

## Testimony in support of LD 1735, "An Act to Safeguard Gender-affirming Health Care."

James Myall, Economic Policy Analyst

May 12, 2023

Good afternoon, Senator Carney, Representative Moonen, and members of the Joint Standing Committee on Judiciary. My name is James Myall. I'm an Economic Policy Analyst at the Maine Center for Economic Policy. I'm here before you to testify in support of LD 1735, "An Act to Safeguard Gender-affirming Health Care." MECEP supports LD 1735 because it would protect Maine doctors and provide a lifeline to people living under the threat of political persecution in states attempting to criminalize gender affirming care for youth and adults. Protecting these Americans is not only the right thing to do morally, but will promote the economic security and wellbeing of all of us.

Transgender Americans across the country have been the targets of pervasive and systemic harassment, creating an atmosphere of terror and uncertainty. According to the Human Rights Campaign, 18 states have passed gender affirming care bans for youth, and 12 additional states have considered gender affirming care bans this legislative session.<sup>i</sup> These bans imperil the access to evidence-based, medically necessary health care for more than 58,000 transgender youth nationally.<sup>ii</sup>

These laws and other administrative actions do not just target youth. Three states (Florida, Oklahoma, and Virginia) have considered extending these medical care bans to young adults.<sup>iii</sup> In April, the Missouri Attorney General issued an order that would effectively deny this care for many transgender adults by placing a series of onerous conditions before care can be prescribed, ignoring the best practices laid out by major medical organizations.<sup>iv</sup> In Texas, the governor instructed state employees to investigate the parents of transgender children for child abuse,<sup>v</sup> and in Florida, one bill considered this year would allow parents to obtain "emergency custody" over children if the child's custodial parent has allowed the child to receive gender affirming care, separating transgender youth from loving homes.<sup>vi</sup> Despite much of the rhetoric surrounding these issues being based in a misguided attempt to "protect" transgender children from the health care they need to survive, it is clear that these bills pose a threat to the lives and livelihoods of parents, doctors, and even transgender adults.

Even if these bills are not allowed to go into enforcement, these political campaigns severely impact the mental and financial health of transgender people and their families. Research has shown that these laws are severely harming the mental health of transgender youth,<sup>vii</sup> and poor mental health in adolescence can have ramifications for health and financial wellbeing for the rest of their lives. Having a serious mental illness can reduce annual earnings by up to \$27,000 annually,<sup>viii</sup> and experiencing depression in adolescence can reduce annual earnings in adulthood by 24%.<sup>ix</sup>

If these bills are allowed to go into effect, then the consequences will be even more dire for those who face potential criminalization. Being charged with a felony disrupts people's lives, leaving them vulnerable to poor health outcomes<sup>x</sup> and significant labor market discrimination, making it difficult for these families to provide for themselves. Previously incarcerated people

---

### Board of Directors

Lee Webb, Ph D , Chair

Sandra Butler

Stacy Mitchell

Barbara Burt, Vice-chair

Maulian Dana

Matt Schlobohm

Pamela Cox, Treasurer

Marcus Hutchins

Lucy Van Hook

Ben Chin, Secretary

Jessica Maurer

are unemployed at a rate five times higher than the general population,<sup>xi</sup> receive 50% fewer callbacks from employers, and have their lifetime earnings cut in half,<sup>xii</sup> on average

Providing a lifeline to transgender people and their families who are fleeing persecution in other states would only stand to benefit the state economy. Maine's population is the oldest in the nation,<sup>xiii</sup> and attracting working-age families would help to bolster the state's declining labor force,<sup>xiv</sup> which has still not recovered to pre-pandemic levels. Younger people in particular are more likely to identify as transgender,<sup>xv</sup> indicating that the people likely to be attracted to Maine if this bill were to pass would be either young adults or working-age families with children.

