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Dear Governor Beshear,

I am Jackie McGranahan, Policy Strategist with the ACLU of Kentucky, and I am writing to urge you to veto Senate Bill 150, the most harmful anti-LGBTQ legislation in the country. This bill is shameful and violates the constitutional rights of trans youth in Kentucky and their families.

With no regard to the pleas of transgender youth and their parents, Senate Bill 150 sponsors added a categorical ban on gender-affirming health care for with gender dysphoria under age 18. The bill bans medical or surgical treatment, such as hormones, puberty blockers, menstrual suppression, or surgery, as well as other medically sound and necessary treatment, even though the bill exempts the same care when provided for other purposes. If a healthcare provider provides gender-affirming care, the licensing agency will revoke their license, leaving providers with the impossible choice of providing medically sound healthcare or losing their ability to practice medicine. Moreover, Senate Bill 150 authorizes civil lawsuits for damages to be brought by any minor “harmed” by gender affirming care up to 30 years after they turn 18. These provisions will create a chilling effect on healthcare providers in our state, at a time when Kentucky is already suffering from the effects of a provider shortage.

By prohibiting this care ONLY for the purposes of gender transition or otherwise affirming an identity different from one’s assigned sex at birth, the bill facially classifies on the basis of sex, including sex stereotypes and transgender status. For this reason, it triggers heightened equal protection scrutiny and violates the equal protection rights of both minor patients and their doctors. By interfering with the ability of parents to consent to treatment on behalf of their minor children, it also violates the fundamental rights of parents to direct the upbringing of their children.

In addition to burdens on healthcare providers and trans youth, Senate Bill 150 will further burden public schools with “opt-in” curriculum regulations. The bill also prohibits public school employees from discussing sexual identity or sexual orientation between grades K-12. Senate Bill 150 puts schools in the impossible situation of having to navigate competing demands from parents with widely varying religious, political, and ideological views. Parents will bring schools and student learning to a halt by filing complaints any time they object to anything in the curriculum or that occurs at school.



All students deserve to be able to attend school without fear of harassment or bullying, and that is true for trans students as well. Being intentionally called by the wrong name and pronoun is more than just mean-spirited – it creates an untenable learning environment for any student. We know that students who are transgender and nonbinary report greater rates of harassment and targeted bullying, and the acceptance of trans youth’s identities is associated with better mental health outcomes. We should be working to make schools safer for all students, not targeting some kids just because of who they are. Just a few weeks ago, two students at Doss High School in Louisville died by suicide. This should be unacceptable to the state of Kentucky. The research is clear: non-affirmation increases the risk of suicide in trans youth. We cannot support forced outing and misgendering of LGBTQ students.

We ask you, Governor Beshear, to please veto this incredibly harmful piece of legislation. In addition to violating the constitutional rights of Kentucky adolescents, their parents and their health care providers, this bill will interfere with the ability of parents and patients to follow the medical advice of doctors. It puts Kentucky families and physicians in the impossible situations of having to choose between following sound medical advice and ethical practices, or face disciplinary action. Furthermore, gender-affirming care is supported by DECADES of evidence of efficacy and every major medical association in the country, including Kentucky’s own KMA (Kentucky Medical Association). Data shows that withdrawing or denying care from those who need it causes serious harms, including increased risk of anxiety, depression and suicidality. This bill would cause trans adolescents to go through potential irreversible physical changes from their endogenous puberty, as well as years of mental anguish, both of which can cause lifelong harm. Please veto this bill.

I have included links to research and data on how important it is to validate transgender youth, with two articles below.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6165713/>
Chosen Name Use is Linked to Reduced Depressive Symptoms,
Suicidal Ideation and Behavior among Transgender Youth

[https://www.jahonline.org/article/S1054-139X\(19\)30922-X/fulltext](https://www.jahonline.org/article/S1054-139X(19)30922-X/fulltext)
Understanding the Mental Health of Transgender and Nonbinary
Youth]



Thank you for your time and consideration, Governor Beshear.

Sincerely,

Jackie McGranahan
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