

February 4, 2026

Chair Kropf, Vice-Chairs Chotzen and Wallan, and members of the House Committee on Judiciary,

My name is Michael Smith. By way of identification, I am a former Vice-Chair of the Democratic Party of Multnomah County. I write today in strong support of HB 4088, a bill to protect the rights and privacy of gender-affirming and reproductive health care patients.

Health care is a human right. That includes reproductive health care and gender affirming health care. Furthermore Section 46 of the State Constitution states that the rights of Oregonians cannot be abridged on account of sex. By implication this would protect reproductive and gender affirming care in the State of Oregon. It follows that the State of Oregon **must** take all the steps it can to protect the right of Oregonians to engage in gender affirming and reproductive health care.

Unfortunately the United States federal government and many other States have taken the opposite position on this, and are using lawsuits, public surveillance systems, and other means to interfere with the reproductive and gender affirming health of others.

HB 4088 strengthens Oregon law by prohibiting the Governor or any public employee or officer of the State of Oregon or its political subdivisions from assisting in the investigation of someone who gives or receives gender affirming or reproductive care in Oregon.

For the Progressives of the Committee, this point should require no further argument. For the Conservatives of the Committee, consider that, while reproductive and gender affirming care may be distasteful to many, this is fundamentally a matter of privacy, states' rights, and personal autonomy. These matters should be between a patient and their physician, and not up to an over-encroaching government to interfere.

In conclusion, I urge that the Committee advance HB 4088 to the floor as written.

Respectfully submitted,

Michael Smith