CITY OF BALTIMORE COUNCIL BILL 24-0223R (Resolution)

Introduced by: Councilmember Cohen Introduced and adopted: June 24, 2024

A COUNCIL RESOLUTION CONCERNING

Declaring Baltimore City a Sanctuary for Individuals Receiving Gender-Affirming Care, Their Families, and Providers of Gender-Affirming Care

FOR the purpose of declaring Baltimore City a sanctuary city for transgender and nonbinary individuals and calling on all units of City government receiving City funds to safeguard an individual's right to gender-affirming health care by refraining from using City funds or resources to impose criminal punishment, civil liability, administrative penalties, or professional sanctions on recipients, the families of recipients, or providers of gender-affirming health care.

Recitals

WHEREAS, the Baltimore City Council rejects discrimination in all forms, values our
LGBTQIA+ neighbors, and will safeguard the rights of our transgender and nonbinary residents
given our shared belief that all LGBTQIA+ individuals are entitled to respect, compassion, and
the blessings of individual liberty that are our common heritage.

WHEREAS, other states may adopt or expand laws that impose criminal punishment, civil liability, administrative penalties, or professional sanctions on health care professionals who provide gender-affirming health care and on persons who seek, receive, or assist another in receiving gender-affirming health care in the City of Baltimore.

WHEREAS, the State of Maryland passed the Trans Health Equity Act in 2023, that expands
coverage for gender-affirming treatments for transgender Marylanders.

WHEREAS, Governor Wes Moore signed an executive order Protecting the Right to Seek Gender-Affirming Treatment in Maryland proclaiming that no State agency shall comply with a subpoena issued by another state, knowing that the subpoena seeks information solely because an individual or entity provided, received, assisted in providing or receiving, sought, inquired or responded to an inquiry about, or traveled to Maryland to obtain gender-affirming treatment that is permitted under the laws of this State for themselves or a child for whom they are the parent or legal guardian.

WHEREAS, 65 percent of LGBTQIA+ youth surveyed by the Trevor Project in 2023 who are
receiving gender-affirming care are concerned about losing access to this care, 1 in 3
LGBTQIA+ young people said their mental health was poor most of the time or always due to
anti-LGBTQIA+ policies and legislation, and 41 percent of LGBTQIA+ young people seriously
considered attempting suicide in the past year.

EXPLANATION: <u>Underlining</u> indicates matter added by amendment. Strike out indicates matter deleted by amendment.

9

WHEREAS, the 2022 United States Trans Survey (USTS) of 92,329 transgender and
nonbinary adults found that 98 percent of adults who received gender-affirming care were more
satisfied with their lives.

4 **WHEREAS**, according to Trans Maryland trans and nonbinary people in Maryland experience 5 challenges accessing health care, and 20.1 percent have no place to receive health care advice.

WHEREAS, for the purpose of this resolution, gender-affirming health care means any
medically necessary treatment consistent with current clinical standards of care prescribed by a
licensed health care provider in collaboration with their patient for the treatment of a condition
related to an individual's gender identity.

WHEREAS, gender-affirming health care is evidence-based, medically necessary, and
lifesaving.

WHEREAS, studies have shown that gender transition, including access to gender-affirming
health care, improves the overall well-being of transgender and nonbinary people, and that
access to gender-affirming health care for youth is associated with better mental health
outcomes and lower risks of suicide.

WHEREAS, multiple health care institutions across the country have scaled back or have
considered scaling back gender-affirming health care services in response to legal challenges,
perception of legal risk, harassment, or threats of violence.

WHEREAS, many institutions providing gender-affirming health care are located in Baltimore
and local advocates already report longer wait times and difficulty accessing medically necessary
gender-affirming health care.

WHEREAS, the City of Baltimore has consistently declared its commitment to furthering
transgender equity and supporting its growing transgender community through City Ordinance
23-0378 that prohibits the willful use of the incorrect name or pronouns of an individual.

WHEREAS, health care professionals providing, and individuals seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming health care in the City of Baltimore should be protected from attempts to impose criminal punishment, civil liability, administrative penalties, or professional sanctions based on the laws of other states when gender-affirming health care is lawful in the State of Maryland and meets standards for good professional practice.

31 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the 32 Baltimore City Council declares Baltimore City a sanctuary city for transgender and nonbinary 33 individuals and calls on all units of City government receiving City funds to safeguard an 34 individual's right to gender-affirming health care by refraining from using City funds or resources 35 to impose criminal punishment, civil liability, administrative penalties, or professional sanctions 36 on recipients, the families of recipients, or providers of gender-affirming health care. AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to Governor Wes
Moore, the Director of the Maryland Commission on LGBTQIA+ Affairs, the Baltimore City
Delegation to the General Assembly, the LGBTQIA+ Caucus of the Maryland General
Assembly, the Mayor, the Director of the Mayor's Office of LGBTQ Affairs, the Office of Equity

5 and Civil Rights, and the Mayor's legislative liaison to the City Council.