

To Chair Roegner & Ranking Member Hicks Hudson
Re: Enact Ohio Saving Adolescents from Experimentation (SAFE) Act Ohio House Bill 68

In Opposition

Thank you for providing the opportunity to testify. We are a group of mental health professionals at Tandem Columbus, an outpatient, private practice in Columbus, Ohio. Our organization is comprised of Counselors, Social Workers, and Marriage & Family Therapists who are licensed in the State of Ohio to diagnose and treat mental health disorders in the Diagnostic Statistical Manual, including Gender Dysphoria in adults and minors. We are providing testimony **in strong opposition to HB 68** that bans gender affirming healthcare for minors. While we are in opposition to the bill in its entirety, we are fervently opposed to the language that penalizes a professional who “aids or abets” parents and families with information, resources, referrals, and/or treatment concerning lifesaving healthcare that is otherwise supported by all major medical and mental health organizations in the United States and across the globe.

This bill is so full of medical inaccuracies (i.g. 3129.03 C, D, and E); outdated demographic data (i.g. Section 2 B); and social/cultural fallacies (i.g. 3129.01 A and C) that it is difficult to narrow our opposition to this written statement alone. Our ability to abide by the law as it is currently written will be difficult given the subjective and ambiguous language that mystifies the direction for our work and the protection of our individual licenses.

We are specifically concerned about the following that directly pertains to mental health workers:

1. The use of “treatment” and “gender related condition” are not defined in the bill and are therefore left up for individual interpretation. Most every mental health issue that is presented in therapy can be defined as a “gender related condition”, according to the DSM. Additionally, without a definition of “treatment”, we are unsure of what differentiates ‘treatment’, ‘counseling’, ‘care’, or ‘therapy’.
2. The bill requires mental health workers to force clients to undergo “testing” for specific and non-specific mental health disorders before providing gender affirming care. By including the phrase “other mental health disorders” rather than a definitive list of mental health disorders, we are left with vague direction that will penalize individual clinical judgment. Additionally, by forcing unnecessary testing and evaluation due to a lack of understanding from the General Assembly, we are risking trust in the profession and burdening the provision of care to vulnerable children who are in critical need of our support.
3. We are additionally unclear if there are any reporting requirements for mental health professionals who provide services to gender diverse minors. If reporting requirements exist, we are unclear about the purpose and intent of the reporting requirements for mental health professionals. Any such requirements would be in direct conflict with other Ohio legal codes and our professional ethics concerning confidentiality.

This law would directly conflict with our ethical and legal obligation to practice in a competent and ethical manner, upholding the respect for autonomy; justice; nonmaleficence; beneficence; and truth. Passing this bill would create an impossible dilemma, forcing clinicians to choose between 1). practicing within the legal and ethical bounds of our professions or 2). practicing in a way that solely upholds the requirements of HB 68. This bill will have endless consequences: penalizing and criminalizing licensees for facilitating best practices; challenging trust in our profession and reducing overall engagement in our services; and, reducing access to licensed mental health care as clinicians leave the mental health profession in favor of unregulated coaching services.

We ask you to consider our testimony and vote NO on this harmful bill.

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