

ATTACHMENT E

Concerns about Affirmation of an Incongruent Gender in a Child or Adolescent

Quentin L. Van Meter, M.D.

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Qualifications

I received my B.A. in Science at the College of William and Mary and my M.D. from the Medical College of Virginia, Virginia Commonwealth University. I am currently a pediatric endocrinologist in private practice in Atlanta, Georgia. I am the President of Van Meter Pediatric Endocrinology, P.C. I am on the clinical faculties of Emory University School of Medicine and Morehouse College of Medicine, in the role of adjunct Associate Professor of Pediatrics. I am board certified in Pediatrics and Pediatric Endocrinology. I have been licensed to practice medicine in Georgia since 1991. I have been previously licensed to practice medicine in California, Louisiana, and Maryland.

I did my Pediatric Endocrine fellowship at Johns Hopkins Hospital from 1978-1980. The faculty present at that time had carried on the tradition of excellence established by Lawson Wilkins, M.D. Because of the reputation of the endocrine program as a center for exceptional care for children with disorders of sexual differentiation, I had well-above average exposure to such patients. As a Pediatric Fellow, I was also exposed to adults with Gender Identity Disorder, then called Trans-Sexuality, and received training from John Money, Ph.D., in his Psycho-hormonal Division. Over the past 44 years, I have closely followed the topic of incongruent gender in children adolescents and adults, but I am focusing in this document on working with children and adolescents. To get a more solid understanding of how male and female human beings develop in utero, it is important to start at the point when a sperm meets an egg.

Differentiation in the Fetus

From the moment of conception, a fetus is determined to be either a male (XY), female (XX), or in rare cases, to have a combination of sex-determining chromosomes, many of which are not compatible with life, and some of which are the cause of identifiable clinical syndromes. The presence of a Y chromosome in the developing fetus directs the developing gonadal tissue to develop as a testicle. The absence of a functional Y chromosome allows the gonadal tissue to develop as an ovary. Under the influence of the mother's placental hormones, the testicle will produce testosterone which directs the genital tissue to form a penis and a scrotum. Simultaneously, the testicle produces anti-Müllerian Hormone (AMH) which regresses development of the tissue that would otherwise develop into the uterus, fallopian tubes, and upper third of the vagina. This combination of actions in early fetal development is responsible for what we subsequently see on fetal sonograms, and what we observe at birth as male or female genitalia. It is only when the genital structures are ambiguous in appearance that sex determination is withheld until a thorough expert team evaluation has occurred.

For reasons most often occurring as random events, there are malfunctions of the normal differentiation. These aberrations of normal development are responsible for what we classify as Disorders of Sexual Differentiation (DSD), and they represent a very small fraction of the human population. The incidence of such circumstances occurs in 1:4500 to 1:5500 births.¹ Sex is binary, male or female, and is determined by chromosomal complement and corresponding reproductive role. The exceedingly rare DSDs are all medically identifiable deviations from this sexual binary norm. The 2006 consensus statement of the Intersex Society of North America and the 2015 revision of the Statement do not endorse DSD as a third sex.² DSD outcomes range from appearance of female external genitalia in an XY male (complete androgen insensitivity syndrome) to appearance of male external genitalia in an XX female (severe congenital adrenal hyperplasia).

As one would expect, there are variations of the degree of hormonally driven changes that create ambiguous genital development that prevent assigning of a specific classification as either male or female at birth. DSD patients are not “transgender”; they have an objective, physical, medically verifiable, physiologic condition. Transgender people generally do not have intersex conditions or any other verifiable physical anomaly. People who identify as “feeling like the opposite sex” or “somewhere in between” do not comprise a third sex. They remain biological men or biological women.

