

Providing Public Comment on Federal Rules

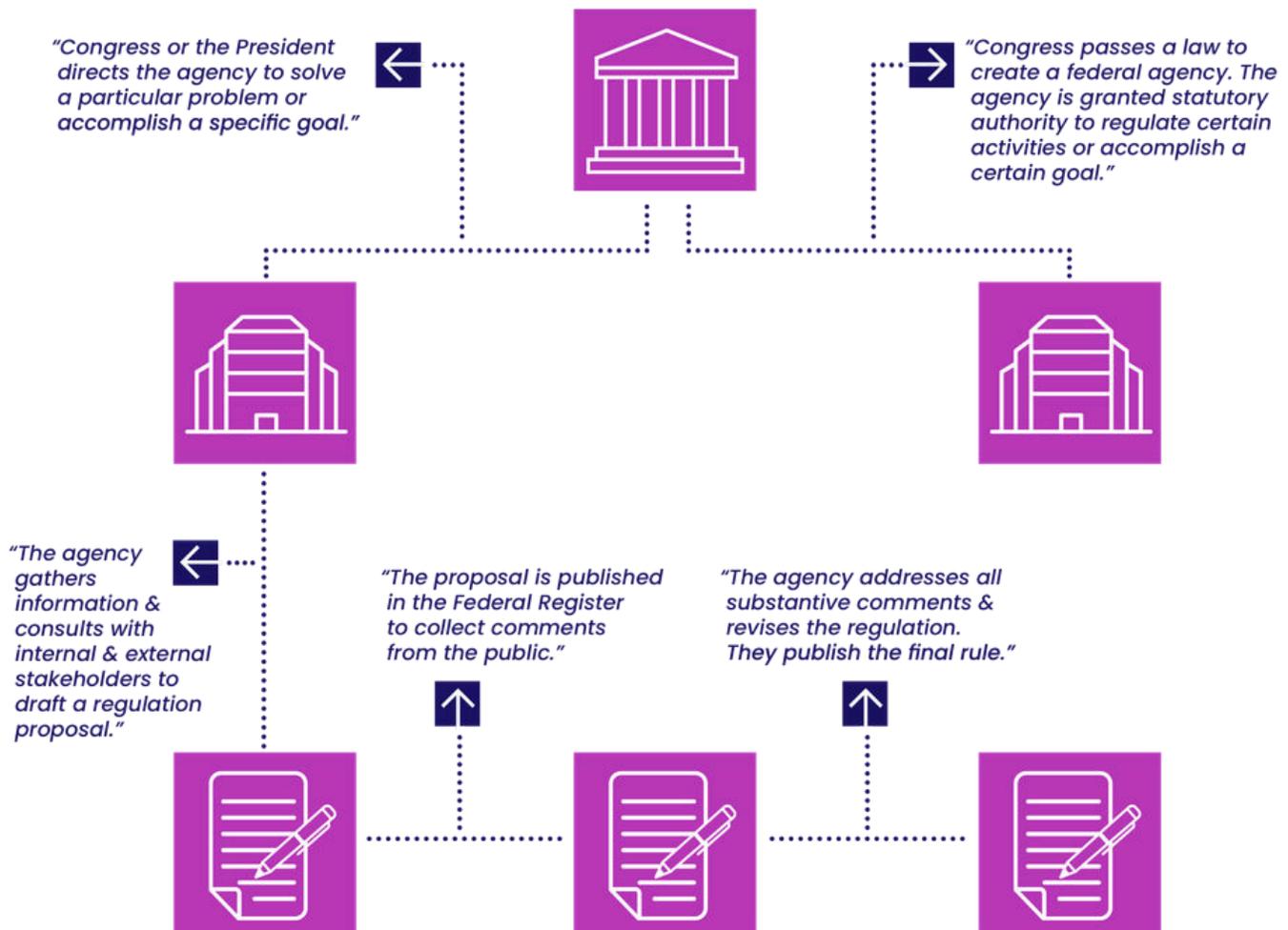


Resource Center | Toolkit

The Federal Rulemaking process

When federal agencies propose new rules, they're required to include a public comment period to collect feedback on how the rules would impact people's day-to-day lives. The final version of the rule becomes a federal regulation.

