

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA
RESOLUTION NO. 30-25**

**A RESOLUTION OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA,
TO AFFIRM THAT MEMBERS OF THE LGBTQ+ (LESBIAN, GAY, BISEXUAL,
TRANSGENDER, QUEER) COMMUNITY MAY RECEIVE CONFIDENTIAL
HEALTHCARE WITHOUT INTRUSION OR INTERFERENCE, TO DECLARE UPPER
DARBY TOWNSHIP A SAFE AND WELCOMING HAVEN FOR THE LGBTQ+
COMMUNITY; AND TO URGE COUNTY AND STATE OFFICIALS TO SUPPORT
SIMILAR LEGISLATION**

WHEREAS, Upper Darby Township welcomes diversity and believes that all individuals add to the quality of our lives and should be treated fairly, with respect and dignity, and with full human rights; and

WHEREAS, many of the business owners, community leaders, families, members of the workforce, students, and residents within the Upper Darby Township who contribute to the enrichment of our Township are part of the LGBTQ+ community; and

WHEREAS, the population of Upper Darby Township consists of people of every race, color, religion, national origin, ancestry, sex, gender identity and expression, sexual orientation, marital status, and familial status. Upper Darby Township is committed to preventing discrimination by enacting local ordinances prohibiting discrimination in employment, housing, public accommodation, and benefits for Township employees; and

WHEREAS, Upper Darby Township recognizes and admonishes the increasing, unprecedented wave of legislation denying respect and dignity for a variety of minority and disenfranchised citizens, including negative legislation based on sexual orientation, and gender identity or expression across the United States, with no end in sight; and

WHEREAS, with the record number of discriminatory anti-transgender legislative bills and executive orders being proposed and enacted throughout the country, which in turn fuels more bigotry, violence, and stigma against transgender and gender diverse people, causing these people and their families to face heightened bias, and systemic discrimination from an early age, increasing their vulnerability to harassment and violence, and adding to the risk of suicide; and

WHEREAS, estimates indicate that about twenty percent (20%) of the United States population are LGBTQ+, including one (1) in six (6) young adults; and

WHEREAS, over ninety-three percent (93%) of surveyed LGBTQ+ youth surveyed by the Trevor Project in late 2021 said recent politics have negatively impacted their mental health, and ninety-three percent (93%) of transgender and nonbinary youth surveyed by the Trevor Project in 2022 said they have worried about transgender people being denied access to gender-

affirming medical care due to state or local laws. Over half of those surveyed had seriously considered suicide in the past year; and

WHEREAS, as attacks against transgender and gender non-binary adults and youth across the United States continue, it is the responsibility of Upper Darby Township to ensure transgender and gender non-binary people, particularly youth, continue to be protected and welcomed; and

WHEREAS, Upper Darby Township is a welcoming township to all; and

WHEREAS, as the date of this resolution, Upper Darby does not restrict access to gender-affirming healthcare or ban insurance exclusions for gender-affirming healthcare; and

WHEREAS, gender-affirming healthcare has been proven to be evidence-based, medically necessary, and lifesaving by the American Medical Association, the American Academy of Child and Adolescent Psychiatry, the American Academy of Pediatrics, the Endocrine Society, the American Psychiatric Association, and the World Professional Association for Transgender Health, amongst other institutions; and

WHEREAS, studies have shown that gender transition, including access to gender-affirming healthcare, improves the overall well-being of transgender people and that access to gender-affirming healthcare for youth is associated with better mental health outcomes and lower risks of suicide; and

WHEREAS, in this hostile environment, cities, counties, and states across the country are taking steps to support and protect lesbian, gay, bisexual, transgender, queer, and gender-expansive people, especially youth; and

WHEREAS, healthcare professionals providing care to transgender people, and people referring transgender people to professional providers of care, and those individuals seeking gender-affirming healthcare for themselves should be protected from the imposition of criminal punishment, civil liability, administrative penalties, or professional sanctions based on the laws of other states when gender-affirming healthcare is lawful in the Commonwealth of Pennsylvania and meets standards for good professional practice; and

WHEREAS, a majority of U.S. adults agree that transgender people should have access to gender-affirming care; and

WHEREAS, it is necessary and appropriate to exercise the authority vested in Upper Darby Township, including the coordinate and integrated direction, supervision, and control of all Upper Darby Township departments, boards, commissions, and other agencies, to protect the healthcare professionals and persons lawfully seeking, receiving, and assisting another individual in seeking or receiving of gender-affirming healthcare in Upper Darby Township; and

NOW THEREFORE, BE IT RESOLVED by the Upper Darby Township Council, and it is hereby **ADOPTED** and **RESOLVED** by authority of same that the Upper Darby Township

