



Indiana Bans Gender Reassignment Procedures for Minors

Description

With a signature from Republican Gov. Eric Holcomb, Indiana has banned gender reassignment interventions for minors. That means minors will not be able to use puberty blockers, hormone medicines, or undergo gender reassignment surgery until they have the maturity granted from 18 years of life.

Senate Bill 480, signed on Wednesday, prohibits a physician or other practitioner from knowingly providing “gender transition procedures” to an individual who is less than 18 years of age, including those with parental consent. It also bans them from aiding or abetting another person from providing gender reassignment to minors.

According to the bill, gender transition procedures include “any medical or surgical service that seeks to surgically alter or remove healthy physical or anatomical characteristics or features that are typical for the individual’s sex, in order to instill or create physiological or anatomical characteristics that resemble a sex different from the individual’s sex, including genital gender reassignment surgery or nongenital gender reassignment surgery knowingly performed for the purpose of assisting an individual with a gender transition.”

Exemptions are outlined for medical reasons that are unrelated to gender reassignment, where testosterone, estrogen, or progesterone may be used. The bill allows for these uses.

“Permanent gender-changing surgeries with lifelong impacts and medically prescribed preparation for such a transition should occur as an adult, not as a minor,” Holcomb said in a statement.

“There has and will continue to be debate within the medical community about the best ways to provide physical and mental health care for adolescents who are struggling with their own gender identity, and it is important that we recognize and understand those struggles are real. With all of that in mind, I have decided to sign SB 480 into law.”

ACLU Immediately in Court

The American Civil Liberties Union of Indiana responded on Wednesday by filing a lawsuit challenging the law on behalf of four transgender-identifying youth and their families, as well as a doctor and health care clinic.

ACLU of Indiana argues the new law violates the U.S. Constitution in several ways, including the Equal Protection Clause of the Fourteenth Amendment. The lawsuit also claims the law violates the federal requirements of the Medicaid Act and the Affordable Care Act, because it prohibits essential medical services that would otherwise be authorized and reimbursed by Medicaid.

“This law would be devastating to trans youth and their families, causing them serious injuries and forcing those who can, to uproot their lives and leave the state to access the gender-affirming care they need,” Ken Falk, ACLU of Indiana legal director, said in a statement.

“Gender-affirming care is life-saving care for our clients, and they’re terrified of what will happen if this law is allowed to take effect. No child should be cut off from the medical care they need, or denied their fundamental right to be themselves—but this law would do both.

“We’re suing to stop this cruel and unconstitutional law from taking effect and inflicting further harm on these children and their families.”

The ACLU of Indiana statement mentions two of the parent-plaintiffs, Beth and Nathaniel Clawson, and their 10-year-old child. They are worried they won’t be able to medicate their child when puberty begins.

“Starting around the age of two years old, our daughter began telling us who she is. When she was three and a half years old, after researching gender dysphoria and consulting with both her therapist and pediatrician, she socially transitioned. That means we started using she/her pronouns and letting her dress as a girl. That was seven years ago, and she hasn’t wavered at all in knowing who she is,” Beth Clawson said in the statement.

“As her parents, the most important thing to us is that she knows that we love her, trust her, and will do whatever it takes to ensure that she has every opportunity to grow and develop as her true self regardless of her gender identity. Laws that ban her ability to access gender affirming care take that opportunity away from her,” Nathaniel Clawson added.

by Beth Brelje

Category

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2. Racism-Trans/Gender-LGBTQ+-Sex. crimes

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