



Written Testimony on HB 68
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Chair Roegner, Vice Chair Antani, Ranking Member Hicks-Hudson, and members of the Senate Government Oversight Committee, thank you for the opportunity to submit testimony regarding House Bill 68, an act that would prohibit physicians and mental health professionals from providing gender-affirming care to minors.

Autism Speaks is a nonprofit organization dedicated to creating an inclusive world for all individuals with autism throughout their lifespan. We do this through advocacy, services, supports, research and innovation, and advances in care for autistic individuals and their families.

Autism, or autism spectrum disorder (ASD), refers to a broad range of conditions characterized by challenges with social skills, repetitive behaviors, speech, and nonverbal communication. ASD is recognized as a mental health condition in the Diagnostic and Statistical Manual of Mental Disorders (DSM) and the International Classification of Diseases (ICD).

According to a 2022 Williams Institute study, transgender youth comprise about 18 percent of the transgender-identified population in the United States.¹ This means that one in five people who identify as transgender are between the ages of 13 to 17 years old.² An estimated 8,500 (1.15%) of Ohio's youth identify as transgender.³ Numerous studies have found that gender-dysphoric youth are more likely to be autistic, and that autistic individuals report high levels of gender-non-conforming feelings.⁴ Transgender and gender diverse individuals are 3 percent to 6 percent more likely to be diagnosed with ASD than cisgender individuals.⁵ According to a 2023 report from the Centers for Disease Control and Prevention (CDC), autism affects an estimated 1 in 36 children in the United States.⁶ Given these research findings and that an estimated 72,763 children with autism live in Ohio, it is likely that many of the individuals impacted by this bill will have autism.

We are deeply concerned about the potential impact that HB 68 would have on transgender and gender diverse minors, especially those with autism. Of particular concern is section 3129.03 (2a and b), which requires mental health professionals to obtain parental consent and conduct comorbidity screenings to minors seeking treatment for a gender-related

¹ Herman, J., Flores, A., & O'Neil, K. *How Many Adults and Youth Identify as Transgender in the United States?* UCLA School of Law Williams Institute. 2022 June. <https://williamsinstitute.law.ucla.edu/publications/trans-adults-united-states/>

² *Ibid.*, 10.

³ *Ibid.*, 10.

⁴ Dewinter, J., De Graaf, H., & Begeer, S. *Sexual Orientation, Gender Identity & Romantic Relationships in Adolescents and Adults with Autism Spectrum Disorder*. *Journal of Autism and Developmental Disorders*. 2017; 47:2927-2934.

⁵ Warrier, V., Greenberg, D.M., Weir, E., Buckingham, C., Smith, P., Lai, M.C., Allison, C., & Baron-Cohen, S. *Elevated rates of autism, other neurodevelopmental and psychiatric diagnoses, and autistic traits in transgender and gender-diverse individuals*. *Nature Communications*. 2020 Aug 7;11(1):3959. <https://pubmed.ncbi.nlm.nih.gov/32770077/>.

⁶ Maenner, MJ, Warren, Z, Williams, AR, et al. *Prevalence and Characteristics of Autism Spectrum Disorder Among Children Aged 8 Years-Autism and Developmental Disabilities Monitoring Network, 11 Sites, United States, 2020*. MMWR Surveillance Summaries 2023; 72(No. SS-2):1-14. https://www.cdc.gov/mmwr/volumes/72/ss/ss7202a1.htm?s_cid=ss7202a1_w#suggestedcitation.

condition. It is our understanding that mental health professionals are already required to obtain parental consent when they are working with a minor and any additional delays in mental health care are worrisome, especially if the minor is in crisis.

We are also concerned by the bill's screening requirement, which requires mental health professionals to screen minors for "other comorbidities that may be influencing the minor individual's gender-related condition" prior to delivering mental health treatment and services.⁷ Among the comorbidities that must be screened for is autism spectrum disorder. The above language implies that there is causal relationship between ASD and being transgender, non-binary or having gender dysphoria. This assumption is false, dangerous, and misleading and it is not rooted in scientific evidence. Additionally, screening every minor with a gender-related condition for autism and other comorbidities will impose a huge barrier to mental health care access for these individuals. Assessments for autism spectrum disorder require specialized clinical training and expertise. Under the bill's screening requirement, many mental health professionals would have to refer clients to another provider to be assessed for autism and would not be able to deliver any treatment to the client until that assessment takes place and they are referred for treatment. In Ohio,⁸ the average wait time for an appointment for an ASD assessment and diagnosis is 2 years.⁸ The bill's screening requirement will create longer wait times, which means minors with a gender-related condition will be unable to access needed mental health care for a very long time. This will also hurt those minors who are suspected to have autism and are waiting for an appointment to receive an ASD diagnosis.

