

To: House Health and Government Operations Committee

Bill: SB 119 – Legally Protected Health Care – Gender Affirming Care

Date: March 20, 2024

Position: Favorable

The Women’s Law Center of Maryland (WLC) strongly supports *Senate Bill 119 – Legally Protected Health Care – Gender Affirming Treatment*. This legislation expands Maryland’s reproductive health shielding law to include gender affirming care.

During the 2023 session, WLC was a strong advocate for *Senate Bill 859/House Bill 808 – Reproductive Health Protection Act*. After the *Dobbs* decision, almost half the states have attempted to ban abortion, and some states like Texas and Oklahoma have passed legislation to restrict their residents from traveling to other states for abortion care. *The Reproductive Health Protection Act* was necessary to protect out-of-state patients, the friends and family who helped them travel for abortion care, and their Maryland providers from administrative, civil, and criminal penalties.

We are facing an identical situation with gender affirming care, particularly for youth. Twenty-two states have banned gender-affirming care for minors.ⁱ As a result, parents risk losing custody of their children to child protective services or even criminal penalties for seeking gender affirming care for their children. Gender affirming care is medically necessary and life-saving. The American Medical Association, the American Psychological Association, and all major health professional associations are opposed to gender affirming care bans because they place the health of youth in jeopardy.^{ii, iii}

We urgently need the Maryland General Assembly to enact *Senate Bill 119* to protect the lives of transgender and nonbinary youth, their families who seek services for them in Maryland, and their Maryland providers. They are facing great risks that are not theoretical. Just recently, Ken Paxton, the Attorney General of Texas, requested the health care records of Texas patients from at least two out-of-state gender affirming care providers in Georgia and Washington State. Texas has also attempted to intimidate families by ordering child protective services to investigate parents who obtain gender affirming care for their children.^{iv}

The Women’s Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.

We ask for an expeditious favorable report on this legislation. Individuals who need gender affirming care, their families, and their Maryland providers are counting on states like Maryland to protect them. For more information, please contact Robyn Elliott at relliott@policypartners.net.

ⁱ <https://www.hrc.org/resources/attacks-on-gender-affirming-care-by-state-map>

ⁱⁱ <https://www.ama-assn.org/press-center/press-releases/ama-states-stop-interfering-health-care-transgender-children>

ⁱⁱⁱ <https://www.ama-assn.org/press-center/press-releases/ama-states-stop-interfering-health-care-transgender-children>

^{iv} <https://www.texastribune.org/2024/02/09/texas-abortion-transgender-care-outside-state-borders/>