

March 5, 2024

RE: LD227

To the members of the Committee On Health Coverage, Insurance and Financial Services:

I am writing in opposition to LD277, An Act Regarding Health Care in the State.

My first comment is that I am unclear why this committee is hearing testimony or deciding the fate of this bill. Upon reading it myself, I saw very little that pertained to health coverage, insurance, or financial services. But that aside, my reading of this bill also revealed how detrimental it could be for Maine. This bill has the potential to make Maine a haven for those engaged in custodial interference, kidnapping and trafficking of children and women. That is not what we should want Maine to be known for. As somebody who spent years in a high-conflict custody case myself, I can absolutely see this bill, should it become law, to aid noncustodial parents in fleeing with their children. All it takes is one appointment with a counselor for gender-affirming care (regardless of if the child needs it), and everyone who at one point could help the custodial parent get their child back is now gagged and unable to provide any information or assistance. Not only that, but this bill provides means for the offending party, the noncustodial parent in this example, to sue the custodial parent for attempting to get their child back, that they have legal custody of. This is a huge flaw in this bill. Now let's imagine a man rapes a 12-year-old child and gets her pregnant. Not wanting evidence of the heinous act, he brings the child to Maine to get a "legally protected" abortion. He is assisting in the protected healthcare activity and therefore is protected under this bill. It would be illegal for the doctor to report the abuse. This situation could also apply to women who are slaves to sex traffickers. As long as their abuser is the one who brings them to their appointment, they become immune from prosecution because anyone who could give information to support a case is gagged under this bill. I do not want to live in a state where it is illegal under any circumstances, for sexual abuse of children and women to be reported.

By making gender-affirming and reproductive health care services legally protected, it becomes akin to life-saving medicine. Life-saving care is available to everyone, regardless of their ability to pay or if they have health insurance coverage. This bill therefore could potentially require facilities to provide care without compensation, for services such as breast implants in a transgender person or IVF procedures. This will raise already absurd medical costs across the board for those of us who do pay for our services. In addition, if people have a legal right to these procedures, then it is assumed that if they qualify for MaineCare, they will have these procedures covered. I find it appalling that MaineCare doesn't cover a simple dental cleaning for an adult, but now it is proposed that it should cover these controversial and

expensive procedures. If there is no budget for adult dental care for MaineCare then there is certainly no budget for these much more expensive procedures.

LD227 cites the Standards of Care for the Health of Transgender and Gender Diverse People, Version 8 as the acceptable standard. I reviewed this document, focusing on the chapters pertaining to children and adolescents because they are my greatest concern. The standard of care itself notes that “adolescence is also often associated with increased risk-taking behaviors” and their “executive control neural systems continue to develop well into the mid-20’s”. My concern is that LD227 declares that gender-affirming health care services are a legal right for ALL. It concerns me that there is no age limit set, yet Maine has many other laws with set age limits. This bill proposes that while you cannot legally get your nose pierced at 13, or a tattoo at 17, or have a tubal ligation under 18, or even smoke a cigarette until age 21, you have a legal right to have permanent, life altering surgery, which, ironically, leaves you infertile. Although I suppose under this bill also, having a tubal ligation would qualify as reproductive care and therefore also be available at any age. These age limits were set because previous lawmakers recognized that the underdeveloped brains of children and adolescents lack the judgement necessary to make such permanent decisions, and this position should also be applied to gender-affirming procedures and any permanent reproductive health care.

Also noted in the Standard of Care, section 6.11, it is recommended that parents/guardians be involved directly in the assessment and treatment process for gender-affirming care of an adolescent. However, LD227 makes it possible for adolescents to receive such care without the knowledge or consent of their parents. Furthermore, if a parent does not think the proposed care is what’s best for their child and try to interfere, they can be penalized because they are now breaking the law. According to the Standard of Care parents should be involved, but LD227 states only to the extent they approve of the treatment. This bill removes medical decision- making rights from the parents, and that is unacceptable.

It is assumed that there is a desire to have quality healthcare in Maine. One section of LD227 makes confidential the discipline records of medical professionals providing gender-affirming care and reproductive services. We have a right to know if and how our providers have been disciplined in the past. Suppose a provider lost his license to practice in another state because of malpractice relating to botched plastic surgeries or abortions. He can come to Maine and practice here, and we will even seal the disciplinary record? That is not providing safe healthcare for our women and children, and that’s a terrifying prospect.

In summary, LD227 is not good for Maine because it shields offenders and predators more than those who need the protection the most, the exploited and abused.

It places a gag on current mandated reporters, medical providers and law enforcement, who can see abuse and want to help, and it opens the floodgate for subpar care with no consequence when people are at their most vulnerable. Maine can do better than that. Maine's people deserve better than that. Please kill this bill.

Thank you,

Ryan Wannemacher, Jonesboro