01/23/2023

HB 1254
Testimony in Opposition

Chairperson and Member of the Committee:

My name is Naomi Tabassum, and I am the owner, director, and a practicing clinician at New Story Counseling Services in Fargo. I am a Licensed Professional Clinical Counselor (LPCC) in the state of North Dakota, a certified clinical supervisor, and have over ten years' experience in clinical mental health counseling. I specialize in LGBTQ+ issues as they relate to mental health, specifically focusing on client who identity as transgender and/or gender expansive.

I oppose HB 1254 for several reasons. First and foremost, this bill seeks to obstruct medical patients from accessing best practice, effective, and lifesaving care. This bill disregards the legitimacy of gender dysphoria and the medically necessary care as outlined by current leading medical and mental health professional organizations, such as the World Professional Association for Transgender Health (WPATH SoC8) as well as the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-5-TR). If this bill passes and successfully prevents licensed healthcare providers from providing evidenced-based, effective care to their minor patients, we are doing a grave disservice to our youth and their families. Untreated gender dysphoria leads to worsened mental health, physical health, substance abuse, school performance, and increased risk for self-injury and/or suicide. The state of North Dakota has collected their own evidence to support this. The 2021 Youth Risk Behavior Survey ND found that transgender middle schoolers in ND are six times more likely to attempt suicide than their straight and cisgender peers. High schoolers in ND who identify as transgender are five times more likely than their straight and cisgender peers to have had attempted suicide within the last 12 months at the time of completing the survey. The transgender youth in our state are already in acute need of lifesaving care. We cannot roll back progress to meet the mental health and physical health needs of our youth.

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I would remind the committee that for youth to access gender affirming care, they must first be assessed by a licensed professional, receive education on the process and outcomes of receiving care, and consent must be obtained from their parent or guardian to access care. That means, youth in our state who receive gender affirming care have already been properly assessed and diagnosed, parents have been informed and consented to care, and health providers have done their due diligence in administering care.

Another objection I have to this bill is the language used. "Minor's perception of the minor's sex is inconsistent with the minor's sex" is very confusing and misleading. It first tells me that the writers of this bill do not have the appropriate language or knowledge to use in legislating against the gender diverse population as well as the medical professionals who serve this community. I must assume they are referring to gender dysphoria or gender incongruence and not "perception of sex" as a patient's sex in not in question when performing gender-affirming care. I would advise the writers of this bill to consult with medical and mental health professionals when attempting to legislate healthcare law in this state.

Additionally, I object to this bill as it is driven by personal and/or religious values and beliefs in an attempt to discriminate against a group of people with differing values, beliefs, and medical needs. For example, this bill allows an exception for male circumcision. Why would that be? If the supporters of this bill want to discontinue all sex or gender related care to ND minors, why are we allowing male circumcision? The answer is that this bill only impedes the healthcare of LGBTQ+ communities. This is about prohibiting medical practices for targeted groups. Let us not be swayed to think the intent of this bill is for the health and benefit of the youth in North Dakota. As a mental health professional, I can assure you that if we deny care to those in need, we will experience an increase in youth suicides, risky behaviors and outcomes, increase in substance abuse, decline in academic performance, increase in youth runaways and human trafficking, and/or overall decline in youth health.

Furthermore, I oppose the penalty of a class B felony to health care providers to continue providing sound, ethical, and medically necessary care to gender diverse minors. Please think carefully about the group of professionals you are looking to target. We have entered the healthcare field to help, care for, and serve our communities. We do not derve to be treated with such threat and insult. This bill is meant to threaten and scare away good, caring, trained, education professionals from performing the healthcare. If this bill passes, it could drive away healthcare professionals from serving in ND.

I urge you to vote DO NOT PASS for HB 1254. Thank you for your time.

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