In some DSDs there exist more than one set of chromosomes. When there is a divergence of the appearance of the external genitalia from the chromosomally determined sex due to the presence of both an ovarian and testicular cell lines in a patient simultaneously, the patient is classified as having ovo-testicular DSD (formerly termed a true hermaphrodite). When there is a disruption in the development of genital structures but there is solely testicular tissue present in the chromosomal male or solely ovarian tissue in the chromosomal female, the term 46 XY DSD or 46 XX DSD is used instead respectively (formerly termed male pseudohermaphrodite or female pseudohermaphrodite).

The decision to assign a sex of rearing is complex and is specific to the diagnosis. Patients with complete androgen insensitivity (CAIS) are XY DSD but are never reared as a male. Because testosterone never influences development, they become happy, functional female adults with infertility. Females with severe congenital adrenal hyperplasia (CAH) are XX DSD but are not reared as males despite the male appearance of the genitalia at birth. Although these girls may show a tendency for male play behaviors as children, they generally assume a female sexual identity. Therapeutic interventions in the DSD individuals from infancy onward are aimed at what function can be expected from their disordered sexual anatomy in terms of function and fertility. Most often, the chromosomal sex aligns with the sex of rearing.

Gender Identity

“Gender” is a term that refers to the psychological and cultural characteristics associated with biological sex. It is a psychological concept and sociological term, not a biological one. The term gender possessed solely a linguistic meaning prior to the 1950s. This changed when sexologists of the 1950s and 1960s co-opted the term to conceptualize cross-dressing and transsexualism in their psychological practice. “Gender identity” is a term coined by my former endocrine faculty member John Money in the 1970s and has come to refer to an individual’s mental and emotional sense of being male or female. The norm is for individuals to have a gender identity that aligns with one's biological sex.

Gender discordance (formerly Gender Identity Disorder) is used to describe a psychological condition in which a person experiences marked incongruence between his experienced gender and the gender associated with his biological sex. He will often express the belief that he is the opposite sex. Up until 2010, gender discordance occurred in 0.001% of biological females and in 0.0033% of biological males.³ Exact numbers are hard to document since reporting is often anecdotal. Gender discordance is not considered a normal developmental variation.

“Gender Dysphoria” is a diagnostic term to describe the emotional distress caused by gender incongruity.⁴ John Money played a prominent role in the early development of gender theory and transgenderism. He understood gender to be “the social performance indicative of an internal sexed identity.”⁵ He joined the Johns Hopkins faculty in 1951 specifically to have access to children diagnosed with DSD, hoping to prove his theory that gender was arbitrary and fluid. Money experimented with DSD infants by assigning them to the opposite biological sex through surgical revision, counseling, and hormonal manipulation during puberty. His mode of operation was to have a theory and then experiment with patients to see how his theory worked.

Ethics in Clinical Research on Human Subjects

It is important to discuss the need for ethics to play a role in the design of clinical studies involving human patients. To have a hypothesis, as did John Money, is not at issue. However, to clearly elucidate the potential for harm and balance that knowledge with the potential benefits is key and essential. After the travesties of open-ended experimentation in the Nazi concentration camps, international guidelines were established to protect human subjects from just such experimentation.⁶ John Money ignored these guidelines as he assigned genders to infants and toddlers with ambiguous genitalia. There was no informed consent of the patients, who were infants and toddlers, and their parents were just told to follow the advice of Dr. Money and to trust that he had the correct information. There was no standardized protocol to follow, and no known outcome that could be guaranteed. This kind of endeavor did not anticipate or prevent adverse outcomes and was the antithesis of ethical science. Money never submitted his research proposals for review by an independent external review board. This left the patients unprotected and vulnerable to harm, and, indeed, in the case of the Reimer twins, to death due to drug addiction/overdose in one brother to and suicide in the other.⁷

