



TO: The Honorable William C. Smith, Jr., Chair
Senate Judicial Proceedings Committee

FROM: Deborah J. Baker DNP, CRNP
Senior Vice President for Nursing, Johns Hopkins Health System
Vice President of Nursing and Patient Care, The Johns Hopkins Hospital

Devin O'Brien Coon, MD, MSE, FACS
Medical Director, Johns Hopkins Center for Transgender Health
Associate Professor of Plastic & Reconstructive Surgery
Associate Professor of Biomedical Engineering
Fellowship Director, Complex Gender and Microvascular Surgery Fellowship
Johns Hopkins University School of Medicine

Errol L. Fields, MD, PhD, MPH
Assistant Professor of Pediatrics
Associate Program Director, Adolescent Medicine Fellowship
Co-Director, Emerge Gender and Sexuality Clinic for Children, Adolescents, and Young Adults,
Division of Adolescent / Young Adult Medicine, Johns Hopkins University School of Medicine

Sherita Hill Golden, MD, MHS
Hugh P. McCormick Family Professor of Endocrinology and Metabolism
Vice President, Chief Diversity Officer
Johns Hopkins Medicine
Office of Diversity, Inclusion, and Health Equity

Helene Hedian, MD
Assistant Professor of Medicine, Division of General Internal Medicine
Johns Hopkins University School of Medicine

Steven J. Kravet MD, MBA
President, Johns Hopkins Community Physicians

Margaret Moon MD MPH
Pediatrician-in-Chief
Director, Department of Pediatrics
Johns Hopkins University School of Medicine
Co-Director, The Johns Hopkins Children's Center

Paula M. Neira, JD, MSN, RN, CEN, FAAN
Clinical Program Director, Johns Hopkins Center for Transgender Health
Assistant Professor of Plastic & Reconstructive Surgery
Johns Hopkins University School of Medicine

James “Jimmy” Potash, MD, MPH
Henry Phipps Professor of Psychiatry and Behavioral Sciences
Department Director and Psychiatrist-in-Chief
Johns Hopkins Medicine

Richard J. Redett III, MD
Director, Plastic and Reconstructive Surgery
Director, Pediatric Plastic Surgery
Johns Hopkins Medicine
Professor of Plastic and Reconstructive Surgery
Professor of Pediatrics
Johns Hopkins University School of Medicine

Renata Arrington Sanders, MD, MPH, ScM
Associate Professor, Division of Adolescent and Young Adult Medicine
Johns Hopkins University School of Medicine

Andrew J. Satin, MD, FACOG
Dr. Dorothy Edwards Professor and Director of Gynecology and Obstetrics
Obstetrician / Gynecologist -in-Chief, Johns Hopkins Medicine

Kimberlee Sherbrooke, MHA
Chief Operating Officer, Office of Johns Hopkins Physicians
Vice President, Johns Hopkins Medicine

Kate Thomas, PhD
Director of Clinical Services, The Johns Hopkins Sex and Gender Clinic
Director of Mental Health Services, Johns Hopkins Center for Transgender Health

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The Johns Hopkins Center for Transgender Health (JHCTH) and Johns Hopkins Medicine support **Senate Bill 581 - Action for Change of Name – Waiver of Publication Requirement**. This bill provides that Maryland courts shall waive the publication requirement, upon motion by an individual who has filed an action for change of name under Maryland Rule 15-901. Currently, unless granted discretionary reprieve by the court, Maryland residents seeking legal name changes are required to publish notice of this change in a newspaper. Today, this often means that notices are published online. Enactment of SB581 would significantly reduce the risk of harm to Maryland’s transgender community, optimize the efficiency and accessibility of name change processes for all Maryland residents, and achieve statewide uniformity for a portion of the legal name change process.

