



## About SB 140

The following resource, prepared by Georgia Equality's LGBTQ+ policy and health care experts, offers medically-accurate information about gender-affirming health care for transgender youth and the impacts of the proposed ban on care, SB 140. For further information about gender-affirming health care, reference [this fact sheet](#) or contact: Jeff Graham, [jeff@georgiaequality.org](mailto:jeff@georgiaequality.org) or Chanel Haley, [chanel@georgiaequality.org](mailto:chanel@georgiaequality.org).

## Talking points for updated amendment

- SB 140 is a bill that would restrict Georgia families' access to health care for transgender youth, allow government interference in families' private health care decisions and jeopardize health care providers' ability to do their jobs.
- The bill would put health care providers at risk of losing their licenses from the board if they simply follow the well-established expert standards of care for transgender patients.
- Now, a new amendment to the bill makes it even more dangerous by also subjecting providers to civil and criminal penalties, putting them at risk of politically-motivated lawsuits, and impeding medical access for all Georgians..
- Hospitals, medical institutions, and licensed physicians face extreme, debilitating penalties for violating SB 140. Not only do these penalties degrade years of required medical study and training, they impact the livelihood of providers who offer other forms of care to the general public.
- The Georgia Department of Community Health estimates that only three of Georgia's 159 counties have enough primary care physicians for their residents.<sup>1</sup> Nearly 3.3 million Georgians live in an area with a primary care shortage.<sup>2</sup> Adopting legislation that could intensify an already critical physician shortage is harmful for *all* Georgians, not just the transgender youth the bill aims to restrict.
- The bill would force providers to go against the existing professional guidelines for gender-affirming health care. This is an affront to medical professionals who are sworn to provide the best care possible to their patients and to do no harm to patients.
  - Every major medical association—including the American Medical Association, the American Academy of Pediatrics, the American Psychological Association, the American Association of Clinical Endocrinology and the World Professional Association for Transgender Health—endorses these guidelines for age-appropriate care for transgender people.
- These evidence-based guidelines exist to protect and help patients and providers and have been well-established for years. No health care provider should face criminal or civil lawsuits or penalties because they are complying with these industry guidelines.

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<sup>1</sup><https://www.gpb.org/news/2023/01/17/nearly-every-georgia-county-faces-shortage-of-primary-care-providers>.

<sup>2</sup> *Id.*



- We also know that the political extremists behind this bill have deep pockets and connections to national special interest groups, who could try to bury providers and their institutions in costly litigation to force them to shut down their practice.
- Passing this bill would set a dangerous precedent that politicians now have the power to meddle in health care and decide to reject evidence-based guidelines or attack health care providers to make a political point.
- This threatens our entire state's reputation as a leader in medicine and health research. If our leaders pass laws like SB 140 that put health experts under political scrutiny and the threat of criminal charges, we are bound to lose talented health care providers to other states where they can do their job without government interference.
  - This political attack on health care providers is especially concerning given the current shortage of health care workers in Georgia. We need to focus on attracting and retaining talented health care professionals, especially pediatricians for our rural communities.
  - Georgia is home to important health centers such as the CDC and Emory University and if our state is hostile to health care providers and puts clinics at risk of facing politically-motivated litigation, these institutions will have a harder time attracting investments and retaining a talented workforce of medical and scientific professionals.

### **Talking points on SB 140**

- SB 140 is a bill that would restrict Georgia families' access to health care for transgender youth, jeopardize health care providers' ability to do their jobs and allow government interference in families' private health care decisions.
  - The bill would ban certain pediatrician-recommended medicines that help transgender adolescents through puberty, as well as put misinformation about gender-affirming health care in state law.
  - Medical experts do not recommend surgery as a standard treatment for patients under 18, so this bill's language about surgery would create confusion and undermine trust in health care providers.
- Expert medical organizations such as the American Medical Association, the American Academy of Pediatrics, the American Psychological Association, the American Association of Clinical Endocrinology and the World Professional Association for Transgender Health already have robust guidelines for age-appropriate care for transgender people.
  - As with all health care, providers work with families to carefully consider a young person's unique needs and their age when determining an individualized plan for gender-affirming health care.
  - Before transgender kids go through puberty, the care they receive is focused on social support and mental health, where a health care provider, like a pediatrician or mental



health expert, gives parents advice about how something like a new haircut or different name can help their kid feel comfortable and supported.

- For transgender adolescents going through puberty, health care providers may recommend medicine that temporarily pauses puberty in order to reduce gender dysphoria, a form of acute distress that can interfere with a person's ability to attend and perform at school, participate in society or otherwise maintain their overall mental health and well-being.
- Medicine that pauses puberty can be stopped at any time and puberty will resume after being temporarily paused. For transgender adolescents who continue to experience distress, hormone therapy medicine can also be prescribed to help safely bring the person's body into alignment with their gender.
- The U.S. Department of Health and Human Services' Office of Population Affairs defines gender affirming care as a supportive form of healthcare that "consists of an array of services that may include medical, surgical, mental health, and non-medical services for transgender and nonbinary people."<sup>3</sup>
- The Department of Health and Human Services recognizes that gender-affirming care improves the mental health and overall well-being of gender diverse children and adolescents.<sup>4</sup> They also assert that safe and affirming healthcare environments are critical in fostering better outcomes for transgender youth.<sup>5</sup>
- These medical associations and experts have reviewed decades of research that show how hormonal medicines that regulate puberty have been safely and effectively used for decades to treat not only transgender young people, but also non-transgender young people experiencing puberty at the wrong time.
- This bill threatens not only families of transgender youth, but also health care providers' jobs and our entire state's reputation as a leader in medicine and health research.
  - Georgia is home to important health centers such as the CDC and Emory University and if our leaders pass laws like SB 140 that put health experts under scrutiny and pit politician's extreme agendas against evidence-based research, these institutions will have a harder time attracting investments and retaining a talented workforce of medical and scientific professionals.
- Debating this health care ban distracts our government from the real work that leaders are already doing—and must continue to do—to address the mental health needs of Georgians of all ages,

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<sup>3</sup> U.S. Department of Health and Human Services, Office of Population Affairs, *Gender-Affirming Care and Young People*, <https://opa.hhs.gov/sites/default/files/2022-03/gender-affirming-care-young-people-march-2022.pdf> (2022).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*



including transgender youth who are already disproportionately likely to face mental health challenges such as suicidal thoughts and depression.

- Recent data from national LGBTQ+ mental health experts at The Trevor Project poll show that 71% of LGBTQ youth — including 86% of trans and nonbinary youth — say state laws restricting the rights of LGBTQ young people have negatively impacted their mental health. A majority of those trans youth (55%) said it impacted their mental health “very negatively.”
- Ultimately, we need to remember that politicians – just like most people– don’t know much about gender-affirming health care, and should leave medicine to the experts. Personal health care decisions are best left to families and their trusted health care providers, in private, without government interference.