

WRITTEN TESTIMONY IN OPPOSITION TO HB 1301

House Human Services Committee on House Bill 1301

Date of Hearing: January 24, 2023 2:45 p.m.

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This written testimony is presented in opposition to HB 1301, which is an overreach into the private medical decisions of North Dakota residents.

Doctors and their patients should be allowed to make medical decisions without the interference of the government. The care and treatment of transgender children should be left to the informed decisions between the parents and their doctor, who know the child best. There is no room for the North Dakota Legislature's involvement in those decisions.

Doctors are in the best position to determine if treatment is medically necessary, not the North Dakota Legislature.

Creation of a private remedy, with the extensive statute of limitations and excessive fines are unprecedented. The proposed legislation also creates litigation within the family system and potentially sowing discord, including between parents of the minor child. It allows litigation for a parent's damages caused by gender-affirming care of a minor child. The only harm involved in this proposed legislation is the prohibition of providing gender-affirming care to the child in need.

The public right of action to have a doctor investigated and fined is an egregious abuse of power by the Legislature. There is no public interest in the medical care of a transgender individual and their private medical information should never be compromised or shared in the public sphere.

Provision of gender-affirming care is central to improving the health and well-being of transgender individuals.¹ It saves lives. Transgender children need access to appropriate medical care. All people within the State of North Dakota deserve dignity and respect when seeking needed medical treatment.

Please oppose HB1301.

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¹ Association of Gender-Affirming Hormone Therapy With Depression, Thoughts of Suicide, and Attempted Suicide Among Transgender and Nonbinary Youth, *Journal of Adolescent Health*, Volume 70, Issue 4 (April 1, 2022).