

To: Members of the Common Council
From: Councilmembers Courtney Daily & Matt Flaherty
Date: June 7, 2024
Re: Resolution 2024-14, To Protect Individuals Seeking Gender Affirming Care

Dear Council Colleagues,

Members of the Bloomington/Monroe County Human Rights Commission (BMCHRC) approached us with the request that the Common Council consider and pass a Resolution declaring the City of Bloomington a Safe Haven for transgender youth. This action came in the wake of the Indiana General Assembly passing Senate Bill 480 in April of 2023, which prohibits minors from accessing gender affirming care in the state. The BMCHRC has been working on this item since mid-2023, when SB 480 was signed into law by Governor Holcomb, and the BMCHRC unanimously passed a draft resolution at its January 2024 meeting to forward to the Council for our consideration.

SB 480 was supposed to go into effect on July 1, 2023, but the ACLU sued and received a preliminary injunction blocking the law until the 7th Circuit Court of Appeals struck it down abruptly in late February of this year, making the law go into immediate effect. Transgender and gender diverse youth and their families [suffered an immediate end to life-saving care overnight](#). The BMCHRC responded by continuing to put this item on its agenda even after passing its statement in January.

Gender affirming care is defined by the [World Health Organization](#) to mean “any single combination of a number of social, psychological, behavioural [sic] or medical (including hormonal treatment or surgery) interventions designed to support and affirm an individual’s gender identity.” Typically, minors under the age of 18 must receive parental consent to undergo gender-affirming medical treatments. Treatment can commonly include recommendations for establishing a relationship with a mental health provider. The [Endocrine Society](#) and the [American Academy of Pediatrics](#) both recommend treatment of adolescents.

This resolution establishes a robust Gender-Affirming Healthcare Policy aligned with the City's commitment to non-discrimination based on sex, sexual orientation, or gender identity ([BMC 2.23.110](#)). Under this policy, the City will adjust its enforcement priorities to ensure that laws or regulations penalizing individuals for seeking or providing gender-affirming healthcare are not prioritized. This includes refraining from requesting information about such healthcare or assisting in the collection of penalties related to it. By enacting this policy, the City underscores its dedication to protecting the rights and well-being of its transgender and gender-diverse residents.

In essence, this resolution serves as a beacon of inclusivity and support for transgender individuals within our community. It reinforces the principle that all residents, regardless of gender identity, deserve equal access to necessary medical care. By formalizing this commitment through policy, the City aims to alleviate the concerns and anxieties of transgender individuals and their families, ensuring they can reside in Bloomington with confidence, knowing they will be supported in living authentically and receiving the healthcare they require.

We have been in touch with members of the Bloomington/Monroe County Human Rights Commission, as well as pertinent City staff including Legal about the potential legal ramifications of any such policy. We ask for your support of [Resolution 2024-14](#). Thank you.