

## Support HB 368 – Protect LGBTQ+ Youth Rights in New Hampshire

**Bill Summary:** HB 368 would protect out of state transgender healthcare seekers from being prosecuted when they return to their home states.

**New Hampshire must be proactive in protecting the right to gender-affirming care.** Medical experts agree: gender-affirming care is medically necessary care that can be life-saving. According to the American College of Physicians, gender-affirming care is “supported by many prestigious medical organizations”<sup>i</sup> and there numerous studies,<sup>ii,iii</sup> indicating gender-affirming care lowers rates of depression and suicide in transgender youth.<sup>iv</sup> Legislators should not intervene with the medical decisions that belong to individuals and their doctors. Nationally and in the Granite State, we have seen numerous attacks on transgender youth and adults that would limit access to gender-affirming care. At least seven states have banned gender affirming youth care already, and 23 states considering bills that would ban gender-affirming care.<sup>v</sup> Approximately 58,200 transgender youth in the U.S. are currently at risk of losing access to care because of possible changes to state policy or bans on care.<sup>vi</sup> Transgender rights, and specifically the right to make healthcare decisions free from government interference are being attacked. The American College of Physicians, among other medical associations, have “condemned efforts to criminalize gender-affirming care and legislation that interferes with the physician-patient relationship.”<sup>vii</sup> Politicians should not intervene with the medical decisions that belong to children, their parents, and their doctors.

**Recent polling shows gender affirming care bans are unpopular.** Even in deep red states, voters don’t want the government intervening with people’s healthcare decisions. In a recent poll, 71% of Kentuckians said they would oppose a proposed state law that would allow the state to overrule parents’ decisions to obtain health care for their transgender teenager.<sup>viii</sup> Nationwide, 66% of adults opposed legislation that would prohibit transition-related medical care for minors.<sup>ix</sup>

**It’s time the Granite State makes it clear: politicians have no business telling parents that they cannot seek lifesaving care for their transgender children.** Elected officials need to recognize that healthcare looks different for everyone and ensure that transgender and gender nonconforming youth rights are equally protected. Gender-affirming care is a critical part of helping transgender youth and adults succeed in life by establishing healthy relationships with their friends and family and by living authentically as themselves. For many people, gender-affirming care is also necessary for basic survival. Everyone has the right to be themselves in school, including young people whose appearance or identity doesn’t correspond with the gender they were assigned at birth. It’s time we protect that right in the Granite State, by passing HB 368.

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<sup>i</sup> Barbara Simon, Medical Association Statements Supporting Trans Youth Healthcare and Against Discriminatory Bills, April 19, 2021, GLAAD, available at <https://www.glaad.org/blog/medical-association-statements-supporting-trans-youth-healthcare-and-against-discriminatory>

<sup>ii</sup> Green, Amy E., et al. "Association of gender-affirming hormone therapy with depression, thoughts of suicide, and attempted suicide among transgender and nonbinary youth." *Journal of adolescent health* 70.4 (2022): 643-649. available at [https://www.jahonline.org/article/S1054-139X\(21\)00568-1/fulltext](https://www.jahonline.org/article/S1054-139X(21)00568-1/fulltext)

<sup>iii</sup> Tordoff, Diana M., et al. "Mental health outcomes in transgender and nonbinary youths receiving gender-affirming care." *JAMA network open* 5.2 (2022): e220978-e220978. available at <https://pubmed.ncbi.nlm.nih.gov/35212746/>

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- <sup>iv</sup> American College of Physicians, *Attacks on Gender-Affirming and Transgender Health Care*, Nov 11, 2022, available at <https://www.acponline.org/advocacy/state-health-policy/attacks-on-gender-affirming-and-transgender-health-care>
- <sup>v</sup> Kiara Alfonseca, *Map: Where gender-affirming care is being targeted in the US*, March 1, 2023 , ABC available at <https://abcnews.go.com/US/map-gender-affirming-care-targeted-us/story?id=97443087>
- <sup>vi</sup> Kerith J. Conron, et al., *Prohibiting Gender-Affirming Medical Care for Youth*, March 2022, available at <https://williamsinstitute.law.ucla.edu/publications/bans-trans-youth-health-care/>
- <sup>vii</sup> American College of Physicians, *Attacks on Gender-Affirming and Transgender Health Care*, Nov. 11, 2022, available at <https://www.acponline.org/advocacy/state-health-policy/attacks-on-gender-affirming-and-transgender-health-care>
- <sup>viii</sup> Chris Hughes and Bryce Shreve, *Poll: Majority of Kentuckians oppose proposed law on gender-affirming health care*, Feb. 23, 2023, available at <https://spectrumnews1.com/ky/louisville/news/2023/02/23/kentucky-legislature-transgender-health-care>
- <sup>ix</sup> Matt Loffman, *New poll shows Americans overwhelmingly oppose anti-transgender laws* <https://www.pbs.org/newshour/politics/new-poll-shows-americans-overwhelmingly-oppose-anti-transgender-laws>