The agency must review and consider public comments before they finalize the rule. If the agency decides to finalize the rule, public comments can support legal challenges because they document the potential harm in how the rule would be applied.



* Source: How it Works - Public Comment Project

▶ Writing your comment

▶ Be Personal

- ▶ **30%** of the content must be original to be considered unique.
- ▶ Introduce yourself and your specific connection to the issue
- ▶ Write about your unique experiences.

▶ Be Clear

- ▶ Explicitly state the implications of the proposed rule.
- ▶ Use specific examples and cite sources when possible.
- ▶ Tie-in the agency's mission statement.

▶ Be Safe

Comments on the portal are **publicly available**, and you are allowed to comment anonymously. **Do not share any private identifying information** such as your physical address, email address, phone number, healthcare information, provider names or details.

Broad statements of your experiences are enough.





2026 CMS Proposed Rules

In December 2025, the Trump Administration proposed a package of federal rules that would dramatically limit health care access for transgender youth nationwide. Best practice, medically necessary health care for transgender youth is already banned in Texas through SB 14, passed in 2023, and since then, families that are able have moved out of the state to access care.

One of the proposed rules would strip Medicaid and Medicare funding from hospitals that provide this care to transgender youth anywhere in the country. Those providers would have to choose between continuing to offer medically necessary care for an entire demographic group (transgender youth) or lose the funding they rely on to care for all their patients.

The Texas families who left to maintain care will be uprooted again unless they can find providers that do not receive Medicaid or Medicare funding. Policies like the proposed rules have also led to a chilling effect on health care for transgender adults. As essential health care is politicized and providers leave the state, there are fewer resources to go around even though adult care is still legal.

Bans on health care for transgender youth are not about efficacy or safety of the actual care, they're about denying transgender youth the right to make their own individualized health care decisions with their doctors.

Read more about the proposed rules on: [our blog here.](#)



▶ 2026 CMS Proposed Rules

▶ Comment Guidance

Use your own words to craft your comment. It does not have to be long — even a paragraph is enough. You can use these prompts to get you started:

- ▶ How has age-appropriate care for transgender youth benefitted you or someone in your life? (if they received care before it was banned or if they're receiving care outside of Texas)?
- ▶ How has the denial of age-appropriate care for transgender youth harmed you or someone in your life?



2026 CMS Proposed Rules

[Click here to submit your comment by February 17](#)

▶ We've made it as easy as possible to submit your comment by partnering with CenterLink and HRC to set up a page that will automatically submit your comment on your behalf.

▶ The HRC page does require you to put your name and email address for their form, but if you would like to submit anonymously, make sure you select the last check box: ***"I would like my comment submitted anonymously"*** before you hit send.

▶ This is the safest way to submit your comment. You can also comment directly at the Federal Register.





2026 CMS Proposed Rules

▶ Links for Proposed Rules

▶ **Medicare and Medicaid Programs: Hospital Condition of Participation Sex-Rejecting Procedures for Children**

If finalized, this rule would punish hospitals and providers that offer best practice, medically necessary care to transgender youth by threatening their ability to participate in Medicare and Medicaid altogether.

▶ **Medicaid program Prohibition on Federal Medicaid and Children’s Health Insurance Program Funding for Sex-Rejecting Procedures Furnished to Children**

If finalized, this rule would take away public funding like Medicaid and CHIP from adolescents who rely on that coverage to access best practice, medically necessary care.

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The Daily Journal of the United States Government



Resources for Federal Rule Public Comment

▶ Helpful Links

Resource Center Blog:

- ▶ [Proposed federal rules would dramatically limit health care access for transgender youth nationwide](#)

Equality Texas training on how to craft a comment:

- ▶ [Title IX rulemaking: Use your voice for federal LGBTQ+ protections in schools](#)

An organization that promotes evidence-based policy by facilitating scientists' engagement in public comment on federal regulations:

- ▶ [Public Comment Project](#)

*If you have any questions,
or you want to host a training
on this process with your organization*

Contact

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