Since 2017, the Johns Hopkins Center for Transgender Health, a multidisciplinary service line within Johns Hopkins Medicine, has offered holistic evidence-based treatments to over 2,400 patients seeking gender-affirming healthcare across multiple disciplines. Evidence-based science and best practices are the foundation of our work. The negative impacts of discrimination and societal stigmatization targeted at transgender people that result in health disparities and impact the social determinants of health in areas, such as employment, housing, insurance coverage, and access to health care are well documented.

The existing name-change publication requirement often acts as a barrier to care and potentially places our patients at risk. Many of our patients do not identify as transgender publicly; they are not “out” in their communities, workplaces, or even families. Our patients make these decisions, about with whom they share their gender identity,

for reasons ranging from serious safety concerns to the simple belief that their gender identity is a private and personal matter. Every person makes decisions about what parts of their identity to share with acquaintances, friends, colleagues, and family members, and it is no different for our Maryland transgender community members. When our patients are “outed” against their will – as published name change notices can do – they are placed at empirical risk of discrimination, harassment, and violence.

Poverty is the most important social determinant of health. Accordingly, it is important to note the cost of this burdensome publication requirement. People across Maryland can be charged up to \$250 for name change notice publication. And this is just one part of the costly legal name change process. 22% of surveyed transgender Marylanders reported that cost was the determining barrier to legally changing their names or gender markers. This figure, while staggering, is unsurprising given that a disproportionate segment of the transgender community lives in poverty. While an issue in and of itself, this cost barrier has further implications for our patients’ safety. The consequences of *not* legally changing a name and gender marker can be grave.

The 2015 U.S. Transgender Survey Maryland State Report, a Maryland-specific analysis of respondents participating in the largest survey of transgender people conducted in the United States, found 25% of respondents reported workplace discrimination, including, in some cases, termination because of their gender identity; 24% of respondents experienced housing discrimination, with 11% reporting some period of homelessness, because of their gender identity. Twenty-four percent of transgender Marylanders reported harassment or assault when their ID was found to display a name or gender marker that was incongruent with their physical presentation.

When Marylanders do not have a safe and accessible path to legal name change, they are often forced to live in an extreme state of vulnerability, wherein a routine traffic stop, an employment application, being “carded” at a bar, or a misplaced wallet can, again, “out” a patient against their will. These are not hypothetical situations and are particularly concerning given the reality that over 60% of transgender Marylanders do not have IDs that display their chosen names and appropriate gender markers. At least one study has reported that sexual and gender minority adults were victims of violent crimes (rape, sexual assault, and aggravated assault) at four times the rate of their cisgender/straight peers. Further, the risk of violence increases when the offender is aware of the victim’s gender identity. Requiring transgender people to publish notice of their name change, and thus their gender identity in most cases, contributes to this increased risk.

The lasting nature of name change publications on the internet wrests control from a person over their own identity and safety. Print-only options are ever-dwindling. In Montgomery County, transgender citizens have no print-only options for notice publications. Easily accessible online records follow Maryland transgender community members with them wherever they go, forever posing a significant level of risk to their safety, health, wellbeing, and livelihood.

Lastly, at this time, judges across the state do have the power to discretionarily waive the mandate. Community organizations have found that there is great discrepancy between jurisdictions regarding whether or not a waiver is granted. Uniformity is necessary to ensure all Maryland residents, regardless of their gender identity, are treated equally.

In recent years, the state of Maryland has made strides towards facilitating safe and accessible processes for its more than 22,000 transgender citizens to live as, and achieve legal affirmation of, their authentic selves, which has a positive impact on their health. Senate Bill 581 is an opportunity for Maryland to join 19 other jurisdictions in waiving the antiquated requirement that name changes be published in a newspaper, further cementing its commitment to ensuring the safety, wellbeing, and affirmation of our transgender community members.

The Johns Hopkins Center for Transgender Health and Johns Hopkins Medicine urges a **favorable report on Senate Bill 581 - Action for Change of Name – Waiver of Publication Requirement.**