendor plans as of August 12, 2025.

<b>Snapshot of Vendors Intent</b> <i>Implementation of Gender-Affirming Care Codes Before Final Rulemaking</i>	
Vendors	A Check (✓) Indicates Plans to Begin Implementation
<b>Altera Digital Health</b>	✓
<b>athenahealth</b>	✓
Change/Optum	
<b>CRISP</b>	✓
<b>Delaware Health Information Network</b>	✓
<b>eClinical Works</b>	✓
<b>Epic</b>	✓
<b>Epic Nexus</b>	✓
<b>Flatiron</b>	✓
<b>Greenway</b>	✓
<b>MEDITECH</b>	✓
<b>Modernizing Medicine</b>	✓
<b>NextGen Healthcare</b>	✓
<b>Oracle Cerner</b>	✓
<b>PointClickCare</b>	✓
<b>Surescripts</b>	✓
Veradigm	

The MHCC appreciates vendors ongoing collaboration as they strengthen protections for legally protected health information. If you have any questions, please do not hesitate to contact me at 410-764-3578 or at [dsharp@maryland.gov](mailto:dsharp@maryland.gov).

Sincerely,



David Sharp  
 Director, Center for Health Information  
 Technology and Innovative Care Delivery

cc: Douglas Jacobs, MD, MPH, Executive Director, MHCC