Near the end of my fellowship training at Johns Hopkins, a male infant was sent to our clinic to assess the cause of his very small penis and testicles. My attending physician and I laid out a diagnostic work-up based on the known science which would help us understand whether the problem was due to a pituitary deficiency or an inability of tissue response to hormones. We purposely left John Money off the care “team,” having some serious concerns about his tendency to dismiss science and to experiment. We sent the family home with their son and were quite surprised when the mother returned six weeks later with a baby wearing a pink dress and an eyelet bonnet. Without our knowledge, Dr. Money had intervened and told the family that our protocol was nonsense and the baby needed to be reared as female. On physical exam, there was clear evidence that not only was the baby able to produce testosterone, but his penis responded well, as expected, to the hormone production by his own body. The family was relieved but had not been spared suffering under the experimentation by Dr. Money. They had suffered deeply when they divulged to their extended family that their baby boy was actually a baby girl, and then they suffered even more when they recanted and resumed calling him a boy.

Because of his experience with infants, Money initially garnered support from endocrine colleagues and surgical colleagues, and Johns Hopkins became a renowned center for care of patients with DSD in the 1970s, receiving referrals from around the world. Follow-up studies on these infants later showed, however, that altering their natal sexual identity via social intervention could lead to severe psychological harm. Clinical case reports of children with DSD have revealed that gender identity is indeed not immune to environmental input.⁸

Meanwhile, Money had expanded into the field of adult patients with persistent gender identity disorder. This very small group of patients chose voluntarily, as adults, to enter a very precise protocol which began with living socially as the opposite sex for a year, eventually receiving hormonal therapy to change their physical appearance to some extent. The final step was surgical revision of the body structures that would otherwise be at odds with their desired gender identity. This small group of patients was followed for a number of years past their final surgical procedures and required continuous counseling. These patients expressed some degree of subjective satisfaction but showed no objective improvement in overall wellbeing.⁹ The legacy of John Money fell into disrepute and the transsexual treatment program at Johns Hopkins was closed in the 1980s based on the lack of evidence that this protocol produced an effective cure.

Etiology of Gender Disorders

Transgender affirming professionals claim transgender individuals have a "feminized brain" trapped in a male body at birth and vice versa based upon various brain studies. Diffusion-weighted MRI scans have demonstrated that the pubertal testosterone surge in boys increases white matter volume. A study by Rametti and colleagues found that the white matter microstructure of the brains of female-to-male (FtM) transsexual adults, who had not begun testosterone treatment, more closely resembled that of men than that of women.¹⁰ Other

diffusion-weighted MRI studies have concluded that the white matter microstructure in both FtM and male-to-female (MtF) transsexuals falls halfway between that of genetic females and males.¹¹ These studies, however, are of limited clinical significance due to the small number of subjects and failure to account for neuroplasticity.

Neuroplasticity is the well-established phenomenon in which long-term behavior alters brain microstructure. For example, the MRI scans of experienced cab drivers in London are distinctly different from those of non-cab drivers, and the changes noted are dependent on the years of experience.¹² There is no evidence that people are born with brain microstructures that are forever unalterable, but there is significant evidence that experience changes brain microstructure.^{13,14} Therefore, any transgender brain differences would more likely be the result of transgender behavior than its cause.

Furthermore, infants' brains are imprinted prenatally by their own endogenous sex hormones, which are secreted from their gonads beginning at approximately eight weeks' gestation.^{15,16,17} There are no published studies documenting MRI-verified differences in the brains of gender-disordered children or adolescents. The DSD guidelines also specifically state that current MRI technology cannot be used to identify those patients who should be raised as males or raised as females.¹⁸ Behavior geneticists have known for decades that while genes and hormones influence behavior, they do not hard-wire a person to think, feel, or behave in a particular way. The science of epigenetics has established that genes are not analogous to rigid "blueprints" for behavior. Rather, humans "develop traits through the dynamic process of gene-environment interaction. ... [genes alone] don't determine who we are."¹⁹

