



WHITMAN-WALKER HEALTH

Mailing Address:

Whitman-Walker at LIZ
1377 R Street, NW, Suite 200
Washington, DC 20009

**BEFORE THE MARYLAND SENATE
COMMITTEE ON JUDICIAL PROCEEDINGS
COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS**

**Testimony of Whitman-Walker Health in Support of Senate Bill 401
The Accessible to All Act
February 10, 2020**

Whitman-Walker Health (WWH or Whitman-Walker) is pleased to offer these comments in support of Senate Bill 401, the Accessible to All Act.

Whitman-Walker is a community-based, nonprofit health care center offering health care and health and wellness-related services to residents of the greater Washington, DC metropolitan area, including the nearby Maryland counties and Virginia counties and cities. We offer primary medical care, gender transition-related care, and HIV specialty care; mental health and addiction treatment services; dental care; medical adherence case management; testing and prevention services for HIV and sexually transmitted infections; youth and family support; Wellness services, including yoga and acupuncture; and legal services. In calendar year 2018, our health care patients included 3,616 Maryland residents.

WWH has a special mission to serve lesbian, gay, bisexual, transgender and nonbinary, queer and questioning (LGBTQ) individuals and families throughout the metropolitan area. We are a major provider of health care to transgender and nonbinary persons in the Mid-Atlantic – and in the entire nation. In 2018, our health care patients included 1,837 transgender and nonbinary persons – 9% of our entire patient population. Twenty-five percent of our transgender and nonbinary patients – 457 individuals – were Maryland residents. Our reputation as a welcoming medical home for persons of every gender and sexual orientation, and our expertise in gender-affirming care, attracts patients not only from Maryland, Virginia and the District of Columbia, but also from Delaware, Pennsylvania and West Virginia.

Whitman-Walker Legal Services was established in 1986 to provide pro bono legal assistance on matters related to HIV/AIDS, and today offers legal advice and representation to LGBTQ individuals and families regardless of HIV status, and to health care patients at WWH regardless of HIV status, sexual orientation, and gender identity. We provide legal representation on a wide range of issues including discrimination in employment and health care; federal, state and local public benefits programs; disability insurance; immigration; medical

confidentiality; and name and gender marker changes in legal records for transgender and nonbinary individuals. The work of WWH Legal Services is critical to the health center's mission of providing comprehensive, integrated health care and related services to people living with HIV, the LGBT community, and others who rely on WWH for health care. Our Legal Services attorneys and paralegals are experts in transgender law. In calendar year 2019, we provided legal advice and assistance to 545 clients who identified as transgender, nonbinary, genderqueer or otherwise as non-cisgender – 21% of our total legal clients. One hundred thirty of those individuals – 24% of our total non-cisgender legal clients – were Maryland residents.

Whitman-Walker also has a vibrant research arm that has investigated LGBTQ health and wellness issues, as well as research into HIV treatment and prevention, for many years.

Few aspects of daily life are as sensitive, and as central to dignity, safety and health, as restroom access. Most of us are fortunate enough to be able to take safe and convenient access to restrooms for granted. For transgender and nonbinary individuals, however, use of a restroom consistent with their gender identity is too often a source of anxiety, possible humiliation, and even a threat to their safety. The labeling of single-occupancy restrooms as exclusively for “men” or “women” is a constant reminder of their marginalization and the possibility of being challenged when simply attempting to take care of one of the most basic human needs. Many Whitman-Walker patients and legal clients with marginalized and stigmatized gender identities cope with ongoing trauma which is continuously reinforced by such experiences. Moreover, discouraging persons from relieving themselves in a natural way is not only humiliating but can result in significant health problems.¹

This is a very important issue for Maryland. Scholars at the Williams Institute estimate that more than 22,000 Marylanders identify as transgender.² According to the largest national survey of transgender adults in 2015, which reached more than 27,000 transgender and nonbinary adults,³ respondents reported high levels of mistreatment, harassment, and violence in

¹ See, e.g., Herman, Jody L. *Gendered Restrooms and Minority Stress: The Public Regulation of Gender and its Impact on Transgender People's Lives*. Journal of Public Management and Social Policy Spring 2013. Available at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Herman-Gendered-Restrooms-and-Minority-Stress-June-2013.pdf>.

² Flores, Andrew R., Herman, Jody L., Gates, Gary J., Brown, Taylor N.T. *How Many Adults Identify as Transgender in the United States?* The Williams Institute June 2016. Page 3, Table 1. Available at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/How-Many-Adults-Identify-as-Transgender-in-the-United-States.pdf>.

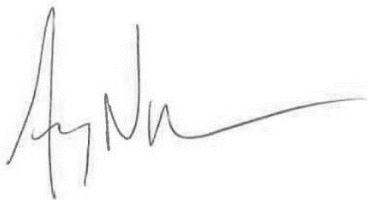
³ James, Sandy E., et al. THE REPORT OF THE 2015 U.S. TRANSGENDER SURVEY. National Center for Transgender Equality 2016. Available at <http://www.ustranssurvey.org>.

every aspect of life. Seven percent of those respondents reported that someone denied them access to a restroom in the past year and 9% reported being verbally harassed. Fifty-eight percent avoided using a public restroom in the past year because they were afraid of confrontations of other problems, while 34% reported limiting the amount they ate or drank to avoid using the restroom. Nearly 700 adult transgender and nonbinary Marylanders participated in the survey.

Labeling single-occupancy restrooms by gender serves no positive social end. Simply changing “Men’s Restroom” and “Women’s Restroom” to “Restroom”, with other appropriate non-gender-specific signage, costs very little and eliminates a very significant obstacle to the health and well-being of our transgender and gender-nonbinary neighbors. Such changes in restroom signage impose no burden or inconvenience on anyone. Legislation similar to Senate Bill 401 has been enacted in Baltimore, the District of Columbia, Austin, Portland, New York City and Philadelphia, and the States of California, Illinois and Vermont, at insignificant cost and with substantial benefits.

Thank you for the opportunity to share our experience.

Respectfully submitted,



Amy Nelson, JD
Director of Legal Services
202-939-7625
anelson@whitman-walker.org



Daniel Bruner, JD, MPP
Senior Director of Policy
202-939-7628
dbruner@whitman-walker.org