

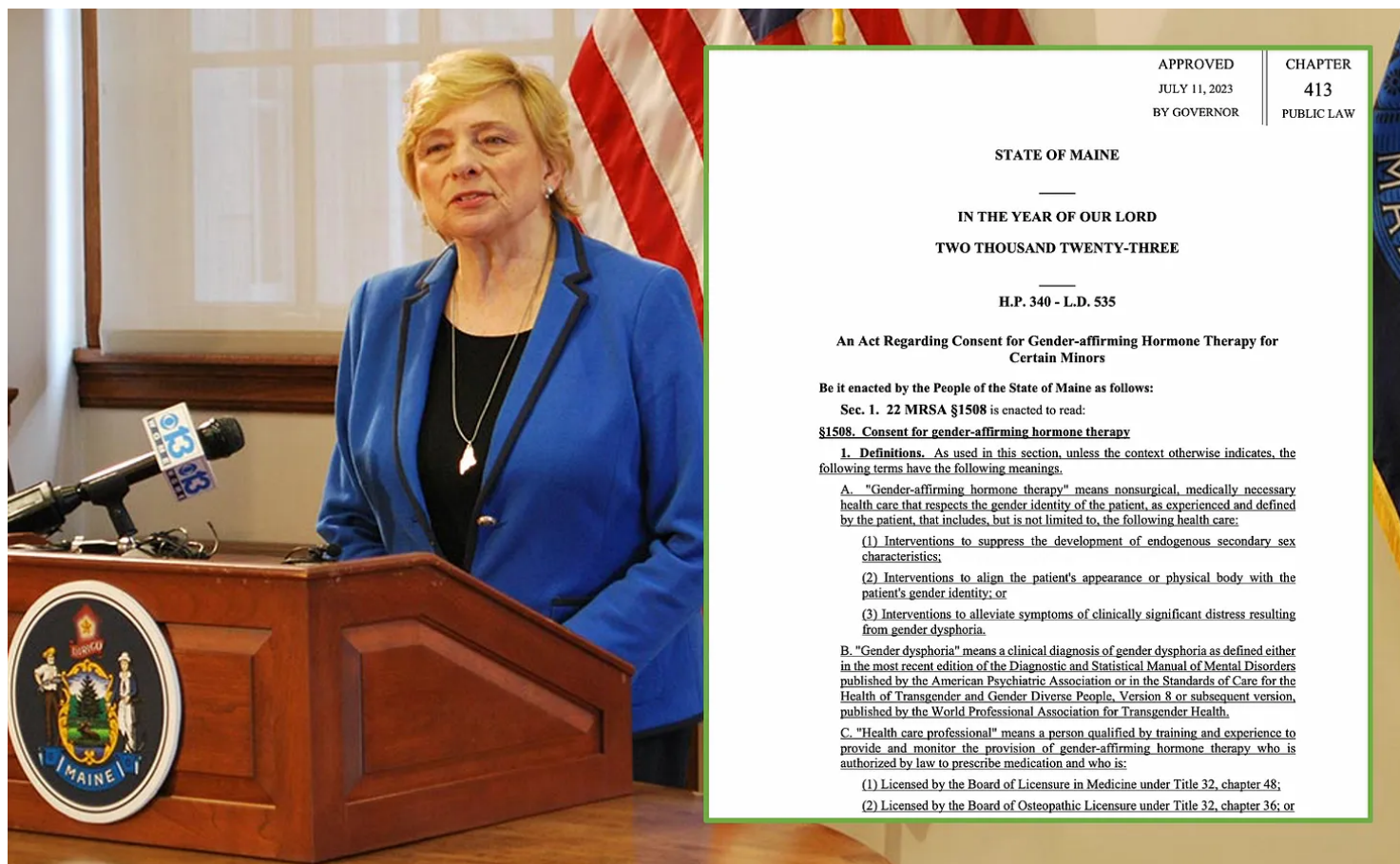
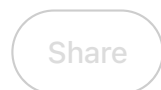
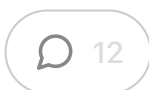
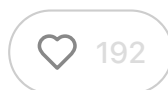
Maine Adds Gender Affirming Care To Youth-Consent Care At Age 16

With many states passing laws targeting transgender youth with care bans, Maine has gone in the opposite direction. A new law has passed allowing trans youth to consent to care at 16.



