

HEALTH CARE FOR THE HOMELESS TESTIMONY
IN SUPPORT OF
SB 119 – Legally Protected Health Care - Gender-Affirming Treatment

Senate Finance Committee
February 15, 2024



Health Care for the Homeless strongly supports SB 119, which is a simple technical fix that would add gender-affirming healthcare to the definition of “legally protected healthcare” in Maryland. The same shielding provisions that apply to reproductive care would apply to gender-affirming care.

In 2023, Health Care for the Homeless supported SB 859/HB 808, the Reproductive Health Protection Act and we applaud the General Assembly for passing the legislation. Unfortunately, this law did not include gender-affirming care in the definition of “legally protected healthcare.” This omission puts those seeking, providing, or assisting with gender-affirming care at risk, and leaves huge holes in the shield for reproductive care, as many providers do both. Health Care for the Homeless clients and providers fall into this category and therefore, SB 119 is necessary in order to protect our clients and providers alike.

This bill does not change the type of care that someone can access or who can provide that care. It simply protects the care that is already currently legal and provided in Maryland. Our State has made progress in protecting gender-affirming care. The Maryland General Assembly has already rightly recognized gender-affirming care as medically necessary and lifesaving care, bringing Maryland in line with every major medical association. Additionally, Governor Moore signed an Executive Order that shields gender-affirming care from out-of-state litigation. However, without legislation defining this care as legally protected healthcare, it remains vulnerable. Twenty-two states have implanted bans on life-saving care and a state has already filed suit against a patient who sought out-of-state care.

Maryland must continue to be a safe haven for transgender people and pass this technical fix to ensure that this life-saving care remains protected in our state. As a primary care provider and a federally qualified health care, we recognize that access to gender-affirming care is essential and basic health care. These services are especially important for transgender individuals without homes as they may face additional challenges in their day-to-day life that may cause or exacerbate poor health conditions. Legally protecting this care is necessary for the health and wellbeing¹ of our clients. For Health Care for the Homeless, access to this medically necessary and life-saving care is also an issue of fundamental human rights.

We strongly urge the General Assembly to make this technical fix to the law and pass SB 119.

Health Care for the Homeless is Maryland’s leading provider of integrated health services and supportive housing for individuals and families experiencing homelessness. We deliver medical care, mental health services, state-certified addiction treatment, dental care, social services, housing support services, and housing for over 10,000 Marylanders annually at sites in Baltimore City and Baltimore County.

Our Vision: Everyone is healthy and has a safe home in a just and respectful community.

¹ Multiple major medical associations support comprehensive care for the trans community including the American Medical Association, the American Psychiatric Association, and American Academy of Pediatrics.

Our Mission: We work to end homelessness through racially equitable health care, housing and advocacy in partnership with those of us who have experienced it.

For more information, visit www.hchmd.org.