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RESOLUTION - Declaring the City of Kansas City a Safe Haven for Gender-Affirming Healthcare through adoption of a Gender-Affirming Healthcare Policy.

Sponsors: Andrea Bough, Quinton Lucas, Eric Bunch

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Date	Ver.	Action By	Action	Result
5/11/2023	1	Council	Adopted	Pass
5/10/2023	1	Transportation, Infrastructure and Operations Committee	Immediate Adoption	Pass
5/4/2023	1	Council	referred	

RESOLUTION NO. 230385

Sponsor: Councilmember Andrea Bough, Mayor Quinton Lucas and Councilmember Eric Bunch

RESOLUTION - Declaring the City of Kansas City a Safe Haven for Gender-Affirming Healthcare through adoption of a Gender-Affirming Healthcare Policy.

WHEREAS, as of the date of this legislation, Missouri law does not restrict access to gender-affirming healthcare or ban insurance exclusions for gender-affirming healthcare; and

WHEREAS, in 2023, members of the Missouri state legislature have introduced a record number of bills criminalizing access to gender affirming healthcare across Missouri; and

WHEREAS, some of the states bordering Missouri have proposed bills restricting or criminalizing access to gender-affirming healthcare and passed other legislation limiting the rights of transgender youth, and local clinics and advocates have heard from families living all over the continental United States who are considering moving away to access gender-affirming healthcare for their children; and

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 healthcare and on persons who seek, receive, or assist another in receiving gender-affirming healthcare in the City of Kansas City; and

WHEREAS, gender-affirming healthcare has been proven to be evidence-based, medically necessary, and lifesaving by the American Medical Association, the American Academy of Child and Adolescent Psychiatry, the American Academy of Pediatrics, the Endocrine Society, the American Psychiatric Association, and the World Professional Association for Transgender Health, amongst other institutions; and

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

WHEREAS, over 94 percent of LGBTQ+ youth surveyed by the Trevor Project in late 2021 said recent politics have negatively impacted their mental health, and 93 percent of transgender and nonbinary youth surveyed by the Trevor Project in 2022 said they have worried about transgender people being denied access to gender affirming medical care due to state or local laws; and

WHEREAS, multiple healthcare institutions across the country, including in Missouri, have scaled back or have considered scaling back gender-affirming healthcare services in response to legal challenges, perception of legal risk, harassment, or threats of violence; and

WHEREAS, a large number of the institutions providing gender-affirming healthcare in the State of Missouri are located in Kansas City, and local advocates already report long waitlists and difficulty accessing medically necessary gender-affirming healthcare; and

WHEREAS, the City of Kansas City has consistently declared its commitment to furthering transgender equity and supporting its growing transgender community; and

WHEREAS, healthcare professionals providing as well as persons seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare in the City of Kansas City 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 healthcare is lawful in the State of Missouri and meets standards for good professional practice; and

WHEREAS, a majority of U.S. adults agree that transgender minors should have access to gender-

affirming care; and

WHEREAS, it is necessary and appropriate to exercise the authority vested in the City of Kansas City Charter, including the coordinated and integrated direction, supervision, and control of all City of Kansas City departments, boards, commissions, and other agencies, to protect healthcare professionals and persons lawfully seeking, receiving, and assisting another individual in seeking or receiving of gender-affirming healthcare in the City of Kansas City; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Mayor and Council hereby declare the City of Kansas City a Safe Haven for Gender-Affirming Healthcare.

Section 2. That the City of Kansas City hereby adopts the following Gender-Affirming Healthcare Policy:

1. City personnel shall not criminally prosecute or impose administrative penalties on an individual or organization for providing, seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare.
2. In the event any law or regulation is passed in the State of Missouri which imposes criminal punishment, civil liability, administrative penalties, or professional sanctions, on an individual or organization for providing, seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare, City personnel shall make enforcement of said law or regulation their lowest priority.
3. City personnel shall not enforce laws of other jurisdictions that impose criminal punishment, civil liability, administrative penalties, or professional sanctions, on an individual or organization for providing, seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare and shall decline any request to stop, arrest, detain, continue to detain, or transfer into out-of-state custody individuals on the basis of such conduct being criminalized, penalized, or prosecuted in said jurisdiction.
4. Except as required by lawful authority, City personnel shall not respond to any request for information from another jurisdiction if the request is related to that jurisdiction's laws, rules, or regulations imposing criminal punishment, civil liability, administrative penalties, or professional sanctions, on an individual or organization for providing, seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare.
5. Except as required by lawful authority, City personnel shall not enforce or facilitate the collection of any judgment of another jurisdiction to the extent the judgment arises out of a cause of action in that jurisdiction based on providing, seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare.
6. That the Kansas City, Missouri Police Department is hereby encouraged to adopt a similar Gender-Affirming Healthcare Policy.