ERIN REED

JUL 12, 2023



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In Maine, 16 year olds can consent to a variety of medical treatment without parental involvement. Abortion, birth control, STI testing, and more are all things that youth can consent to in Maine and in several other states. Now, a new law has been passed that allows transgender youth to seek gender affirming care at the age of 16 without involving parents.

[House Bill 535](#), signed into law by Governor Janet Mills, specifies a variety of conditions that must be met in order for transgender youth to consent to care. The bill specifies that such youth must be 16 years old, that they must be denied care by their parents, and that they have been given all options around transition care so that they may make an informed decision. The care is limited to nonsurgical gender affirming hormone therapy only, and requires an evaluation of the minor's ability to consent to the care.

See the provisions from the law:

2. Authority of minor to consent. A health care professional may provide gender affirming hormone therapy and follow-up care to a minor without obtaining the consent of the parent or guardian of the minor only if:

A. The minor is at least 16 years of age;

B. The minor has been diagnosed with gender dysphoria by a health care professional;

C. In the judgment of the health care professional, the minor is experiencing harm from or is expected to experience harm from not receiving gender-affirming hormone therapy;

D. The minor informs the health care professional that the minor has discussed the minor's gender dysphoria with a parent or guardian of the minor and that parent or guardian refused to support treatment of the minor's gender dysphoria; and

E. The minor provides informed written consent to the receipt of gender-affirming hormone therapy in accordance with the requirements of subsection 3; the health care professional makes the written consent that is set forth in a writing containing the information and statements required by subsection 3, paragraph B and that is signed by the minor a part of the minor's health record; and the minor, under all the surrounding circumstances, is mentally and physically competent to give consent.

Authority of minor to consent section of HB535

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This law is a game-changer for the transgender youth of Maine, distinguishing the state from numerous others where access to gender-affirming care is banned, even with parental consent. This year has seen an alarming surge in regressive legislation targeting trans people, with more than **530 anti-trans laws** introduced across the country. In contrast, Maine is charting a decidedly different course for its trans youth, allowing those who have attained the age of 16 the authority to manage their own reproductive healthcare decisions.

Maine's stance on youth care is not limited to gender-affirming care alone. **Alongside 10 other states**, Maine permits young individuals to access abortion services without requiring parental notification or consent. Even more states allow youth to independently seek birth control, STI testing, and other vital reproductive healthcare services. Gender-affirming care is increasingly seen as an integral part of the reproductive healthcare spectrum of care. Advocates are likewise recognizing the need to afford the same protections to it as to other reproductive healthcare services, including protections for youth who need the services

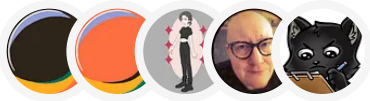
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Gender affirming care is uniquely life-saving for trans youth, and access to it is incredibly important. Gender affirming care has been associated with a **73% lower suicidality** for those able to access it. In another study, transgender youth able to access care saw a **40% reduction in suicide attempts** in the past year. **Over 50 studies** provide evidence for the importance of gender-affirming care, as put together by the Cornell University Center for the Study of Inequality. Laws like this save lives.

Significantly, this bill serves as a robust tool for transgender youth to resist conversion therapy practices. With various anti-trans advocates promoting overt conversion therapy or its more subtle and insidious variant, "**gender exploratory therapy**" - a misleadingly-named method aimed at indefinitely postponing gender transition and attributing a patient's transgender identity to factors other than their genuine self-identification - this law provides a lifeline. It offers an alternative route to trans youth who find their access to necessary care obstructed. As long as the transgender youth is 16 years of age, they are entitled to pursue their requisite care, regardless of being subjected to these coercive practices of conversion therapy or denial of care.

With the passage of this law, Maine now becomes one of the most progressive places for transgender protections. Although it did not pass a transgender sanctuary state law this year, the passage of this law makes it unique in the way it goes beyond to protect its transgender citizens. As such, on the next update of my transgender **legislative risk assessment map**, it will join the ranks of the most protective states in the United States.

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Cole Jul 12

Amazing! Dang, if I had that kind of support/care back then, it would have given me more options to confidently pursue. Hope other states consider this as well.

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Sandra Jul 12

I am really glad that Maine is taking these steps in the right direction, and that it can join the ranks of safest states. My only caution is that large areas of Maine - especially the northern and rural areas - are quite conservative (one of Maine's electoral votes even went for the GOP in the presidential elections of 2016 and 2020). So I just hope that the progressive changes have staying power statewide, and aren't tenuous.

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