



Legislation Text

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Res. No. 817

Resolution calling upon the New York State Legislature to provide the necessary funds to ensure hospital and healthcare provider services for gender-affirming care remain accessible for all people in New York City

By Council Members Cabán, Louis, Ossé, Schulman, Hudson, Bottcher, Banks, Hanif, Brewer, Farías, Gutiérrez and Rivera

Whereas, According to the Human Rights Campaign (HRC), gender-affirming care is treatment for a diagnosis of gender dysphoria which occurs when one's gender identity does not match their assigned sex at birth; and

Whereas, Depending upon individual need, gender-affirming care may include surgical and non-surgical procedures, mental health care, hormone therapy, speech therapy, fertility treatments and social services, to name a few; and

Whereas, The American Medical Association, the American Academy of Pediatrics and the American Psychological Association each recognize that it is medically necessary to support people who are in the process of affirming their gender identity; and

Whereas, According to the New York State Attorney General (NYS AG), individuals have a right to receive health care services free from discrimination based on their identification as transgender, non-binary or gender nonconforming, or as intersex-individuals who are born with variations and differences in their reproductive characteristics or reproductive anatomy; and

Whereas, New York law prohibits discrimination based on sexual orientation or gender identity in health care services and withholding services to patients may be considered discrimination under Article I, Section 11 of the New York State Constitution as well as the New York State Human Rights Law; and

Whereas, Recently the NYS AG reaffirmed that under New York State law, if you are under the age of 18 you have the right to receive gender-affirming care, and conversely, you also have the right to refuse non-medically necessary treatment defined as procedures that may be required to diagnose a disease, injury or condition; and

Whereas, In response to the current federal Administration’s January 28, 2025 Executive Order 14187, dated January 28, 2025, entitled “Protecting Children from Chemical and Surgical Mutilation,” New York University (NYU) Langone Health cancelled two scheduled procedures for patients-in effect denying medical treatment for people who were already receiving treatments for gender-affirming care; and

Whereas, According to the New York State Department of Health in 2022, an estimated 76,100 people who identified as transgender were found to be residing in New York City; and

Whereas, While such disruptions in gender-affirming care is arguably discriminatory and illegal in New York State, according to medical professionals, it can also lead to increased dysphoria, anxiety, and depression and can create medical and psychological consequences for those individuals whose care has been interrupted; and

Whereas, Executive Order 14187 states, “the United States will not fund, sponsor, promote, assist or support the so-called “transition” of a child from one sex to another and it will rigorously enforce all laws that prohibit or limit these destructive and life altering procedures”; and

Whereas, Executive Order 14187 specifically directs HHS to rescind Medicare and Medicaid coverage as relates to the provision of gender affirming care services; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to provide the necessary funds to ensure hospital and healthcare provider services for gender-affirming care remain accessible for all people in New York City.

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