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## **Chairman Ruby and Members of the Human Services Committee,**

My name is Heidi Selzler-Echola, and I am the Medical Director at Canopy Medical Clinic in Fargo, a clinic specializing in sexual and reproductive health. I am writing to express my strong opposition to HB 1181 and respectfully request that you give this bill a **Do Not Pass** recommendation. This bill seeks to define sex, gender, gender identity, and gender expression solely based on an individual's assigned sex at birth and to enforce the use of DNA testing for contested identities. Such measures perpetuate harmful stereotypes, contradict established scientific understanding, and undermine the lived experiences of transgender and non-binary individuals.

### **Scientific and Social Understanding of Gender and Sex**

Gender identity is a deeply personal and intrinsic aspect of an individual's identity that extends beyond the biological determination made at birth. It is well established that sex and gender are distinct concepts. According to Merriam-Webster, gender is defined as "the behavioral, cultural, or psychological traits typically associated with one sex," indicating that anatomy alone does not determine one's gender. This bill's attempt to rigidly define gender fails to acknowledge its complexity as a spectrum shaped by individual experiences, societal influences, and evolving scientific understanding.

By mandating the use of sex assigned at birth as the sole reference for gender, HB 1181 effectively erases the existence of transgender, non-binary, and gender-fluid individuals from public recognition and institutional policies. This erasure would be both harmful and discriminatory, sending a clear message of exclusion to a significant portion of North Dakota's population.

### **Practical and Ethical Implications of DNA Testing**

The proposal to use DNA as a determinant of gender identity raises serious practical and ethical concerns. DNA testing for gender is both invasive and impractical, imposing unnecessary burdens on public entities and raising profound privacy issues. Such measures would violate individual privacy rights, foster distrust, and likely face legal challenges. Additionally, the financial burden of widespread DNA testing is a critical concern—who will bear the cost? The financial and logistical implications of enforcing such a policy are immense and unsustainable.

### **Impact on Mental Health and Well-Being**

The psychological and emotional harm caused by invalidating someone's gender identity cannot be overstated. Research consistently shows that affirming an individual's gender identity leads to significantly better mental health outcomes, including reductions in depression, anxiety, and suicidal ideation. Conversely, policies that invalidate and marginalize individuals contribute to

negative mental health outcomes, further straining community resources and healthcare systems. As leaders, we must prioritize policies that promote inclusivity and affirm the dignity of all individuals in North Dakota.

### **Implications for Healthcare and Privacy**

This legislation's scope would extend to entities receiving state funding, including most medical facilities in North Dakota. Enforcement would require invasive oversight, such as reviewing medical records to ensure compliance with the bill's language. This would not only violate patient privacy but also conflict with the ethical and legal standards of medical practice. Such measures are impractical and would undermine trust between patients and healthcare providers.

### **Long-Term Social and Economic Consequences**

Beyond its immediate harm to individuals, HB 1181 would have far-reaching consequences for our state. North Dakota must strive to create an environment where all individuals feel valued and supported. Policies like HB 1181 that foster exclusion and discrimination could deter professionals, businesses, and families from contributing to our communities. Inclusivity is not just a moral imperative but also an economic and social one.

In conclusion, I urge you to consider the long-term impact of HB 1181 on our state and its residents. I respectfully request that you reject this bill in favor of fostering a North Dakota that embraces diversity and allows all individuals to live authentically and without fear of discrimination.

Thank you for your time and attention to this critical issue.

Sincerely,  
Heidi Selzler-Echola, MSN, WHNP-BC, APRN  
Medical Director, Canopy Medical Clinic