The Colorado Health Foundation™

Comments on FTC-2025-0264 – Request for Public Comment Regarding "Gender-Affirming Care" for Minors

August 28, 2025

Honorable Andrew N. Ferguson
Chairman Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue, NW
Washington, DC 20508

Submitted electronically via Regulations.gov

RE: Comments on FTC-2025-0264 – Request for Public Comment Regarding "Gender-Affirming Care" for Minors

Dear Mr. Ferguson,

The Colorado Health Foundation (CHF or the Foundation) stands in strong opposition to the Federal Trade Commission's (FTC) alarming claims that gender-affirming care (GAC) for minors is an "unfair and deceptive practice." GAC is safe, effective, and medically necessary care. We are deeply concerned that the FTC's assertions about GAC's safety and efficacy dismiss decades of research, widespread medical consensus, and robust peer-reviewed standards followed by health care providers. The FTC's framing actively undermines essential, evidence-

based medical care for transgender and gender diverse youth. The FTC's responsibility is to protect consumers from false and deceptive practices, and recent actions represent a departure from the agency's mission in order to target a specific community of consumers and prevent them from accessing long-standing, evidence-based care that has a documented record of improving health and well-being.

The Colorado Health Foundation is a private foundation dedicated to a mission of improving the health of all Coloradans. Access to medically necessary and evidence-based care is an important mechanism for bringing good health in reach for everyone in our state, and this includes gender-affirming care. We believe that health care decisions should be between patients, families, and their health care providers. Harmful policy decisions that invoke fear, go against rigorous and reliable research, and restrict access to health care for Coloradans have no place in our nation or state. We stand firm in our support of evidence-based health care services, including inclusive and comprehensive gender-affirming care.

Gender-Affirming Care Is Medically Necessary and Evidence-Based

Gender-affirming care is supported by decades of rigorous, peer-reviewed research. Every major U.S. professional health care association and society has published statements stating that gender-affirming care is both evidence-based and medically necessary, including the American Academy of Pediatrics (AAP), the American Medical Association (AMA), the American Psychiatric Association (APA), the Endocrine Society, and the World Health Organization.[1]

Over the last half-century, study after study demonstrates that gender-affirming care is associated with improved mental health for transgender and gender diverse people, and in particular, transgender and gender diverse youth. Contrary to the FTC's claims, gender-affirming care is the strongest protective factor for the mental health of transgender and gender diverse young people, decreasing rates of

depression, anxiety, and suicidality.[2]

Rigorous Guidelines are Constantly Evolving

The claim that gender-affirming care is being deceptively marketed ignores the reality of how this care is delivered. Health care providers follow rigorous and evidence-based practices when working with transgender and gender diverse patients of all ages that involve interdisciplinary health care teams to assess mental and physical health, following the universally accepted World Professional Association for Transgender Health (WPATH) standards of care.[3] WPATH has used decades of research and evidence to create guidelines and standards for providing GAC, which has continued to evolve over the years as studies have provided updated information.[4]

Claims that patients or families are being misled or that medical professionals routinely withhold risks or fail to provide informed consent are not only false and vastly unsupported, but they are also deeply stigmatizing and harmful. Ethical, professional, and legal standards in the U.S. require thorough patient education on the risks, benefits, and alternatives of any medical intervention, including GAC. Adolescents and their families engage in extended diagnostic measures and evaluation processes with multidisciplinary teams, often over months or years, before any medical intervention begins. Providers also prioritize informed consent and participate in robust discussions of evidence-based benefits and risks, along with physical, social, and mental outcomes throughout care.

Conclusion

Rather than contributing to harmful, false narratives about a medically necessary and evidence-based form of care, the FTC should reject unfounded allegations about gender-affirming care and seek to protect the rights of transgender youth to access ethical, safe, and affirming health care. The FTC’s recent actions to reject

GAC and uplift inaccurate narratives could seriously endanger the physical and mental health of young people, regardless of gender, across the country.

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[1] https://legacy.lambdalegal.org/publications/fs_professional-org-statements-supporting-trans-health
[2] https://pubmed.ncbi.nlm.nih.gov/35212746/
[3] https://jamanetwork.com/journals/jama/fullarticle/2805345#google_vignette
[4] https://www.tandfonline.com/doi/pdf/10.1080/26895269.2022.2100644

In conclusion, we appreciate your consideration of our comments. If you have any questions, please contact Kyle Rojas Legleiter, The Colorado Health Foundation Senior Director of Policy Advocacy, at Show email or Show phone.

Sincerely,

Kyle Rojas Legleiter
Senior Director of Policy Advocacy
Colorado Health Foundation

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BY

Kyle Rojas Legleiter