

# Overview of Hormonal and Surgical Remedies for Gender Dysphoria of Minor Children

- These remedies are currently taking place in many states, including Maine
  - Four states have passed laws prohibiting such treatment, although these laws have been temporarily blocked by court rulings
    - Alabama, Arkansas, Texas and Arizona
  - Fifteen states are considering similar pieces of legislation
- Treatment of minors is controversial and has been forbidden or severely curtailed in England, Sweden, Finland and France
- Concerns reflect a lack of sound science as long term risks of medical transition are balanced against fear of suicide

# In the US, it started in Arkansas

- Save Adolescents from Experimentation (SAFE) Act passed in March of 2021
- Addresses minor children in the state, under the age of 18
- Arkansas felt it had a compelling interest in protecting the health and safety of its citizens, especially children
- Overwhelmingly passed by State legislature, vetoed by Governor Hutchinson, and overridden by legislature

# Arkansas Concerns Leading to the Law

- Only a small percentage of American population experiences distress at identifying with their biological sex
  - According to American Psychiatric Association the prevalence varies by sex: for males .005% to .014% (1 in 20,000 to 1 in 7,142) and for females from .002% to .003% (1 in 50,000 to 1 in 33,333)
  - For this small percentage, the majority come to identify with their sex during adolescence or adulthood, rendering hormonal or surgical intervention unnecessary
- Scientific Studies show individuals struggling with their biological sex have already experienced psychopathology and need mental health services
- A comprehensive list of hormonal and surgical procedures was provided in the law itself

# ACLU filed an Amicus Brief with the Eighth Circuit Court on January 21, 2022

- Urged the court to affirm a district court judgement that blocked enforcement of Arkansas Act 626
- ACLU and California sponsored this brief, joined by 20 other states including Maine
- Maine provided a link to a 2019 decision for MaineCare to provide medically necessary care for transgender Mainers
  - This link was included within the text of the Amicus Brief
  - Attorney General Aaron Frey was listed as joining the Brief
- Unable to find a reference in the Maine press regarding this brief although other briefs were publicized
  - For example, opposition to Alabama Law criminalizing Gender-Affirming medical care for transgender youth

# Current Status of Arkansas SAFE Act

- The eighth circuit court continued to block the bill
- The State of Arkansas plans to appeal

# What are the risks of hormonal/surgical intervention?

- Hormonal suppression of puberty may permanently alter neurodevelopment
  - Implications for the capacity to give informed consent
  - Pubertal suppression may alter the course of gender identity development, locking in a gender that may have been reconciled
- Over 95% of youth treated with puberty blockers go on to receive cross-sex hormones
- Concerns of irreversible effects on sexual function and bone development
- Concerns of sterility, admitted by Boston Children's Hospital gender doctor