

CalLEN-LORDE

MEMORANDUM IN SUPPORT A.6046A (Bronson)/ S.2475A (Hoylman-Sigal) NEW YORK SAFE HAVEN FOR TRANSGENDER YOUTH & FAMILIES ACT

Callen-Lorde writes this memorandum in support of **S.2475A/A.6046A** which establishes the **Safe Haven for Transgender Youth & Families Act**.

Callen-Lorde Community Health Center is a federally qualified health center that primarily serves the LGBTQ community and is open to all regardless of ability to pay. Callen-Lorde patients have been systemically excluded from healthcare, housing, and economic stability. We provide primary care, dental care, behavioral health care, care coordination and case management, as well as health education services, and a discrete program for young people, H.O.T.T. (Health Outreach to Teens) to patients from New York and beyond. Twelve percent of our patients come from outside New York City. Twenty-three percent of our patients are people living with HIV and one-third of our patients identify as transgender or gender non-binary. More than half of Callen-Lorde's patient population are people of color and 61 percent are under 40 years old.

Alarming data shows that more than half of transgender youth in the United States have lost or are at risk of losing access to medically necessary gender-affirming care due to discriminatory laws and policies introduced or already enacted in their home states.¹ In 2023, more than 520 anti-LGBTQ bills were introduced across the country, of which more than 220 specifically target transgender individuals.²

Gender-affirming care is considered to be care that is medically necessary for the well-being of many transgender and non-binary people who experience symptoms of gender dysphoria or distress resulting from having one's gender identity disparate from their sex assigned at birth. **S.2475A/A.6046A** excludes surgical interventions on Intersex minors that are not sought or initiated by the individual patient. Moreover, a legal parent or guardian must provide parental consent when gender affirming care is necessary for anyone under the age of 18.

Preventing doctors from providing gender-affirming care or threatening to take children away from parents who support their child in their transition makes it impossible for transgender youth to live dignified and prosperous lives. Gender-affirming care is supported by every major medical association - the American Medical Association, the American Psychiatric Association, and the American Academy of Pediatrics. In the face of decades of research and the support of medical associations that represent over 13 million doctors across the country, state lawmakers continue to introduce and pass legislation that severely restricts or prohibits gender-affirming care for transgender youth - simply due to fear mongering and political expediency.

¹ UCLA School of Law, Williams Institute, a leading research center on sexual orientation and gender identity law and public policy: *How Many Adults and Youth Identify as Transgender in the United States*, June 2022.

² <https://www.hrc.org/press-releases/weekly-roundup-of-anti-lgbtq-legislation-advancing-in-states-across-the-country-4>

According to a poll conducted late last year by the Trevor Project³, 86% of transgender and non-binary youth – nearly nine out of 10 – said that debates around anti-trans bills have negatively impacted their mental health leading to feelings of anxiety, fear, sadness, and stress. In addition, 45% of trans youth reported being victims of cyberbullying while 29% reported not feeling safe to go to the doctor or hospital when they were sick or injured. The Trevor Project⁴ found that transgender youth with access to gender-affirming hormone therapy have lower rates of depression and are at lower risk of suicide.

S.2475A/A.6046A, the **Safe Haven for Transgender Youth and Families Act**, is critical to the health, well-being and lives of transgender youth and their families who seek refuge from states that are unwelcoming, unsafe and outright hostile to transgender and gender non-conforming people. This bill will prevent transgender and gender non-conforming youth from forced separations from their parents or guardians due to their efforts to secure gender-affirming care for their children, prohibit law enforcement from cooperating with investigations into gender-affirming care undertaken legally, protect the health information of those who come to New York for gender-affirming care, and protect physicians who provide gender-affirming care in New York State.

Data and research clearly demonstrate that transgender people experience higher rates of depression and suicide and that gender affirming care can improve mental health conditions. As states across the country restrict and criminalize access to gender-affirming care, it is critical that New York protect the basic rights to medical care and autonomy of transgender youth by providing a safe haven for them as they and their families seek refuge from conservative strongholds. A host of other states have passed similar legislation or signed executive orders including Minnesota, Colorado, Washington, Maryland, Kansas City, Massachusetts, California, New Jersey, Connecticut, and Illinois have all passed similar legislation.

A6046A/S.2475A protects access to gender affirming care by:

- Protecting out-of-state patients and their families seeking gender affirming care in New York from the reach of other states.
- Protecting providers' licensure and prevent medical malpractice insurers from taking adverse action because a provider delivered gender affirming care to a patient who traveled to New York from out-of-state.
- Preventing New York law enforcement from cooperating with another state's investigation into gender affirming care lawfully provided in New York by preventing New York from arresting or extraditing someone because they provided, aided in, or received lawful gender affirming care in New York.

³ The Trevor Project, the leading suicide prevention organization for LGBTQ youth: Morning Consult poll conducted between October 23- November 2, 2022. <https://www.thetrevorproject.org>

⁴ The Trevor Project, "Association of Gender-Affirming Hormone Therapy with Depression, Thoughts of Suicide, and Attempted Suicide among Transgender and Nonbinary Youth, *Journal of Adolescent Health*, December 14, 2021.

- Prohibiting New York courts from issuing subpoenas in connection with a hostile state's proceeding related to gender affirming care lawfully provided in New York.
- Prohibiting New York courts from applying any law in its courts that considers supporting one's child to obtain gender-affirming care as child abuse.

Callen-Lorde supports this legislation to ensure that all young people have access to the healthcare and supports they need to thrive and urges the New York State Legislature to pass A6046A/S.2475A.

**For more information, please contact
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