Attention: All Providers

Change to Youth Gender-Affirming Care Coverage Rules

On August 11, 2026, the Centers for Medicare and Medicaid Services (CMS) released a statement about a new rule that prohibits the use of federal Medicaid and Children's Health Insurance Program (CHIP) funding for certain gender-affirming care services for minors. The rule took effect October 13, 2026. The Delaware Department of Health and Social Services must comply with this new federal law and has begun taking action to do so. Any Delawarean and all healthcare providers who are impacted by this new rule are receiving notice about the change. Any Delawarean and all healthcare providers who are impacted by this new rule will be receiving notice about the change. This is a general notice to all providers about this change.

Effective **October 13, 2026**, CMS prohibits the use of the use of federal Medicaid dollars to fund gender-affirming care for children under 18 and for Children's Health Insurance Program (CHIP) members under the age of 19.

The rule forbids the programs from covering "any pharmaceutical or surgical intervention that attempts to align an individual's physical appearance or body with an asserted identity that differs from the individual's sex." Coverage for Medicaid and CHIP members currently receiving hormone therapy will continue for a period of up to six months from October 13, 2026, to accommodate drug tapering and discontinuation.

Requests for new starts for hormone therapy will not be approved, and requests for EPSDT will not be reviewed per CMS guidance. However, the rule does not affect coverage of mental health services, including counseling or psychotherapy.

Read the press release from CMS at: https://www.cms.gov/newsroom/press-releases/cms-ends-federal-medicaid-chip-funding-sex-rejecting-procedures-children-youth
Read the full final rule at: https://www.federalregister.gov/d/2026-16508

Delaware Department of Health and Social Services believes in supporting families and access to evidence-based, medically necessary care. We will continue to advocate for Delawareans in this capacity.

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