Realistically, though, providing a shield for people fleeing states criminalizing gender affirming care would likely have a negligible impact on Maine. Transgender people make up less than one percent of the population,<sup>xvi</sup> and the states attempting to criminalize gender affirming care are overwhelmingly concentrated in the Midwest, South, and Southwest. The most important benefit would be to protect Maine medical care providers from extradition as a result of treating patients from out of state. This bill would also provide the families of transgender people another state to consider when facing the difficult choice of where to relocate when home has become hostile. For instance, some people under threat in the states criminalizing care may have friends, family, or job prospects in Maine, making Maine an attractive choice. Passing LD 1735 would also send a signal to other states and to transgender people across the country that this sort of blatant persecution is not acceptable and the state of Maine will not be complicit. While these laws are currently only targeted to transgender people and the people who care for us, the seeds of authoritarianism that lead to this kind of government overreach are antithetical to democracy and present a threat to everyone should they be allowed to take root and flourish.

Protecting human rights is obviously a moral imperative. But it's also something that provides real benefits to all of us as a society. When Mainers' rights are protected and their dignity preserved, they are more secure economically, and that ultimately benefits all of us in the long run. When the most vulnerable among us are able to thrive, we all thrive.

---

<sup>i</sup> Human Rights Campaign, "Map: Attacks on Gender-Affirming Care by State "

<https://www.hrc.org/resources/attacks-on-gender-affirming-care-by-state-map>

<sup>ii</sup> Williams Institute, "Prohibiting Gender-Affirming Medical Care for Youth "

<https://williamsinstitute.law.ucla.edu/publications/bans-trans-youth-health-care/>

<sup>iii</sup> ABC News, "Transgender care targeted into adulthood in these states "

<https://abcnews.go.com/US/transgender-care-targeted-adulthood-states/story?id=97004686>

<sup>iv</sup> AP News, "Missouri to limit gender-affirming care for minors, adults "

<sup>v</sup> The Texas Tribune, "Texas' child welfare agency blocked from investigating many more parents of trans teens "

<https://www.texastribune.org/2022/09/16/texas-trans-teens-investigation-child-abuse/>

<sup>vi</sup> Business Insider, "Florida courts could allow 'emergency' custody of kids with trans parents or siblings — even if they live in another state " <https://www.businessinsider.com/florida-anti-trans-bill-court-custody-kids-gender-affirming-care-2023-3>

<sup>vii</sup> Child Trends, "Discriminatory Transgender Health Bills Have Critical Consequences for Youth "

<https://www.childtrends.org/publications/discriminatory-transgender-health-bills-have-critical-consequences-for-youth>

<sup>viii</sup> PubMed Central, "Measuring the Lifetime Costs of Serious Mental Illness and the Mitigating Effects of Educational Attainment " <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6597007/>

<sup>ix</sup> Brookings Institute, "Lasting scars: The impact of depression in early adulthood on subsequent labor market outcomes " <https://www.brookings.edu/research/lasting-scars-the-impact-of-depression-in-early-adulthood-on-subsequent-labor-market-outcomes/>

---

<sup>x</sup> Health Affairs, "Incarceration Is A Health Threat Why Isn't It Monitored Like One?"

<https://www.healthaffairs.org/doi/10.1377/forefront.20211014.242754/full/>

<sup>xi</sup> Prison Policy Initiative, "Out of Prison & Out of Work Unemployment among formerly incarcerated people "

<https://www.prisonpolicy.org/reports/outofwork.html>

<sup>xii</sup> Federal Reserve Bank of Richmond, "Incarceration's Life-Long Impact on Earnings and Employment "

[https://www.richmondfed.org/publications/research/economic\\_brief/2021/eb\\_21-07](https://www.richmondfed.org/publications/research/economic_brief/2021/eb_21-07)

<sup>xiii</sup> Governing, "Maine Was Only State to Get Younger Between 2020 and 2021 "

<https://www.governing.com/community/maine-was-only-state-to-get-younger-between-2020-and-2021>

<sup>xiv</sup> Federal Reserve Economic Data, "Civilian Labor Force in Maine " <https://fred.stlouisfed.org/series/MELFN>

<sup>xv</sup> Pew Research Center, "About 5% of young adults in the U S say their gender is different from their sex assigned at birth " <https://www.pewresearch.org/short-reads/2022/06/07/about-5-of-young-adults-in-the-u-s-say-their-gender-is-different-from-their-sex-assigned-at-birth/>

<sup>xvi</sup> Reuters, "New study estimates 1.6 million in U S identify as transgender "

<https://www.reuters.com/world/us/new-study-estimates-16-million-us-identify-transgender-2022-06-10/>