The Montana House on Monday held a committee hearing on two bills that focus on transgender young people, echoing similar efforts underway in other states.

One of the bills would prohibit doctors from providing transgender youth certain gender-related medical treatment. Another would bar trans students from participating on school sports teams of the gender with which they identify.

Proponents said the bills would defend trans children from life-altering medical procedures they cannot fully consent to and protect the integrity of women’s sports. Opponents said the bill would harm the wellbeing of transgender youth.

Jaime Gabrielli, a parent of a transgender 16-year-old son, told members of the House Judiciary Committee that the bill banning medical treatments for trans youth could extend the suffering of children like her son due to gender dysphoria.

“I knew something was different regarding gender with him very early on,” Gabrielli said. “As he got older, I knew this was something more than I could explain by saying he’s a tomboy, or a girl who likes boy things.”

Medical intervention for children like her son is “a planned, informed, thoughtful process,” she said, adding that having access to medical professionals has allowed her son to thrive “because he is finally able to be who he is.”

Medical bans on gender-affirming treatment for transgender people are also under consideration in Alabama, Utah, Indiana, Missouri, Mississippi, New Hampshire and Texas.

“These are not tomboys. They’re not children expressing a wish or a whim. This is a consistent persistent identity that usually starts in toddlerhood. This is not an easy path for many children and teenagers,” said Lauren Wilson, a pediatrician and the vice president of the Montana chapter of the American Academy of Pediatrics.

Research has found that access to gender affirming care reduces the rate of attempted suicide among transgender youth by 70%, Wilson said.

Supporters of the bill – called the “Youth Health Protection Act” – said it would stop medical providers from performing potentially unnecessary medical procedures.

“These decisions can have lifelong consequences,” said bill-sponsor Rep. John Fuller, R-Kalispell. The bill “protects children — and only children — from consequences that they do not know about.”

If passed, the bill would ban medical providers from prescribing puberty-suppressing hormones to minors and ban gender reassignment surgery for minors. Health care providers convicted of violating that ban could face civil penalty fines of $500 to $50,000.

Colleen Wood, a pediatric endocrinologist from Billings, said that hormone blockers do not cause irreversible damage. Instead, she said they “temporarily hit the pause button on puberty until the young people are old enough to make their own decisions about their gender.”

“If a youth decides to stop taking them, puberty simply resumes,” Wood said.
The bill banning transgender youth from playing sports according to the gender with which they identify has been dubbed the “Save Women’s Sports Act.” Fuller, who sponsored it, said the bill is designed to protect opportunities for women in sports.

“Allowing males to compete as women in female sports will result in women once again being shouldered aside to stand below the awards podium and forced to cheer the accomplishments of men,” Fuller said.

Similar bills restricting transgender students’ sports participation are under consideration in Oklahoma, South Carolina, Tennessee, Kentucky, North Dakota, and New Hampshire.

The Montana bill received criticism from student groups, medical associations, businesses, and LGBTQ activists.

Zooey Zephyr, a transgender woman and former wrestler, told committee members she lost the athletic advantages she had prior to her transition.

“Trans people do not transition to get an advantage in sports,” Zephyr said. “The image of ‘trans women ruining the integrity of women’s sports’ paints a false picture of life as a trans woman. It incorrectly claims that we have a competitive advantage, and it misses why trans people transition in the first place, which is to lead a happier life.”

Laurel Hesse, legislative program manager with the ACLU of Montana, said the sports bill would unconstitutionally discriminate against Montana children based on their sex. She also said it would be difficult to enforce without violating the privacy of girls, who would be required to prove their sex assigned at birth.

A bill restricting transgender students’ sports participation in Idaho was signed into law last March, becoming the first such law in the country after 17 statehouses considered similar measures in 2020. But a federal judge last August put the law on hold while a legal challenge from the ACLU proceeds.

Barbara Ehardt, the member of the Idaho House who introduced the bill restricting transgender students' sports participation in 2020, traveled to Montana to testify about the Montana bill.

Despite the legal challenge in Idaho, Ehardt encouraged the Republican-controlled Montana Legislature to stay the course.

“If you don't pass legislation such as this, it will come to the day where there will be no room, no place, for girls and women to compete,” she said.