
TESTIMONY IN SUPPORT OF HOUSE BILL 691

Legally Protected Health Care - Gender-Affirming Treatment

Health and Government Operations Committee

February 21, 2024

Social Work Advocates for Social Change strongly supports HB 691, which would alter the definition of “legally protected health care” to include certain gender-affirming care (GAC). This change provides legal safeguards for healthcare professionals who administer already legal gender-affirming care to transgender individuals. As social work students and professionals, we stand for protecting the rights and dignity of vulnerable populations. Shielding healthcare providers from legal repercussions is necessary because it addresses a public health crisis, aligns with medical expertise and ethics, ensures continuity of care for GAC patients, and rejects freedom from government overreach in healthcare.

HB 691 is a technical addition to last year’s Reproductive Health Protection Act, which protects reproductive health providers, patients, and support networks from out of state litigation.¹ HB 691 applies the same shielding protections to providers of GAC, ensuring that patients get the treatment they need, which has already been deemed medically necessary by the state of Maryland.

HB 691 addresses a public health crisis. Providers of GAC give life-saving care to trans people, who have high rates of suicide attempts and thinking about suicide, also known as suicidality.² Puberty blockers have been linked to lower suicide risk for trans individuals.³ GAC is linked to lower rates of depression, self-harm, and suicidality.⁴ If doctors are subject to legal repercussions for providing GAC, trans people will have worse mental health outcomes

HB 691 aligns with existing medical expertise and ethical standards. Many prominent medical associations support GAC and denounce legislation that undermines medical recommendations in favor of misinformed ideological stances.⁵ For instance, the Pediatric Endocrine Society notes that puberty suppression and other GAC may be used as is medically necessary, particularly if it is evidence-based and potentially lifesaving.⁹

HB 691 will ensure continuity of care for patients receiving GAC. Healthcare professionals stress the negative impact on patients if GAC is suddenly stopped. The Texas Medical Association submitted testimony for a state bill that would prohibit all forms of GAC for youth, saying that sudden removal of hormones could have negative health effects for the patient.⁷

¹ https://mgaleg.maryland.gov/2023RS/Chapters_noln/CH_246_sb0859t.pdf Reproductive Health Protection Act (2023)

² <https://pubmed.ncbi.nlm.nih.gov/32345113/> Austin et al. (2020)

³ <https://www.nbcnews.com/feature/nbc-out/puberty-blockers-linked-lower-suicide-risk-transgender-people-n1122101>
NBC News (2020)

⁴ <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2789423> Tordoff et al. (2022)

⁵ <https://glaad.org/medical-association-statements-supporting-trans-youth-healthcare-and-against-discriminatory/> GLAAD (2023)

⁶ <https://pedsendo.org/wp-content/uploads/2021/04/The-Pediatric-Endocrine-Society-Statement-TG.pdf> PES (2021)

⁷https://www.texmed.org/uploadedFiles/Current/2016_Advocacy/Texas_Legislature/Testimony/TMA_Suggests_Improvements_to_Gender_Affirming_Care_Bill.pdf TMA (2023)

HB 691 provides freedom from government involvement in personal health matters. Receiving GAC is a family decision. The state should not get to decide who can administer and access certain forms of healthcare. Maryland can continue to be a safe haven for trans people in a time when there exist bans (West Virginia) or proposed bans (Ohio) on GAC for youth in neighboring states.⁸ In addition, losing healthcare providers to legal proceedings harms everyone, not just people seeking or receiving GAC.

Opponents of the bill might cite Governor Wes Moore signing an executive order regarding GAC last summer. However, **executive orders can always be overturned**.⁹ This bill would cement the actions taken by the governor to protect providers of GAC.

For those who do not believe in GAC for minors, it should be noted that **this topic has already been debated in this legislative body and deemed medically necessary** with the passing of the Trans Health Equity Act in 2023.¹⁰ This bill is about shielding providers of GAC so they may continue to provide life-saving care. **HB 691 does not change the type of care that someone can access.**

Opponents might also point to a recent **op-ed in the New York Times** that suggests GAC is bad practice because many people regret their gender transitions. That article uses faulty data and pseudoscience to justify an anti-trans stance. It **has been debunked in detail**.¹¹

Thank you for your time and consideration of HB 691. It is our hope that this testimony makes clear why medical providers of GAC should be shielded from legal repercussions for providing medically necessary care. HB 691 is a technical fix from previous healthcare legislation that shields protects providers from government overreach in their administration of healthcare, as well as a vulnerable executive order that protects recipients and providers of GAC. It aligns with widespread medical expertise and ethics around GAC. It seeks to address the public health crisis of trans youth mental health outcomes. **Social Work Advocates for Social Change urges a favorable vote on HB 691.**

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

⁸ <https://www.findlaw.com/lgbtq-law/state-laws-on-gender-affirming-care.html> Gaur (2023)

⁹ <https://governor.maryland.gov/news/press/pages/Governor-Moore-Signs-Executive-Order-to-Protect-Gender-Affirming-Health-Care-in-Maryland.aspx> Maryland.gov (2023)

¹⁰ https://mgaleg.maryland.gov/2023RS/Chapters_noln/CH_253_hb0283e.pdf Trans Health Equity Act (2023)

¹¹ <https://www.advocate.com/transgender/nyt-trans-article-debunked> Reed (2024)