Council ("Council") firmly states its commitment to protecting human rights for all individuals and believes that access to healthcare, education, and peaceful enjoyment of their lives are fundamental rights to all people in the Township. The Upper Darby Township hereby reiterates its commitment to transgender rights and equal protections for transgender community members and declares itself a safe township and haven for transgender people to live and seek care; and

BE IT FURTHER RESOLVED, Upper Darby Township shall now and forever be considered a safe place, a sanctuary, a welcoming and supportive township for LGBTQ+ individuals and their families to live in peace and comfort; and

BE IT FURTHER RESOLVED, that the Council hereby declares Upper Darby Township a Safe Haven for Gender-Affirming Healthcare; and

BE IT FURTHER RESOLVED, that the Upper Darby Township Council hereby adopts the following Gender Healthcare Policy:

1. Upper Darby Township shall not criminally prosecute or impose administrative penalties on a licensed professional healthcare provider, whether an individual or organization, for providing gender affirming healthcare. Furthermore, Upper Darby Township personnel shall not criminally prosecute or impose administrative penalties on an individual or organization referring those seeking gender-affirming healthcare to licensed professional healthcare providers who are able to provide this care. Upper Darby Township personnel shall not criminally prosecute or impose administrative penalties on an individual because they are seeking or receiving gender-affirming healthcare.
2. In the event that any law or regulation in the Commonwealth of Pennsylvania imposes criminal punishment, civil liability, administrative penalties, or professional sanctions on a licensed professional healthcare individual provider or organization for providing gender-affirming healthcare, Upper Darby Township personnel shall make enforcement of said law or regulation their lowest priority. Upper Darby Township shall also make law enforcement of said law or regulation their lowest priority with regard to those referring others to professional gender affirming healthcare providers. Upper Darby Township personnel shall also make enforcement of said law or regulation their lowest priority with regard to transgender individuals who are seeking or receiving gender affirming healthcare.
3. Concerning out of state jurisdictions, Upper Darby Township personnel shall decline any request to stop, arrest, detain, or transfer individuals to out-of-state-custody based on the provision of licensed professional gender affirming care, referring to licensed professional gender affirming care, or seeking and/or receiving such care in Upper Darby, because such care is criminalized, penalized, or prosecuted in another state or jurisdiction.
4. Except as required by lawful authority, Upper Darby Township personnel shall not respond to any request for confidential healthcare information from another jurisdiction when the request is motivated solely by an effort to punish or restrict licensed

professional gender affirming healthcare. Furthermore, Upper Darby Township is committed to keeping healthcare information regarding all individuals confidential, and a matter of private consultation between a patient and their doctor, except in matters of national public health emergencies.

5. Except as required by lawful authority, Upper Darby Township personnel shall not enforce or facilitate the collection of any judgment of another jurisdiction to the extent the judgment arises out of a cause of action in that jurisdiction based on providing, seeking, receiving, or assisting in another individual in seeking or receiving gender-affirming

BE IT FURTHER RESOLVED, that the Council of Upper Darby Township supports the safe haven resolution passed by the Delaware County Council to protect the human rights of transgender and non-binary people, in addition to protections for licensed professional gender-affirming healthcare;

BE IT FURTHER RESOLVED, that the Council of Upper Darby Township calls on the Pennsylvania state legislature and Governor Josh Shapiro to pass and sign a “shield law” to protect licensed professional gender-affirming healthcare. Under such a law, if someone travels from a state where licensed professional gender-affirming healthcare is banned and receives such care in Pennsylvania, this law will protect the recipient and/or healthcare provider against civil or criminal charges from the banned state;

BE IT FURTHER RESOLVED, that all resolutions, or parts thereof, inconsistent with the provisions of this Resolution are hereby repealed to the extent of the inconsistency.

BE IT FURTHER RESOLVED, that the provisions of this Resolution are declared to be severable. If any provision of this Resolution is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Resolution.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon the signature of the Mayor or, in the event the Mayor neither approves nor vetoes this Resolution, fifteen days after the last day on which the Mayor can approve or veto this Resolution, as set forth in the Upper Darby Township Home Rule Charter, Section C-702.C.

ADOPTED and RESOLVED this 20th day of August 2025.

SEAL:

ATTEST:

MICHELLE BILLUPS

Secretary of Council

BY:

HAFIZ TUNIS

President of Council

Resolution No. 30-25 is hereby approved this 20th day of August, 2025.

ATTEST:

CRANDALL O. JONES

Chief Administrative Officer

BY:

EDWARD BROWN

Mayor