



**TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
PUBLIC HEALTH COMMITTEE
Monday, February 25, 2019**

SB 388, An Act Concerning A Person's Intersex Status Or Characteristics

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **SB 388, An Act Concerning A Person's Intersex Status Or Characteristics**.

Before commenting on the bill, it's important to point out that Connecticut hospitals and health systems provide high quality care for everyone, regardless of their ability to pay. By investing in the future of Connecticut's hospitals, we will strengthen our healthcare system and our economy, put communities to work, and deliver affordable care that Connecticut families deserve.

SB 388, among other things, seeks to address an important medical ethics issue about consent and when it is appropriate to perform surgeries on an intersex person. CHA applauds the concept of the bill, which ostensibly is to allow intersex people to have a voice in what happens to their own bodies. CHA also supports the bill's efforts to end discrimination against intersex people.

CHA has concerns that the bill, as written, will create unintended consequences that could reduce access to care and services for intersex people. We are particularly concerned that the bill will create a situation where it is impossible to move forward with appropriate medical care that is in the best interest of an intersex child, even when the child is mature enough to consent.

The bill bans "medically unnecessary" procedures, but does not clarify what is considered unnecessary, and does not detail how that conclusion is reached. The lack of clarity will create a chilling effect on providers' ability to perform necessary procedures, ultimately leading to a lack of access. The bill is also entirely unclear about when a child would be old enough to provide the type of assent or consent necessary for surgery, creating a paradigm that will prohibit intersex people from agreeing to a recommended or offered surgery that they understand and want to have until they are at least 18 years old. As a result, the bill will reduce, not enhance, personal agency for intersex people.

CHA recommends that, instead of an outright ban on procedures, which risks serious unintended consequences and reduced access to care, the state explore ensuring that providers and facilities that are involved in intersex surgical procedures have internal policies and review mechanisms designed to address current medical ethics and protect the rights of children, while still maintaining maximum access to care and services.

Thank you for your consideration of our position. For additional information, contact CHA Government Relations at (203) 294-7310.