

FAQ: Gender-affirming medical care in Ohio

What is the status of gender-affirming medical care in Ohio?

- A ban on gender-affirming medical treatment for minors is currently in effect in Ohio, as of August 6, 2024, pursuant to House Bill 68 (HB 68). A lawsuit challenging HB 68 is on appeal.
- Ohio also has a specific ban on gender-affirming surgery for minors pursuant to an emergency rule signed by Governor DeWine on January 5, 2024.

What is House Bill 68 (HB 68)?

- HB 68 is a bill that bans gender-affirming medical care for minors in Ohio. It allows Ohio physicians to continue treatment for minors who live in Ohio and are already receiving care if the physician documents that it would be harmful for the patient to discontinue the treatment.
- HB 68 also bans trans women and girls from participation in women's and girls' interscholastic and intercollegiate sports.
- The bill was passed by the legislature in December 2023 and vetoed by Governor DeWine. The legislature overrode the Governor's veto, and the law took effect on April 23, 2024; however, an Ohio judge temporarily blocked enforcement of the law (for approximately 3.5 months) in response to a lawsuit brought by the ACLU of Ohio on behalf of two transgender youth. The case, filed in the Franklin County Court of Common Pleas, underwent a five-day trial in July, ultimately ending with a ruling that permitted HB 68 to take effect.
- The ACLU of Ohio filed an appeal in the 10th District Court of Appeals, and oral argument is scheduled for September 11, 2024.

What should I do if I am a transgender minor in Ohio?

- Transgender adolescents who are currently receiving gender-affirming medical treatments should communicate with their care providers to make sure there are no interruptions in care.
- Transgender adolescents who are currently on puberty blockers should be aware that their provider will not be able to prescribe hormone therapy for them, if/when they need it. If you are in this situation, you and your family should research out-of-state care. If you are a transgender minor who anticipates needing care, you should talk to your doctor. You and your family should also research out-of-state care. Some nearby states that do not ban care are Michigan, Pennsylvania, and Illinois. Indiana has passed a law banning care; even though that law is currently enjoined, do note the risk.

Is care banned for adults?

- No. Care is not banned or in any way restricted for transgender adults in Ohio.

What would the proposed rules do?

- In January 2024, Governor DeWine requested that the Department of Health (ODH) and the Department of Mental Health and Addiction Services (ODMHAS) issue new proposed rules about health care for transgender people. Though Governor DeWine focused on minors, the proposed rules initially would have affected care for adults. Subsequent revised rules applied only to care for minors. However, those proposed rules have been withdrawn from consideration and thus are not in effect.

Additional resources can be found at www.naswoh.org