

February 13, 2023

Honorable Chair Atterbeary, Vice Chair Washington, and members of the Ways and Means Committee:

I strongly urge you to oppose HB 359. The very first sentence of the preamble of the bill is inaccurate. In everyday medical practice, a person's sex is determined by a doctor or midwife at time of birth by visual inspection of the external genitalia. However, in cases of intersex individuals or other genital abnormalities, that determination is definitely not objective. Newborns are not routinely subjected to genetic testing to determine whether they have XX or XY chromosomes (or possibly some other combination). I have two children who were born in the state of Maryland and their sex has never been "objectively determined by genetics", not prenatally, not at birth, nor any other times in their lives. Does that mean that if this "Save Women's Sports Act" becomes law, my daughter will be prohibited from playing sports when she is in high school because she cannot provide objective proof of her gender?

Without the common practice of definitive genetic determination of a child's chromosomes, how will eligibility for girls' sports be determined? Will every potential student athlete have to be subjected to chromosomal testing for their annual physical? Or will only girls who don't fit stereotypical beauty standards be singled-out to prove that they are biologically female?

I ask that legislators familiarize themselves with the current routine medical tests performed both for newborns and for sports physicals and what the cost of additional genetic screening would be. Since this bill only addresses women's/girls' sports, this financial burden would then only fall on families with daughters. Surely, with the title "Save Women's Sports", the intent of this proposed act cannot be to prevent young women from participating in sports due to the cost of medical testing.

Sincerely,
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