Regarding transgenderism, twin studies of adults prove definitively that prenatal genetic and hormone influence is minimal. The largest twin study of transgender adults found that only 20 percent of identical twins were both transgender-identified.²⁰ Since identical twins contain 100 percent of the same DNA from conception and develop in exactly the same prenatal environment exposed to the same prenatal hormones, if genes and/or prenatal hormones contributed to a significant degree to transgenderism, the concordance rates would be close to 100 percent. Instead, 80 percent of identical twin pairs were discordant. This difference would indicate that at least 80 percent of what contributes to transgenderism as an adult in one co-twin consists of one or more non-shared post-natal experiences including but not limited to non-shared family experiences. These findings also mean that persistent GD is due predominately to the impact of nonshared environmental influences. These studies provide compelling evidence that discordant gender is not hard-wired genetically.

Gender Dysphoria vs. Gender Identity Disorder

Up until the recent revision of the DSM-IV criteria, the American Psychological Association (APA) held that Gender Identity Disorder (GID) was the mental disorder described as a discordance between the natal sex and the gender identity of the patient. Dr. Kenneth Zucker, who is a highly respected clinician and researcher from Toronto, carried on evaluation and

treatment of GID patients for forty years. His works, widely published, found that the vast majority of boys and girls with GID identify with their biological sex by the time they emerge from puberty to adulthood, through either watchful waiting or family and individual counseling.²¹ His results were mirrored in studies from Europe.^{22,23}

When the DSM-V revision of the diagnosis of GID was proposed by the APA committee responsible for revision, Dr. Zucker strongly opposed the change to the term Gender Dysphoria, which purposefully removed gender discordance as a mental disorder apart from the presence of significant emotional distress. With this revision, Gender Dysphoria describes the mental anguish which is experienced by the gender discordant patient. The theory that societal rejection is the root cause of Gender Dysphoria was validly questioned by a study from Sweden which showed that the dysphoria was not eliminated by hormones and sex reassignment surgery even with widespread societal acceptance.²⁴

Treatment of Gender Dysphoria

The treatment of children and adolescents with gender discordance and accompanying gender dysphoria should include an in-depth evaluation of the child and family dynamics. This evaluation provides a basis on which to proceed with psychologic therapy. The entire biologic and social family should be involved in psychological therapy designed to assist the patient, if at all possible, to align gender identity with natal sex. Psychological support by competent counselors with an intent of resolving the gender conflict should be provided as long as the patient continues to suffer emotionally. Given the high degree of eventual desistance of gender discordance/dysphoria by the end of puberty, it would be ethical and logical to counsel the patient and family to rear the child in conformity with natal sex.

There should be no interruption of natural puberty. Natural pubertal maturation in accordance with one's natal sex is not a disease. It is designed to carry malleable, immature children forward to be healthy adults capable of conceiving their own progeny by providing either a sperm or an egg. Puberty affects physical changes, some of them painful, unique to the natal sex to reflect the laws of nature. Interruption of puberty has been reserved for children who begin puberty at an age much younger than normal in an effort to preserve final height potential and avoid the social consequences of precocious maturation.²⁵

There are a number of physical changes that are a consequence of normally timed puberty that could be classified as disadvantageous: changes in body proportions can alter success with dance and gymnastics; acne can be severe and disfiguring; a boy soprano can suddenly hardly carry a tune. It has not been the ethical standard of care to stop puberty so that these changes can be circumvented. Erikson described the stage of adolescence as "Identity versus Role Confusion" during which the teen works at developing a sense of self by testing roles then integrating them into a single identity.²⁶ This process is often unpleasant regardless of the presence or absence of gender identity conflicts. The major benefit of enduring puberty in a GD patient is that it provides a strong likelihood of alignment of his gender identity with his

natal sex. There is no doubt that these patients need compassionate care to get them through their innate pubertal changes.

