



Chair Prozanski, Vice Chair Thatcher, and Members of the Senate Judiciary Committee,

My name is Seth Johnstone, I serve as the Interim Director of Policy and Research at Basic Rights Oregon. As an organization involved in the workgroup for the bill, we strongly urge your support for House Bill 4088. Our organization supports LGBTQ+ individuals statewide.

To date, due to increasing threats from the federal government agencies and state bans, an estimated 33 hospitals and healthcare entities in other states have paused or stopped gender related healthcare indefinitely.

The result:

- cutting off behavioral health services
- stopping the ability for patients to continue getting their medications
- interrupting prescribed medically necessary treatment plans that followed evidence-based international standards of care

The reasons the hospital administrations cited stopping care were:

- increasing investigations of their providers
- overbroad patient data requests
- a lack of extensive law in their states that would protect their patients and providers from harm

There are real mental and physical consequences happening to those patients who've had their care cut off. Our medical and behavioral health providers and their teams here in Oregon are terrified and trying to keep reproductive and gender affirming healthcare services and programs running under continued threats.

We are at a pivotal moment where this bill could make the difference in keeping our hospital programs open. While we have established laws that address out of state impacts to their licenses, other states have taken further steps since 2023 to address these new federal threats.

Oregon needs to address the new scope of challenges that have emerged that threaten our healthcare systems.

This has had a chilling effect on the rural and smaller healthcare entities in Oregon who have ceased providing this care. These networks took years to build to make sure care was accessible across the state no matter where you lived. Our providers are concerned for their safety, appointments have been cancelled and programs have paused services and our families and patients have suffered because of it.

The gender affirming care patients that providers see may a small portion of their overall patient workload but the threats from the federal government and other state laws related to anyone providing that care threaten to remove these dedicated health professionals from our entire healthcare system for simply doing what is legal healthcare here in Oregon. These doctors deserve to serve their patients without concern for their safety.

Patient data and gender identity-related court documents are now vulnerable if they remain public and are being misused across the country, placing specific populations at risk of harassment and violence. So many families and individuals call our office asking how they can hide their name change and gender marker court filing records from the public database and view. Current law only requires the sealing of a gender marker upon applicant request, but many file these simultaneously. The process of sealing a record also makes the record itself much harder to access for the applicant down the line compared to confidential records. California passed and implemented a law that provides default confidentiality for these types of records and Oregon has an opportunity to also protect this data, with the ability from folks to opt out.

This is a procedural bill that addresses legal protections for medical providers to continue to do their jobs. The bill also protects personally identifiable data and court records that could be misused to harm our communities if they remained public or wasn't safeguarded in this current climate.

Our organization is here to uplift the voices of concerned medical providers, attorneys, patients, to improve our legal protections.

We strongly urge you to support House Bill 4088. Thank you for your time and consideration.