

Billings transgender woman awarded damages after county refused her gender-affirming health care

A Billings transgender woman has been awarded compensation by the Montana Human Rights Commission after Yellowstone County's health care policy denied her all gender-affirming health care.

In 2019, Eleanor Andersen Maloney filed a complaint with the Montana Human Rights Bureau alleging Yellowstone County and county commissioners violated her human rights by expressly denying health care for "services or supplies related to sexual reassignment and reversal of such procedures," according to an administrative decision issued by the HRB.

On Monday an HRB administrative hearing officer awarded Maloney \$66,531 to compensate her for lost wages and compensation after she was "constructively discharged" from her job as a result of the county's health care policy denied her health care on the basis of her sex.

Maloney had worked as an attorney in the Yellowstone County Attorney's Office at the time. She is a transgender woman, meaning she identifies as a woman, but had male sex assigned at birth. Most experts agree that gender identity has a biological component, meaning that each person's gender identity is the result of biological factors in addition to social, cultural and behavioral factors, according to facts presented to the HRB.

In August, an administrative judge with the HRB ruled Yellowstone County's blanket ban on coverage for gender-affirming care constitutes unlawful sex discrimination violating Maloney's human rights and the Montana Human Rights Act in general, according to hearing documents.

"I'm grateful that the rights of LGBTQIA+ Montanans are vindicated today," Maloney said via the ACLU's press release.