The light at the end of the tunnel is the proven scientific evidence that 80%- 95% of pre-pubertal children with GD will come to identify with their biological sex by late adolescence. Some will require lifelong supportive counseling while others will not.²⁷ Intervention at a young age with gonadotropin releasing hormone analogs (often referred to as puberty blockers) to either stop puberty early on or prevent it from starting before it naturally occurs is suggested by guidelines developed by WPATH without scientific basis. These guidelines are essentially nothing more than an open-ended experiment in the manner of John Money. They represent the ideas of their authors with clear admission that there is no long-term evidence that harm will exceed benefits as these patients grow to old age. There is evidence that bone mineral density is irreversibly decreased if puberty blockers are used during the years of adolescence.²⁸ To treat puberty as a pathologic state of health that should be avoided by using puberty blockers (GnRH analogs) is to interrupt a major necessary physiologic transformation at a critical age when such changes can effectively happen. We have definite evidence of the need for estrogen in females to store calcium in their skeleton in their teen years. That physiologic event can't be put off successfully to a later date. It is very difficult to imagine ethical controlled clinical trials that could elucidate the effects of delaying puberty until the age of consent.

The use of cross-sex hormones during this same time frame has no basis of safety and efficacy. The use of such treatment in adults raises scientifically valid concerns that were amply expressed in the 2009 Endocrine Society Guidelines on Transgender treatment. The next step in WPATH-recommended intervention is to use cross-sex hormone therapy during the time when the patient would naturally be experiencing endogenous pubertal changes. This too is not based on scientifically proven theories. The use of cross-sex hormones can cause permanent infertility.²⁹

The final recommended step is so-called "sex reassignment surgery," which can include surgical removal of the breasts in natal females, or removal of the penis and scrotum in natal males. Each of these steps has adverse outcomes, some reversible and others not. Mastectomies leave scars, and there is great difficulty in creating a functional vaginal-like orifice, and certainly no success in creating an innervated erectile penis where none existed previously. Sex reassignment surgery is, by nature, permanent.

Recurrent Themes that Are Repeatedly Published

Puberty blockers are stated to be completely reversible in their effects on the adolescent who has entered puberty based on clinical studies in young children with precocious puberty who have been treated with these drugs. This is comparing apples to oranges. Precocious puberty, by definition, is defined as puberty which starts before the 8th birthday for a female child or the before the 9th birthday in a male child. The end of treatment is carefully timed so that resumption of puberty occurs at the average age for females (10.5 years) and males (11.5

years). This allows the necessary functions of puberty to prepare the body for reproduction and affects the bones, gonads, and brain, among other body systems. On the other hand, blocking puberty at the age of normal puberty prevents the needed accretion of calcium into the skeleton and prevents the maturation of the gonads. There is no long-term data that compares bone, gonad, and brain health in pubertal-aged patients who have had puberty interrupted and those who have not, as was noted as a concern in the Endocrine Society Guidelines. There are no such ongoing studies completed that guarantee the full reversibility of blocking puberty in this age group, but there is evidence that normal bone density can't be fully reestablished. Without any verifiable safety data, using the puberty blockers for interrupting normal puberty is not a sanctionable off-label use of these drugs and is therefore to be considered uncontrolled, non-consentable experimentation on children.

Advocates for the social, medical and surgical affirmation of gender incongruent children insist that they are only following established standards of care. There are no standards of care for transgender health. Standards of care established by broad consensus are reached by inclusion of the whole spectrum of opinions, clinical experience and published science in the formation thereof. The guidelines published by WPATH³⁰, the Endocrine Society,^{29,31} the American Academy of Pediatrics³², and the Pediatric Endocrine Society³³ are solely the opinions of like-minded practitioners who excluded any contrary opinion. The Endocrine Society Guidelines, as mentioned before, clearly stated that they are not to be considered standards of care. Before true consensus-driven standards of care are established for the treatment of transgender patients of all ages, following the current guidelines is risky experimentation in a manner reminiscent of John Money's tactics.

