



# City of Pittsburgh

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## Text File

**Introduced:** 8/24/2023

**Bill No:** 2023-1842, **Version:** 1

**Committee:** Committee on Finance and Law

**Status:** Passed Finally

Ordinance Amending Title 6: Conduct, Article I, Rights and Actions by creating a new Chapter 620E Protection of Gender Affirming Care Services Providers from Out-of-State Investigation or Prosecution for Providing Legal Gender Affirming Care.

**WHEREAS**, Pittsburgh has committed itself to being a welcoming city for members of the TLGBQ+ Community through its creation of the TLGBQ+ Commission in June 2020,

**WHEREAS**, on April 6, 2011, Pittsburgh City Council proclaimed Pittsburgh a Human Rights City as part of the Human Rights City Alliance,

**WHEREAS**, these commitments compel us to furthering the rights of all our residents to receive medically necessary care,

**WHEREAS**, the ACLU has declared gender-affirming care “medically necessary care that can be lifesaving for transgender youth,”

**WHEREAS**, 20 states have introduced legislation criminalizing gender affirming care,

**WHEREAS**, 26 states have restricted gender affirming care for minors and/or adults,

**WHEREAS**, The American Medical Association “views these bills as a dangerous legislative intrusion into the practice of medicine and... the AMA has emphasized that it is ‘imperative that transgender minors be given the opportunity to explore their gender identity under the safe and supportive care of a physician,’”

**WHEREAS**, only 10 states are deemed “sanctuary states” for gender-affirming care,

**WHEREAS**, gender-affirming care for members of the TLGBQ+ community is currently under attack across the nation,

**WHEREAS**, this year members of the Pennsylvania State House introduced House Bill 138, which would impose civil liability for providers of gender-affirming care,

**WHEREAS**, at the date of this legislation, Pennsylvania law does not restrict or criminalize gender-affirming care,

**WHEREAS**, gender-affirming care is both evidence-based and medically necessary for transgender individuals, and is formally supported by the American Medical Association, the American Academy of

Pediatricians, the American Psychiatric Association, the American Academy of Child and Adolescent Psychiatry, and the World Professional Association for Transgender Health,

**WHEREAS**, a majority of U.S. adults believe that transgender youth should have access to gender-affirming care,

**WHEREAS**, gender-affirming care has been found to be life-saving and necessary care for transgender individuals,

**WHEREAS**, over 93% of transgender and nonbinary youth reported they worry about being denied access to gender affirming medical care due to state or local laws,

**WHEREAS**, Pittsburgh has a vested interest in the physical and mental wellbeing of minors and adults, and recognize the serious harm posed by restrictions on gender affirming healthcare,

**WHEREAS**, the City of Pittsburgh has been and will continue to be consistently dedicated to the equity and support of the transgender community,

**WHEREAS**, if legislation criminalizing and prohibiting gender-affirming care passes, the City of Pittsburgh declines participation in any such ban and intends to codify and restate gender-affirming care rights as they currently exist within the full extent of its authority under the Home Rule Charter of the City of Pittsburgh,

**WHEREAS**, The Council of the City of Pittsburgh hereby declares the City of Pittsburgh a sanctuary city for Gender-Affirming Healthcare.

**Now, therefore, the Council of the City of Pittsburgh enacts as follows:**

**Section 1.** The Pittsburgh City Code, Title Six: Conduct, Article I: Regulated Rights and Actions is hereby amended by creating Chapter 620E as follows:

**Chapter 620E:** Protection of Gender Affirming Care Services Providers, Recipients, and Legal Guardians from Out-of-State Investigation or Prosecution for Providing Legal Gender Affirming Care.

§ 620E.01. - DEFINITIONS.

“Gender Affirming Care Services” means the range of social, psychological, behavioral, and medical interventions designed to support and affirm an individual's gender identity when it conflicts with the gender they were assigned at birth.

§ 620E.02. -NO ASSISTANCE FROM CITY OF PITTSBURGH OFFICIALS, EMPLOYEES, OR DEPARTMENTS.

- a. Except as required by a Pennsylvania court order, Pennsylvania law, or federal law, no City of Pittsburgh elected or appointed official, officer, employee, or Department shall provide any

information, or expend or use time, money, facilities, property, equipment, personnel, or other City resources in furtherance of any investigation or proceeding that seeks to impose civil or criminal liability or professional sanction upon a person or entity or legal guardian thereof for:

- i. The provision, receipt, seeking of, inquiring about, or responding to an inquiry about, gender affirming health care services that are legal in the Commonwealth of Pennsylvania; or
  - ii. Assisting, advising, aiding, abetting, facilitating, soliciting, or conspiring with any person or entity providing, receiving, seeking, inquiring, or responding to an inquiry about, gender affirming care services that are legal in the Commonwealth of Pennsylvania.
- b. This limitation does not apply to any investigation or proceeding in which the conduct that is subject to potential liability under the investigation or proceeding would be subject to civil or criminal liability or professional sanction under Pennsylvania law if committed in the Commonwealth of Pennsylvania.