

December 16, 2025

Dear Representative:

**ACLU Urges NO Votes on Extreme Bills Targeting Transgender Youth and Health Care Providers - H.R. 3492 and H.R. 498**

The ACLU is strongly opposed to the “Protect Children’s Innocence Act” (H.R. 3492) and the “Do No Harm in Medicaid Act” (H.R. 498) and urges NO votes on both bills. **Because of the devastating impacts these bills would have on the health and lives of transgender people, as well as providers of lifesaving gender-affirming medical care, the ACLU will be scoring votes on both bills.**



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H.R. 3492

**This legislation represents the most extreme attack on the health of transgender people to ever come before Congress.** It would make the provision of medically sound health care a felony and subject providers of lifesaving gender-affirming medical care to those under the age of 18 to hefty fines and up to 10 years in federal prison. At the same time that this bill criminalizes health care for transgender youth, it explicitly endorses non-consensual surgical procedures on intersex youth and infants.

As a matter of privacy, equality, and bodily autonomy, transgender people have a fundamental right to access gender-affirming medical care. Every leading medical and mental health organization in the country - including the American Medical Association and the American Academy of Pediatrics - agree that this health care is necessary, effective, safe, and even lifesaving. Medical and mental health treatment for transgender people is guided by evidence-based clinical guidelines and the individual needs of each patient. Health care professionals should never be threatened with prison simply for doing their jobs and following the standard of care.

By criminalizing health care for transgender youth, this bill creates an incredibly dangerous precedent far beyond the specific care at issue, criminalizing care based on ideology and placing Washington politicians between families and their doctors. Parents should never be prohibited by politicians from doing what is best for their transgender children. Parents of transgender children often spend years considering how best to support their children only to have ill-equipped politicians interfere by attempting to criminalize the health care that they, their children, and their doctors believe is necessary to allow their children to thrive.

The ACLU is aware of families with transgender youth across the country who have already taken the extraordinary and frantic step of leaving the United States for fear of exactly this kind of proposal becoming the law of the land.

These families deserve trust, respect, and privacy as they make important medical decisions, free from political interference and extreme criminal sanctions from Washington.

H.R. 498

By summarily putting up this proposal for a floor vote, the majority has decided to completely abandon regular order and ignore even the pretense of an actual legislative process. Despite the fact that the Energy and Commerce Committee has not held a markup of this bill - let alone a hearing with testimony from expert witnesses who could speak to how it will harm the health and lives of transgender youth - it is being brought directly to the House floor for a vote.



Like H.R. 3492, it represents an extreme attack on lifesaving health care for transgender youth. It would prohibit Medicaid coverage for gender-affirming medical care for those under the age of 18. At the same time that this medically necessary health care would be prohibited for transgender youth, it explicitly endorses and allows coverage for surgical procedures on intersex youth and infants, which are frequently performed without the individual's own consent.

Members of Congress should never place themselves between patients, families, and doctors, and yet that is exactly what this legislation banning coverage of gender-affirming medical care under Medicaid would do. During consideration of H.R. 1 earlier this year, those who favor eliminating access to lifesaving health care for transgender people tried and failed to include a ban on coverage under Medicaid. Given the importance of Medicaid in providing transgender people with access to lifesaving health care, this latest effort must also be defeated.

Conclusion

Both H.R. 3492 and H.R. 498 would be devastating to the health and lives of transgender people and providers of lifesaving gender-affirming medical care. Passing these bills would be a grave escalation of an already severe effort to not only push transgender people out of public life but also allow the state to control our bodies and our lives further. Abortion bans have shown us the deadly consequences of inserting baseless politics into our doctor's offices. The ACLU is strongly opposed to these bills and will score votes on both.

Sincerely,

A handwritten signature in blue ink, which appears to read "Jessica Arons". The signature is fluid and cursive.

Jessica Arons  
Director, Liberty Division

