News



View of the U.S. Supreme Court on the day justices issue orders in pending appeals in Washington, June 24, 2024. (OSV News/Nathan Howard, Reuters)

Kate Scanlon

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The Supreme Court on June 24 agreed to hear a challenge to a Tennessee state law banning certain types of medical or surgical gender reassignment procedures for minors who identify as transgender, the high court's first major step toward weighing in on the controversial issue.

The high court agreed to hear in the fall the Biden administration's challenge to a law in Tennessee restricting gender transition treatments including puberty blockers for minors. Previously, a federal appeals court in Cincinnati allowed such laws in both Tennessee and Kentucky to take effect after they had been blocked by lower courts. The Supreme Court did not take up a separate appeal concerning Kentucky's law.

At least 25 Republican-led states have adopted laws restricting or banning gender reassignment surgery or hormonal treatments for minors, although not all of those bans are currently in effect amid legal challenges, according to data from the Movement Advancement Project, an LGBTQ+ policy group.

Supporters of prohibitions on gender transition surgeries or hormones for minors who identify as transgender say such efforts will prevent them from making irreversible decisions as children that they may later come to regret as adults. Critics of such bans argue that preventing those interventions could cause other harm to minors, such as mental health issues or physical self-harm.

Tennessee Attorney General Jonathan Skrmetti said in a statement, "We fought hard to defend Tennessee's law protecting kids from irreversible gender treatments and secured a thoughtful and well-reasoned opinion from the Sixth Circuit."

"I look forward to finishing the fight in the United States Supreme Court," Skrmetti said. "This case will bring much-needed clarity to whether the Constitution contains special protections for gender identity."

Lucas Cameron-Vaughn, staff attorney at the ACLU of Tennessee, said in a statement, "Tennesseans deserve the freedom to live their lives as their authentic selves without government interference, yet every day this law remains in place, it

inflicts further pain and injustice on trans youth and their families."

"The Court has the power to protect trans youth's right to access the healthcare they need by striking down this discriminatory law," Cameron-Vaughn said. "As politicians continue to fuel divisions for their own political gain, it's crucial to recognize that for trans youth and their families, this isn't about politics — it's about the fundamental freedom to access vital, life-saving healthcare."

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In guidance on health care policy and practices released in March 2023, the U.S. Conference of Catholic Bishops' Committee on Doctrine opposed interventions that "involve the use of surgical or chemical techniques that aim to exchange the sex characteristics of a patient's body for those of the opposite sex or for simulations thereof."

"Any technological intervention that does not accord with the fundamental order of the human person as a unity of body and soul, including the sexual difference inscribed in the body, ultimately does not help but, rather, harms the human person," the document states.

The medical community within a number of countries has also been re-evaluating the application of gender identity interventions in children. This year, NHS (National Health Service) England announced March 12 it would no longer automatically prescribe puberty suppressing hormones to child patients at its gender identity clinics, joining a growing list of countries that includes Denmark, Finland, France, Norway and Sweden to limit such usage. England's move followed an interim report by Dr. Hilary Cass, a former president of the Royal College of Pediatrics and Child Health, whom the NHS appointed in 2020 to conduct an independent review of its gender identity services. The Cass report found "gaps in the evidence base" for puberty blockers, which arrest the onset of puberty by inhibiting sex hormones.

A 2022 study by the UCLA Williams Institute found that there are approximately 1.6 million people in the U.S. who identify as transgender, with nearly half of that population between the ages of 13 and 24.