

AMERICAN MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution: 410
(A-24)

Introduced by: Medical Student Section

Subject: Access to Public Restrooms

Referred to: Reference Committee D

1 Whereas, when surveyed, 1 in 5 reported experiencing a public bowel/urinary accident, and
2 over half said they or a relative struggled to find public restrooms in the past week;¹ and
3
4 Whereas, the US has only 8 public toilets per 100,000 people, far fewer than Iceland (56),
5 Switzerland (46), and New Zealand (45);² and
6
7 Whereas, public restrooms are important to sanitation and infection control, with limited access
8 directly tied to recent hepatitis A outbreaks in San Diego and Philadelphia;³⁻⁹ and
9
10 Whereas, people who are unhoused, especially those who menstruate, are affected by
11 restricted restroom access due to inability to pay, and public urination or defecation can lead to
12 criminal and civil penalties, including lifelong sex offender registration homelessness;¹⁰⁻¹⁴ and
13
14 Whereas, several states and municipalities' Restroom Access Acts (RAAs) require business to
15 provide restrooms to customers with permanent bowel-related conditions, but these laws are
16 minimally enforced and exclude many other individuals with medical needs;¹⁴ and
17
18 Whereas, public restrooms are often inequitable in size in number for women and transgender,
19 nonbinary, and gender-diverse individuals, despite different usage than cis men;¹⁵⁻¹⁷ and
20
21 Whereas, women often need restrooms more than cis men due to menstruation and higher
22 rates of Crohn's disease, irritable bowel syndrome, cystitis, and incontinence;¹⁸⁻²² and
23
24 Whereas, while restroom parity laws in numerous states and municipalities have increased the
25 ratio of women's to men's stalls and improved access, they often do not apply retroactively and
26 do not address parity for transgender, nonbinary, and gender-diverse individuals;²³ and
27
28 Whereas, transgender people are up to 6 times more likely to avoid public restrooms due to
29 discrimination, harassment, and being questioned for their gender;²⁴ and
30
31 Whereas, gender-inclusive bathrooms have demonstrated reductions in wait times for women
32 by over 60 seconds while increasing wait times for men by only 20 seconds;²⁵ and
33
34 Whereas, several cities have passed ordinances requiring new buildings to have gender-neutral
35 bathrooms and incentivizing construction of new public restrooms;²⁶⁻³⁰ therefore be it
36
37 RESOLVED, that our American Medical Association support access to clean, accessible, and
38 permanent public restrooms that, at minimum, contain a toilet and sink, regardless of any
39 identifying characteristics such as gender identity, appearance, employment status, or
40 commercial status (New HOD Policy); and be it further

1 RESOLVED, that our AMA support parity in restroom access by gender identity, including
2 increasing the number of female and gender-neutral bathrooms available in both new and
3 existing buildings. (New HOD Policy)

Fiscal Note: Minimal - less than \$1,000

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RELEVANT AMA Policy

H-65.964 Access to Basic Human Services for Transgender Individuals

Our AMA: (1) opposes policies preventing transgender individuals from accessing basic human services and public facilities in line with one's gender identity, including, but not limited to, the use of restrooms; and (2) will advocate for the creation of policies that promote social equality and safe access to basic human services and public facilities for transgender individuals according to one's gender identity. [Res. 010, A-17]

D-90.992 Preserving Protections of the Americans with Disabilities Act of 1990

1. Our AMA supports legislative changes to the Americans with Disabilities Act of 1990, to educate state and local government officials and property owners on strategies for promoting access to persons with a disability.
2. Our AMA opposes legislation amending the Americans with Disabilities Act of 1990, that would increase barriers for disabled persons attempting to file suit to challenge a violation of their civil rights.
3. Our AMA will develop educational tools and strategies to help physicians make their offices more accessible to persons with disabilities, consistent with the Americans With Disabilities Act as well as any applicable state laws. [Res. 220, I-17]