Senator Bailey, Representative Perry and members of the Legislative Health Coverage, Insurance and Financial Services Committee, I respectfully address you. My name is Ann Ross and I live in the beautiful town of Hampden, Maine, and I am here make some very strong comments against legislation LD 227 let's clarify this point right up front – very strong comments against LD 227 but not very strong statements against any of you personally.

OK, my understanding is that LD 227 is An Act Regarding Health Care in the State.

My understanding is this relates to gender-affirming care and reproductive care. My observation is that when we surround words with a compassionate word like "care" we are trying to make something sound good, and not only good but necessary. I would think that the people who are promoting this idea feel this is the case.

However, this appears to be a very poorly written amendment **as assessed by Alliance Defending Freedom (ADF)**

LD 227 is <u>much</u> worse than LD 1735:

1. **LD 227 makes both "gender-affirming health care services" and "reproductive health care services" a "legal" right, and interference with this right "whether or not under the color of law" is against state policy.**

    1. Both gender-affirming health care services and reproductive health care services are very broadly defined.

    2. For example, under LD 1735, "gender-affirming health care" was limited to "medically necessary health care," which at least implies that a doctor has concluded it is necessary. LD 227 abandons that limitation. Because it covers "all supplies, care, and services" including services of a "supportive nature" related to gender dysphoria or incongruence. You don't have to prove medical necessity under this definition. Not only would it cover drugs, surgeries, and mental health services, it could even cover things like chest binders or prosthetics to create the appearance of male anatomy.

    3. Likewise, under LD 227, reproductive health care services includes "all supplies, care, and services" including those of a "supportive nature" related to pregnancy, assisted reproduction, and abortion. So not only is anything touching abortion now covered, but all forms of IVF, surrogacy (including paid surrogacy), and anything else necessary to assist with reproduction could be covered by this bill.

    4. And remember, all of this is now a "legal right" and no one, including private citizens, can interfere with this right.

5. As a result, the state could be required to fully pay for all of these services; a Catholic hospital could be required to provide these services; a religious organization could be required to cover them in their insurance and give employees time off to obtain them.

6. It could potentially even be used to undermine parental decision-making on these services. If a child in Maine has a "legal right" to these services and no one can "interfere" with them, then this bill could be misused to argue that parents are prohibited from saying no to their child receiving them.

2. **LD 227 would allow lawsuits in Maine courts against a person who files "hostile litigation," which is litigation in another state that would deter a person from obtaining gender identity/abortion services or from helping another person obtain those services.**

    1. For example, if parents in Georgia filed a lawsuit to stop an aunt from transporting a child to Maine for gender identity/abortion services, LD 227 would allow the aunt to sue the parents and seek punitive damages against the parents. This is an unprecedented new cause of action.

    2. But it goes even further because it includes lawsuits that "deter" a person from engaging in gender identity/abortion services. So if a detransitioner sues a hospital system for performing a gender transition procedure on the minor, and that hospital system has locations in Maine, the lawsuit against the hospital system could "deter" its Maine locations from performing these procedures. As a result, someone in Maine could sue the detransitioner for engaging in "hostile litigation".

3. **LD 227 prohibits Maine courts from enforcing a judgment from another state related to gender identity/abortion services. So if Georgia issued a judgment against an aunt for trafficking a child to Maine to obtain an abortion or gender transition surgery, Maine courts would refuse to enforce that.**

    1. The bill would prohibit a state court from even requiring the aunt to give testimony in the trafficking case or from issuing any subpoena or warrant against the aunt.

    2. And even if the aunt was found guilty of violating a criminal law in Georgia related to gender identity/abortion services, Maine would be prohibited from

surrendering the aunt to the state where she was convicted of the crime. So now Maine becomes a state that harbors criminals who violated the criminal laws of other states that prohibited vulnerable individuals from gender identity/abortion services.

4. **The bill would prohibit a hospital from taking "adverse action" against a doctor or nurse who participates in gender identity/abortion services. Because there is no religious exception, it would mean that a Catholic healthcare organization or pro-life pregnancy center could be punished for disciplining an employee who participates in one of these morally objectionable services.**

5. **Malpractice insurers cannot increase rates or impose penalties on a doctor for providing gender identity/abortion services. This is interfering with the ability of insurers to appropriately factor in the risk of malpractice claims related to these procedures.**

So, I would say let's not pass this amendment there are too many objections legally and more importantly, if you are a person of faith, as I consider myself to be, these are morally objectionable services.

Thank you for your time in listening (or perhaps reading) this submission.

Respectfully submitted,

Ann Ross

Hampden, ME