

## **Testimony Against Legislation Requiring Parental Consent for Gender-Affirming Care for Minors Ages 16-18**

*Senator Carney, Representative Kuhn, and Honorable Members of the Judiciary Committee*

Thank you for the opportunity to testify today regarding proposed bill LD380, which would prohibit minors ages 16 to 18 from receiving gender-affirming care without parental or guardian consent

My name is Dr. Hien Nguyen, and I am an Economic Professor and the Cody van Heerden Chair in Economics & Quantitative Social Sciences at College of the Atlantic, Bar Harbor, Maine. I am writing today to respectfully urge you to **reject** this legislation, which would create dangerous barriers to essential healthcare for a particularly vulnerable population of Maine youth.

### **The Current Reality for Transgender Youth in Maine**

Transgender adolescents in Maine already navigate significant challenges:

- **Family Rejection:** According to national surveys, approximately 40% of transgender youth report having experienced family rejection due to their gender identity. In Maine's rural communities, where support services are more limited, this isolation can be particularly acute.
- **Housing Instability:** Studies consistently show that transgender youth experience disproportionate rates of homelessness and housing instability. In Maine, where youth shelter options are limited, this creates a dangerous situation for rejected youth, particularly during harsh winter months.
- **Mental Health Crisis:** Transgender adolescents experience depression, anxiety, and suicidal ideation at substantially higher rates than their cisgender peers. Recent research indicates that transgender youth are 3-4 times more likely to experience depression and 5-6 times more likely to attempt suicide than their cisgender counterparts.
- **Educational Disruption:** Transgender students in Maine report higher rates of bullying, harassment, and discrimination at school, resulting in higher absence rates, lower academic achievement, and increased dropout rates.
- **Economic Vulnerability:** The combined impact of these challenges creates significant economic disadvantage that follows transgender youth into adulthood, with many experiencing employment discrimination, housing insecurity, and poverty.

## **The Critical Importance of Access to Gender-Affirming Care**

For transgender adolescents ages 16-18, access to appropriate gender-affirming care is not merely beneficial—it can be lifesaving:

1. **Documented Mental Health Benefits:** Multiple peer-reviewed studies show that gender-affirming care significantly reduces rates of depression, anxiety, and suicidality among transgender youth. Medical and Public Health Research had found a significant, life-saving reduction in depression and suicidality risks among transgender youth who received gender-affirming care.
2. **Developmental Timing:** The ages of 16-18 represent a critical developmental period when many transgender youths are solidifying their identity and preparing for adulthood. Delaying appropriate care during this window can have lasting negative impacts on mental health, social development, and physical well-being.
3. **Medical Consensus:** Every major medical association in the United States, including the American Academy of Pediatrics, the American Medical Association, and the American Psychological Association, recognizes gender-affirming care as medically necessary and appropriate for transgender adolescents.
4. **Existing Clinical Safeguards:** Current standards of care already include thorough psychological evaluation, extensive counseling, and careful consideration of each young person's specific needs. These professional standards ensure appropriate care without requiring legislative intervention.
5. **Long-term Outcomes:** Research consistently shows that transgender individuals who receive appropriate care during adolescence have better long-term outcomes across multiple domains, including educational achievement, employment stability, and overall life satisfaction.

## **The Problem with Mandatory Parental Consent for 16-18 Year Olds**

Requiring parental consent for all minors ages 16-18, without exception, creates several significant problems:

- **Endangering Vulnerable Youth:** For the significant percentage of transgender youth who face family rejection, this legislation could effectively deny them access to necessary medical care entirely, placing them at substantially elevated risk of negative mental health outcomes, including suicide.
- **Inconsistency with Other Medical Consent Laws:** Maine law already recognizes that older adolescents have the capacity to consent to other significant medical decisions. For example, Maine allows minors to consent to mental health services, substance use treatment, and reproductive healthcare without parental

involvement. This inconsistency creates an arbitrary barrier specifically targeting transgender youth.

- **Interference with Clinical Judgment:** The proposed legislation substitutes legislative judgment for the clinical expertise of medical professionals who are best positioned to determine appropriate care for each individual patient.
- **Legal Vulnerability:** Similar legislation in other states has faced successful legal challenges on constitutional grounds, potentially exposing Maine to costly litigation.

### **Socioeconomic Impact of Restricted Access to Care**

The legislation would disproportionately impact transgender youth from disadvantaged backgrounds:

- **Rural Access Challenges:** In Maine's rural communities, transgender youth already face significant barriers to appropriate care due to transportation challenges and limited provider availability. Adding parental consent requirements would make these barriers insurmountable for many.
- **Economic Disparities:** Youth from lower-income families often have fewer resources to navigate family conflict or seek support outside the home, making parental consent requirements particularly burdensome.
- **Insurance Complications:** Many transgender youth rely on confidential access to health insurance coverage. Parental consent requirements could compromise this confidentiality and create additional barriers to care.
- **Compounding Disadvantage:** For transgender youth who already face multiple forms of marginalization (including racial, economic, or disability-related challenges), this legislation would create yet another barrier to equitable healthcare access.

### **The Cost of Inaction**

Failure to protect access to gender-affirming care for older adolescents carries significant costs:

- **Preventable Mental Health Crises:** Restricting access to care will likely result in increased rates of depression, anxiety, and suicidality among transgender youth, creating greater demands on Maine's already strained mental health system.
- **Emergency Interventions:** When preventative care is inaccessible, youth are more likely to require emergency interventions, which are both more costly to the healthcare system and more traumatic for the individual.

- **Long-term Economic Impact:** Research indicates that transgender individuals who cannot access appropriate care during adolescence face greater challenges completing education and maintaining stable employment, potentially increasing future reliance on public assistance programs.
- **Migration of Young People:** This legislation could contribute to the exodus of young people from Maine, as transgender youth and their allies seek more supportive environments in neighboring states.

## **Conclusion**

I urge this committee to reject this proposed legislation and instead support policies that protect the well-being of all Maine youth, including transgender adolescents. The evidence is clear: access to appropriate gender-affirming care improves outcomes for transgender youth across multiple domains and reduces their risk of serious harm.

Maine has a proud tradition of respecting individual dignity and supporting vulnerable populations. This legislation would undermine that tradition by creating arbitrary barriers to essential healthcare for a group of young people who already face significant challenges.

Instead, I encourage the committee to consider how we might better support transgender youth and their families through education, expanded mental health services, and programs that foster family acceptance and understanding.

Thank you for your consideration.

Respectfully submitted,

Dr. Hien Nguyen

*Cody van Heerden Chair in Economics & Quantitative Social Sciences*

*College of the Atlantic, Bar Harbor, ME*