

January 31, 2024

House Committee on Health & Homelessness
Conference Room 329
State Capitol
415 South Beretania Street

RE: Testimony in Support of HB 2079, *Relating to health, gender-affirming health care services; prescriptions; protections; child custody*

Dear Chair Belatti, Vice Chair Takenouchi, and Members of the Committee:

Physicians for Reproductive Health (PRH) is a physician-led national advocacy organization working to ensure access to equitable, comprehensive sexual and reproductive health care for the communities we serve. This care will always include gender-affirming care for those who want and need it. Our network includes physicians of various specialties from across the country, including providers practicing in Hawaii, committed to meeting the needs of the patients they serve. We write in strong support of HB 2079. Patients seeking gender-affirming care deserve support and access to this care without barriers.

Hawaii has been a leader for the nation and has taken essential steps to protect access to gender-affirming care in recent years. From passing laws to ban health insurance from excluding coverage for transgender specific care, having transgender inclusive policies for state employees, and making it possible for transgender people to correct their name and gender on their driver's license and birth certificate, and allowing for gender neutral options on driver's licenses. HB 2079 is an essential next step for Hawaii to improve access to gender-affirming care and support transgender and gender-diverse people.

HB 2079 would relax medically unnecessary requirements for prescribing testosterone as part of gender-affirming health care by allowing health care providers who are licensed to practice in Hawaii and located outside of the state to prescribe testosterone to patients without conducting an in-person consultation with the patient. The current requirement that a provider must be physically present in Hawaii and that care be provided in-person are unnecessary restrictions that make it difficult for patients to be able to access safe, essential, necessary health care. Gender-affirming care is lifesaving and life-affirming health care that allows transgender and gender-diverse people to live their full and authentic lives. Leading medical organizations including the [American Academy for Pediatrics](#), [American Medical Association](#), [American College of Obstetricians and Gynecologists](#), [Endocrine Society](#), [Pediatric Endocrine Society](#) and [World Professional Association for Transgender Youth](#) support gender-affirming care.

Removing the in-person and in-state requirement for providers will improve access to care via telemedicine. Telemedicine is an essential tool for people living in rural and geographically isolated communities who may have difficulty accessing care otherwise. It may also play a role in helping to ease Hawaii's provider shortage by allowing patients to receive care from providers not physically located in Hawaii. Gender-affirming care is already available via telemedicine in the state, however the restrictions on testosterone limits access to the full-spectrum of this care. HB 2079 is an opportunity for Hawaii to address this gap.

In addition to improving access to care for patients, HB 2079 would protect providers licensure, safeguarding access to gender-affirming care for Hawaiians now and future generations. As more states

move to restrict or ban gender-affirming care, Hawaii has an opportunity to be a champion for transgender and gender-diverse patients and their providers. Ensuring that providers do not face disciplinary actions from malpractice insurers or medical boards and are not denied licensure in Hawaii solely for providing gender-affirming care to a patient in a state where that care has been restricted or banned. No provider should fear professional retaliation for providing safe, essential, necessary health care.

Lastly, expanding the protections for reproductive health care services under Act 2, Session Laws of Hawaii 2023 to include gender-affirming health care recognizes that these fights are intrinsically connected. SB 2079 will make it so that disclosures of patient records for gender-affirming care are prohibited, prevent law enforcement from collaborating with out of state investigations for gender-affirming care lawfully provided in Hawaii, prohibit state action against people helping individuals access gender-affirming care, and prevent Hawaii from turning over people to another state for simply seeking, receiving, providing, or assisting in accessing gender-affirming care. Anti-abortion and anti-LGBTQ+ policies are designed to strip people of their bodily autonomy, make health care impossible or dangerous to obtain, and reinforce cultural norms that narrowly define gender in a way that is misaligned with medicine, science, and public opinion.

Hawaii has a critical opportunity to protect providers and its residents' access to gender-affirming care. HB 2079 would protect health care providers and their patients as they provide lawful, necessary, evidence-based care. I urge the members of this Committee to support HB 2079 to protect providers and patients. If you have further questions please reach out to Adrienne Ramcharan, Assistant Director of State Policy (aramcharan@prh.org). Thank you.

Sincerely,

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President & CEO
Physicians for Reproductive Health