

Written Testimony

HB 1120: Health Care Providers and Health Benefit Plans – Discrimination in Provision of Services

Health & Government Operations Committee

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Position: FAVORABLE

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Dear members of the Health & Government Operations Committee,
I'm Dr Richard Bruno, a primary care physician and public health practitioner in Baltimore. In my clinic in Baltimore, I care for hundreds of transgender individuals who have struggled with their gender identity in our current healthcare system. Nearly every day, I hear of problems trying to get care, receiving misgendered care, or being called by the wrong pronoun. Often times people will tell me they feel invisible in healthcare settings that should be helping them heal.

This bill HB 1120 helps update old terminology and metrics used by healthcare facilities (bringing them current with US Health & Human Services (HHS) Uniform Data System (UDS) standards of "sexual orientation," and "gender identity," also known as "SOGI"). Collecting SOGI data is critically important to identifying and addressing LGBT health disparities in health centers and other health care organizations. It also prevents discrimination by healthcare providers or insurers based on SOGI criteria.

According to the American Medical Association, "there is not a federal statute explicitly prohibiting discrimination based on SOGI." Unfortunately, HHS is currently reviewing federal grant conditions based on, "concerns that the current regulations violate the Religious Freedom Restoration Act and the Constitution. Specifically, HHS proposes to replace the SOGI anti-discrimination provision with one that prohibits discrimination against classes named by federal statute, such as discrimination based on sex." Removing these anti-discrimination provisions would allow grantees to "refuse services to clients or patients who the grantee finds objectionable—for example, grantees could refuse to place foster children with gay parents or refuse to provide care to transgender individuals."¹

HB 1120, helps protect Marylanders by improving SOGI anti-discrimination efforts and preventing healthcare providers and insurance companies from refusing services based on SOGI criteria.

I urge members of the Health & Government Operations Committee to give this bill favorable review, and empower transgender and gender expansive individuals to receive appropriate care without discrimination.

¹ <https://assets.ama-assn.org/sub/advocacy-update/2019-11-14.html>