

March 12, 2025

Chair Moses, Vice-Chair Brooks, and Honorable Members of the Assembly Committee on Health, Aging and Long-Term Care:

The American Civil Liberties Union of Wisconsin appreciates the opportunity to provide testimony in opposition to Assembly Bill 104.

Bills like AB-104 are part of a nationwide coordinated effort to deny transgender people their freedom, safety, and dignity. Anyone paying attention can see that the ultimate goal of legislation like this is to erase and exclude transgender people from participation in all aspects of public life. In just the first few months of 2025, over 500 anti-LGBTQ bills have been introduced in statehouses across the country.¹ **To be clear, transgender people have always existed and they always will. School board members, state legislators, and the President of the United States do not get to decide that they don't.**

Patients and their doctors should be trusted to make private medical decisions, not politicians. Every family should have the freedom to love and support their child, transgender or not. Trans youth who are affirmed in their gender by their families do better in school, feel safer in their communities, establish healthy relationships with their parents and peers, and are better equipped to plan for their future. In contrast, denying them this support increases their likelihood of dropping out of school, increases their risk for substance use, worsens symptoms of depression and anxiety, and gravely increases their risk for suicide.

AB-104 places politicians' feelings and unsubstantiated fears above the advice of medical professionals, and strips families of their ability to make informed healthcare decisions. That is why every major medical association—including the American Medical Association,² the American Academy of Pediatrics,³ and the American Academy of Child and Adolescent Psychiatry⁴—opposes bills like AB 104 and instead support access to the healthcare this bill seeks to ban. In fact, the American Medical Association said legislation such as AB 104 “represents a dangerous governmental intrusion into the practice of medicine” and that such bills “will be detrimental to the health of transgender children across the country.”⁵

¹ “Mapping Attacks on LGBTQ Rights in U.S. State Legislatures,” ACLU (March 5, 2025), <https://www.aclu.org/legislative-attacks-on-lgbtq-rights-2025>.

² ee, e.g., AMA reinforces opposition to restrictions on transgender medical care, THE AMERICAN MEDICAL ASSOCIATION (June 15, 2021), <https://www.ama-assn.org/press-center/press-releases/ama-reinforces-opposition-restrictionstransgender-medical-care>

³ Ensuring Comprehensive Care and Support for Transgender and Gender Diverse Children and Adolescents, THE AMERICAN ACADEMY OF PEDIATRICS (Oct. 1, 2018) (reaffirmed Aug. 2023), <https://publications.aap.org/pediatrics/article/142/4/e20182162/37381/Ensuring-Comprehensive-Care-and-Supportfor?autologincheck=redirected>

⁴ AACAP Statement Responding to Efforts to Ban Evidence-Based Care for Transgender and Gender Diverse Youth, AMERICAN ACADEMY OF CHILD AND ADOLESCENT PSYCHIATRY (Nov. 8, 2019), https://www.aacap.org/AACAP/Latest_News/AACAP_Statement_Responding_to_Efforts-to_ban_EvidenceBased_Care_for_Transgender_and_Gender_Diverse.aspx

⁵ *AMA reinforces opposition to restrictions on transgender medical care*, THE AMERICAN MEDICAL ASSOCIATION (June 15, 2021), <https://www.ama-assn.org/press-center/press-releases/ama-reinforces-opposition-restrictionstransgender-medical-care>

In addition to opposition from leaders in the medical community stating these bills are harmful and an invasion into ethical medical practice, there is also a strong risk that these bills illegally discriminate against trans people and violate federal Constitutional rights. Importantly, the United States Supreme Court heard argument in *United States v. Skrametti*⁶ in December 2024 directly on point to this issue—Tennessee passed a categorial ban on gender-affirming medical care similar to AB 104, and that law was challenged as unconstitutional discrimination based on transgender status and sex. The Supreme Court is poised to rule in *Skrametti*—and thus, on the constitutionality of similar bans like AB 104—in the coming months.

We all want what’s best for our children, and families with transgender youth are no different. No parent should be denied the freedom to help their transgender youth access the care that is right for them. **Every state should be a safe place to raise every family.**

We urge you to oppose Assembly Bill 104.

⁶ See *United States v. Skrametti*, 144 S. Ct. 2679, 219 L. Ed. 2d 1297 (June 24, 2024).