Many autistic individuals already face significant barriers in accessing health care services. People with autism experience premature mortality, increased morbidity, and are at higher risk for adverse health outcomes than the general population.⁹ A 2023 study found that that an LGBTQ identity and an autism diagnosis is "associated with greater disparities in physical and mental health as well as unmet health care needs."¹⁰ LGBTQ autistic individuals lack adequate health care services, experience greater rates of mental illness, and poorer overall health than their cisgender counterparts.¹¹ Transgender autistic youth have a 50 percent greater risk of attempting suicide compared to non-autistic LGBTQ youth and have higher rates of anxiety (77%) and depression (66%).¹² The barriers to access medical and mental health care imposed by HB 68 would cause significant harm to LGBTQ autistic minors.

Autism Speaks only supports evidence-based medical care and mental health interventions. Gender-affirming care is considered evidence-based, medically necessary care. Respected professional societies, such as the American Academy of Pediatrics, the American Psychiatric Association, the American Psychological Association, and the Endocrine Society, have established evidence-based clinical guidelines and generally accepted standards of care for treating minors with gender dysphoria or who are transgender and gender diverse.¹³ The proposed legislation would ban physicians and mental health

⁷ The 135th Ohio General Assembly. *House Bill 68: Enact Ohio Saving Adolescents from Experimentation Act*. <https://www.legislature.ohio.gov/legislation/135/hb68>.

⁸ OCALI. *Autism Diagnosis Education Project* https://www.ocali.org/project/adeq/page/adeq_goals.

⁹ Bishop-Fitzpatrick, Lauren, and Kind, Amy J.H. *A Scoping Review of Health Disparities in Autism Spectrum Disorder*. *Journal of Autism and Developmental Disorders* 47, 3380-3391 (2017). <https://doi.org/10.1007/s10803-017-3251-9>.

¹⁰ Wallisch, A., Boyd, B., Hall, J., Kurth, N., Steed, C., Mulcahy, A., McMaughan, D., & Batza, K. *Health Care Disparities Among Autistic LGBTQ People*. *Autism Adulthood*. June 2023; 5(2):165-174. <https://pubmed.ncbi.nlm.nih.gov/37346996/>.

¹¹ Hall, J., Batza, K., Steed, C., Boyd, B., Kurth, N. *Health Disparities Among Sexual and Gender Minorities with Autism Spectrum Disorder*. *Journal of Autism and Developmental Disorders*. August 2020; 50(8):3071-3077. <https://pubmed.ncbi.nlm.nih.gov/32056117/>.

¹² The Trevor Project. *Research Brief: Mental Health Among Autistic LGBTQ Youth*. April 2022. <https://www.thetrevorproject.org/wp-content/uploads/2022/05/Autistic-LGBTQ-Youth-Research-Brief.pdf>.

¹³ American Academy of Child & Adolescent Psychiatry. *Clinical Guidelines and Training for Providers, Professionals, & Trainees*. [https://www.aacap.org/AACAP/Member_Resources/SOGIIC/Clinical_Guidelines_Training_Providers_Professionals_Trainees.aspx#:~:text=The%20two%20most%20widely%20known,of%20Transgender%20Health%20\(WPATH\),&text=The%20American%20Psychiatric%20Association%20publishes.and%20gender%20non%2Dconforming%20patients](https://www.aacap.org/AACAP/Member_Resources/SOGIIC/Clinical_Guidelines_Training_Providers_Professionals_Trainees.aspx#:~:text=The%20two%20most%20widely%20known,of%20Transgender%20Health%20(WPATH),&text=The%20American%20Psychiatric%20Association%20publishes.and%20gender%20non%2Dconforming%20patients).

professionals from delivery evidence-based, gender affirming care to minors. Autism Speaks stands with the Ohio State Medical Association, Ohio Chapter of American Academy of Pediatrics, the Ohio Children's Hospital Association, the Ohio Chapter of the National Association of Social Workers as well as many other organizations which oppose this legislation.