



Senate Bill 119 / House Bill 691
Legally Protected Health Care – Gender-Affirming Treatment
Position: **FAV**

Dear Madam Chair and Members of the Committee,

I am a pediatric endocrinologist and the Trans Youth Lead Physician of the Gender Journeys of Youth Program at Chase Brexton Health Care. Chase Brexton Health Care provides medical and mental health services for over 5,600 transgender and nonbinary people, and I personally care for approximately 600 transgender and nonbinary people.

I support SB119/HB691. I have been providing gender affirming medical care for youth since 2011, and my practice is based on the Standards of Care set forth by the World Professional Association for Transgender Health, or WPATH and the Endocrine Treatment of Gender-Dysphoric/ Gender-Incongruent Persons: An Endocrine Society Clinical Practice Guideline. The WPATH Standards of Care v. 8, published in 2022, states “Gender-affirming interventions are based on decades of clinical experience and research; therefore, they are not considered experimental, cosmetic, or for the mere convenience of a patient. They are safe and effective at reducing gender incongruence and gender dysphoria.*(references below). I have been licensed to practice medicine in the state of Maryland since 2011.

Laws that ban access to gender affirming medical care for minors have been rapidly increasing in the past few years. According to the Williams Institute, 105,200 transgender youth—about one-third of transgender youth in the U.S.—live in the 22 states that banned access to gender-affirming care as of 2023.

Consequently, families in affected states are seeking necessary medical care in states that have medical providers who are legally allowed to provide care. There are three states within a 250-mile radius of Baltimore, MD that have banned transgender care for minors; we have gotten phone calls from families in more distant states as well.

For the provision of healthcare for any patient who resides outside of the state of Maryland, there must be protections in place for the patient, family and physicians.

The fear of privacy violations is not a hypothetical concern. Vanderbilt University Medical Center released private medical records of transgender patients to the Tennessee Attorney General- private health information was not redacted, and records of family members who were not receiving care at the gender clinic were also released. Missouri Attorney General Andrew Bailey cited Missouri’s consumer protection law, known as the Missouri Merchandising Practices Act, to demand access to all electronic health records from patients at the Transgender Center as part of his investigation into the center’s practices.

Texas Attorney General Ken Paxton is seeking medical records from Seattle Children’s Hospital and a telehealth clinic in Georgia for private health information about minors from Texas who received medical

care in Georgia and Washington state. They are using a HIPAA exception for law enforcement for access to records, even though the medical care is legal in the states where it is being provided.

According to a report by the Williams Institute, “the bills carry severe penalties for health care practitioners or other professionals who provide gender-affirming care for minors or refer minors or their families for such care. In 13 states, bills would make it a crime to provide gender-affirming care to minors. Bills in 18 states would subject providers to discipline from state licensing boards, including potential loss of their ability to practice medicine. Bills in 19 states would allow individuals to file civil suits for damages against medical providers who violate these laws, and many extend the statute of limitations to allow a longer time to bring such lawsuits. A few states have proposed bills which would prevent professional liability insurance from covering claims related to the provision of gender-affirming care to minors. Bills in 10 states would additionally prohibit medical practitioners from making referrals to other practitioners for gender-affirming care. Additionally, bills in eight states would make it illegal to “aid and abet” the provision of gender-affirming care. At least one bill would subject mental health providers to reporting requirements on transgender patients.”

Health care systems should ensure ongoing health care, both routine and specialized, is readily accessible and affordable to all citizens on an equitable basis.

Gender-affirming interventions are based on decades of clinical experience and research; therefore, they are not considered experimental. They are safe and effective at reducing gender incongruence and gender dysphoria. A person’s address should not determine their ability to access life-saving care. Physicians providing gender care should not have to fear loss of licensure or criminal penalties for providing care that honors, affirms and supports each patient and family.

I am hopeful for a time when every family can get necessary medical care locally. However, until that time, I am hopeful that Maryland will be a safe place for patients, families and providers to support the transgender community. I urge you to vote in favor of SB119/HB691.

Thank you for your consideration,

Elyse Pine, MD
Chase Brexton Health Care
1111 N. Charles Street, Baltimore, MD 21201

[Trans-Legislation-Summary-Oct-2023.pdf \(ucla.edu\)](#)

* Aires et al., 2020; Aldridge et al., 2020; Al-Tamimi et al., 2019; Balakrishnan et al., 2020; Baker et al., 2021; Bertrand et al., 2017; Buncamper et al., 2016; Claes et al., 2018; Eftekhar Ardebili, 2020; Esmonde et al., 2019; Javier et al., 2022; Lindqvist et al., 2017; Lo Russo et al., 2017; Marinkovic & Newfield, 2017; Mullins et al., 2021; Nobili et al., 2018; Olson-Kennedy, Rosenthal et al., 2018; Özkan et al., 2018; Poudrier et al., 2019; T’Sjoen et al., 2019; van de Grift, Elaut et al., 2018; White Hughto & Reisner, Poteat et al., 2016; Wierckx, van Caenegem et al., 2014; Wolter et al., 2015; Wolter et al., 2018).

[Tennessee hospital faces civil rights investigation over release of transgender health records | AP News](#)

[Wash U alleges Missouri AG illegally sought patient records from transgender center • Missouri Independent](#)

[Texas AG’s pursuit of transgender medical records stirs privacy concerns - The Washington Post](#)