

Raft of bills intrude on medical practice, harm transgender people

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What's the news: More states have filed bills this year that would harm or discriminate against transgender patients than in any previous year. Already, 18 states have seen legislation introduced that would criminalize the provision of medically necessary gender transition-related care to minor patients. These bills target surgical interventions as well as medications and hormone therapies that delay puberty while children explore their gender identities.

The bills represent a dangerous legislative intrusion into the practice of medicine and the AMA has been working closely with state medical associations to vigorously oppose them. In letters to legislators (PDF), the AMA has emphasized that it is “imperative that transgender minors be given the opportunity to explore their gender identity under the safe and supportive care of a physician.”

Proponents of these disturbing bills often falsely assert that transgender care for minors is extreme or experimental. In fact, clinical guidelines established by professional medical organizations for the care of minors promote supportive interventions based on the current evidence and that enable young people to explore and live as the gender that they choose.

Every major medical association in the United States, including the AMA, recognizes the medical necessity of transition-related care for improving the physical and mental health of transgender people.

Read about doctors' view that discrimination against LGBTQ+ Americans must end.

Why it's important: The measures “would force physicians to disregard their oaths to act in the best interest of their patients and insert the government into clinical decision-making,” wrote AMA Executive Vice President and CEO James L. Madara, MD.

“Such decisions belong within the sanctity of the patient-physician relationship. As with all medical interventions, physicians are guided by their ethical duty to act in the best interest of their patients and

must tailor recommendations about specific interventions and the timing of those interventions to each patient’s unique circumstances,” he wrote. “Such decisions must be sensitive to the child’s clinical situation, nurture the child’s short and long-term development, and balance the need to preserve the child’s opportunity to make important life choices autonomously in the future.”

It would be harmful, Dr. Madara added, “to legislatively dictate that certain transition-related services are never appropriate and limit the range of options physicians and families may consider when making decisions for pediatric patients.

If enacted, legislation of this kind could have tragic consequences. Transgender people are up to three times more likely than the general population to report or be diagnosed with mental health disorders, with as many as 41.5% reporting at least one diagnosis of a mental health or substance-use disorder.

Transgender minors also face a significantly heightened risk of suicide. But research has demonstrated that improved body satisfaction and self-esteem following the receipt of gender-affirming care helps protect against poorer mental health and supports healthy relationships with parents and peers. Studies also demonstrate dramatic drops in suicide attempts, as well as lower rates of depression and anxiety.

Find out how the new president is showing strong signs on LGBTQ+ inclusion and health.

Learn more: Another concerning trend are bills—introduced in a majority of states this year—to bar transgender women and girls from participating in school athletics consistent with their gender identity. In some states, a physician or other health professional would need to verify a student’s sex.

Last year, Idaho became the first state to enact a ban on transgender minors’ participation in youth athletics. The law was challenged and blocked by a federal court last summer. The AMA, along with the American Academy of Pediatrics and other health care organizations, submitted a friend-of-the-court brief (PDF) with the 9th U.S. Circuit Court of Appeals noting that the law undermines the accepted approach for treating gender dysphoria.

As the AMA’s brief stated, barring transgender females from participating in school-sponsored organized sports consistent with their gender identity frustrates the treatment of gender dysphoria by preventing them from living openly in accordance with their true gender. The AMA continues to work with state medical associations to oppose legislation that would compound the stigma and discrimination that transgender people face.

Find out more about the AMA Advisory Committee on LGBTQ Issues, as well as an AMA Foundation fellowship program that offers a chance to transform the nation’s LGBTQ+ care.