



The American Psychoanalytic Organization Opposes Legislation that Interferes in or Penalizes Patient Care

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State legislatures across the country have recently passed or introduced bills that would criminalize gender-affirming care for transgender and gender-diverse patients, including adults as well as children and adolescents.

The American Psychoanalytic Association (APsA)—which represents 3,000 psychoanalysts and psychoanalytically oriented therapists, educators, and researchers—opposes any laws and regulations that discriminate against transgender and gender-diverse individuals, or that interfere in the confidential relationship between a patient and their analyst or therapist. Privacy and confidentiality are absolute preconditions for responsibly, effectively, and ethically conducting psychoanalysis and psychoanalytic psychotherapy. The trusted relationship and therapeutic alliance between analyst/therapist and patient should never be jeopardized by the actions of policymakers.

Affirming our commitment to patient safety, our organization takes a stand against any legislation or regulation that would interfere with the provision of evidence-based patient care for any patient. We recognize health as a basic human right for every person, regardless of gender identity or sexual orientation.

APsA opposes and deplors all public and private discrimination based on actual or perceived sexual orientation, gender identity, and/or gender expression.

Further, we strongly oppose any effort to criminalize or penalize psychoanalysts and psychoanalytically oriented therapists for providing necessary care for their patients. Psychoanalytic clinicians must be able to practice freely and without threat of punishment in a way that is informed by their years of education, training, experience, and the available evidence. Patients and their providers—not policymakers—should be the ones to make decisions together about what care is best for them.

Resources:

<https://apsa.org/wp-content/uploads/2022/02/1999-Position-Statement-on-Confidentiality.pdf>

<https://apsa.org/wp-content/uploads/2022/02/2012-Position-Statement-on-Sexual-Orientation-Gender-Identity-and-Civil-Rights.pdf>

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