What We Do Know and Do Not Know

We do know that social affirmation of an incongruent gender tears the fabric of the patient's life into pieces- pitting family members against each other, ruining child friendships and it introduces the child to a fantasy world, much of it on the internet. Kenneth Zucker aptly documented the detrimental effects of such affirmation and the immense amount of work it takes to undo these effects when the child does come to realize they can't change their sex and wants to go back to identifying with their sex³⁴. We do not know that social affirmation does anything other than push the child away from the proven, 80-90% effective, so-called watch-and wait treatment option. Embarrassingly unscientific short term convenience sample studies purport to show that all gender incongruent children who are socially affirmed have improved mental health and are therefore better off than those children who are not allowed to socially transition.³⁵

We do know that blocking puberty during the age when puberty naturally happens lessens accretion of calcium into the skeleton and that this can't be regained by allowing puberty to resume or by using cross sex hormones. We do know that the ovary and testicle cease to mature with treatment. What we do not know is whether allowing puberty to resume will allow the ovary and testicle to fully mature and have full function in terms of fertility. We do

not know if brain development that is halted with puberty blockers can return to full . function once puberty is allowed to resume.

We do know that elevated levels of testosterone in females and of estrogen in males create significant medical morbidity. This knowledge comes from the evaluation and treatment of naturally occurring disease states in children and adults. Treatment of these conditions is aimed at returning hormone levels to normal, thereby avoiding cancers, heart disease, and stroke. We do not know that elevating testosterone in females and estrogen in males to levels ten-fold higher than these known disease states is safe, but common sense would say it can't possibly be safe.

The Myth of Increased Suicide

The affirmation advocates repeatedly refer to the established increased risk of suicide if any of the affirmation strategies are not followed to completion. They point to their own published studies touting dramatic improvement in mental health status of patients who are affirmed in all three ways, but they cite data from convenience sampling, which never should be used to prove anything other than association, at best. Such studies can never prove causation. There are only two total population studies in the peer-reviewed medical literature.^{24,36,37} They show that when every recorded case in the population of Sweden was analyzed, neither medical affirmation nor medical affirmation followed by surgical affirmation improved the mental health of the patients in the long run.

What of the Nearly Logarithmic Increase in Incidence of Gender Incongruence?

Data collection in this regard is subject to estimates based on surveys, which can easily alter the numbers upward or downward, depending on who designed the survey and to whom it was presented. Fear, self-loathing or suicide will necessarily lower the numbers of survey participants whose lives are made miserable by the choice to affirm an incongruent gender. Instant gratification, payback to strict parents, and current celebrity will draw survey participants to express euphoric satisfaction with their decision to affirm their incongruent gender, especially when the surveys are circulated by trans-activist organizations, such as the Trevor Project. What had been in 2010 a nearly invisible fraction of adults who admitted to living with an incongruent gender has exponentially increased in frequency to as many as one out of five students in a suburban Pittsburgh school district in 2021. After I completed my fellowship at Johns Hopkins in 1980, it was not until 1993 that a biologic male presented to my private practice office with a desire to be treated with estrogen to feminize his body so that he could appear to be a female and identify as such. There was nothing in published medical literature that I could find to guide my treatment options. I canvassed my broad contact pediatric endocrinology network across the United States, and nobody had heard of such a clinical case, and none had any suggestions about what I should do. In the ensuing 19 years, the number of transgender treatment centers have burgeoned from zero to several hundred between university-based centers and Planned Parenthood. Minority stress theory is frequently used to cover this explosion in numbers, but that is utterly impossible. What does

explain this increase is online recruiting and grooming of vulnerable children and adolescents by a generously funded political movement aimed at dissolving the reality and birthright of biologic sex. This will not end well. By the time a plethora of legal action against those who promoted and engineered the social, medical, and surgical affirmation of incongruent gender knocks down this house of cards, millions of children and adolescents will have been medically, surgically, and mentally maimed as well sterilized.

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