

Submitter: William Faris
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB4088

This proposal deals with reproductive care and with gender-related care. These are such separate issues that they should never be treated together.

It says "Gender-affirming treatment" means a procedure, service, drug, device or product that a physical or behavioral health care provider prescribes to treat an individual for incongruence between the individual's gender identity and the individual's sex assignment at birth."

Already there is a flaw here. The term "gender identity" is highly contested, especially as it is related to "sex". In fact, the phrase "sex assignment at birth". is unscientific, since "sex" is determined well before birth, not assigned at birth.

As for "gender identity" itself, it is never clear whether this is a claim that a person can actually "be" the opposite sex in some meaningful sense, or, alternatively, that it is just a perception that may well be mistaken, or perhaps just an adoption of non-standard sexual stereotypes. It should not play a role in law.

Treat these issues separately, with the care that they deserve.