



## Position Statement Regarding Anti-Trans Legislation

Lesbian, gay, bisexual, transgender, intersex and gender expansive people in America face discrimination daily. While many states work to pass laws to protect \*LGBTGEQIAP+ from discrimination, we continue to see state legislatures advancing bills that target transgender people to allow, and in some cases mandate, discrimination. Many of the current measures target transgender and nonbinary people for discrimination, such as by barring access to or even criminalizing healthcare for transgender youth.

In South Dakota HB 1057, which successfully passed out of committee, would make providing certain forms of gender-affirming medical care to minors, including the prescription of puberty blockers, a Class Four felony, which carries a penalty of up to 10 years in prison in South Dakota. Proponents of the bill lack education and awareness of the potential harm interfering with the doctor-patient relationship could cause to trans youth.

South Dakota's trans health care bill is not the only state legislation that has lesbian, gay, bisexual, transgender and queer individuals facing potential discrimination and harm. More than 25 anti-LGBTQ [bills](#) that have been proposed so far in 2020. Many of the bills, like South Dakota's, focus on transgender youth, but a number of others as well, deal with nondiscrimination protections and religious exemptions. Chase Strangio, deputy director of the ACLU's LGBT and HIV Project, called this legislative session "one of the most hostile" for LGBTQ people in recent years. Bills seeking to limit transgender health care for minors have been introduced in at least seven states this month.

Like South Dakota, Florida and Colorado have introduced bills that carry criminal penalties. The "Vulnerable Child Protection Act," one of four bills proposed in Florida would make providing certain medical care or treatments to transgender minors, including nonsurgical care, like hormone therapy, a second-degree felony. Medical practitioners could face up to 15 years in prison and a \$10,000 fine. While bills introduced in Illinois, Oklahoma and South Carolina impose professional penalties, including the loss of a medical license, on those who provide trans health care to minors.

Some current legislation goes beyond the provider and targets the family of trans minors. In Missouri, proposed legislation has penalties for the medical provider and includes penalties for parents or guardians of transgender minors, including a requirement that they be reported to child services. A proposal introduced in New Hampshire last year, which is still active, would add "sexual reassignment" to the definition of child abuse in the state's Child Protection Act.

The Association for Lesbian, Gay, Bisexual, and Transgender Issues in Counseling understands that a sudden interruption in health care could precipitate physical and mental health crises among trans youth. Gender-affirming medical and mental health care for transgender and gender expansive youth is lifesaving ([Comprehensive Research Brief](#)). We stand in solidarity with parents, caregivers, and treatment providers for transgender and gender expansive youth. ALGBTIC's views are in line with the American Academy of Pediatrics, whose accepted best practice is comprehensive gender-affirming medical care since 2018.

The proposed laws, if enacted, could bring devastating harms to transgender and gender-expansive individuals. ALGBTIC strongly opposes any bills that creates life threatening barriers, allows for discrimination, or is in opposition to the American Counseling Association's Code of Ethics.

**Call to Action:**

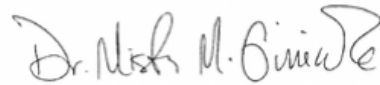
We ask that members, counselors, advocates, and allies take the following step in advocating against discriminatory bills in your state:

1. Share this information with your peers, colleagues, and help build awareness of the potential threat this causes to our community, particularly for our trans youth and adolescents seeking medical support. *(5 minutes)*
2. Take a moment to see if bills are introduced in your state by checking here <https://www.aclu.org/legislation-affecting-lgbt-rights-across-country> *(1 minute)*
3. If there is a discriminatory bill active in your state, follow the link above to find the sponsoring representative. Take a moment to let them know via email or a phone call that you oppose the discriminatory bill. (For advocacy tips see [here](#)). *(15 minutes)*

In Solidarity,



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Pronouns: She/Her/Hers



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\* LGBTGEQIAP- Lesbian, Gay, Bisexual, Trans, Transgender, & Two-Spirit (2S; Native Identity), Gender Expansive, Queer & Questioning, Intersex, Agender, Asexual, Aromantic, Pansexual; Pan/Polygender; & Poly Relationship Systems, + = We continue to be Inclusive of Other Related Identities by Being Committed to Ever-Expanding, Learning, & Growing the Acronym and Our Understanding of These Identities