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February 4, 2022

Rep. Ann Pugh, Chair  
Rep. Theresa Wood, Vice Chair  
Rep. Francis McFaun, Ranking Member  
House Committee on Human Services

Dear Representatives:

I am writing to provide my full support for H. 628, *An Act Relating to Amending a Birth Certificate to Reflect Gender Identity*. H. 628 seeks to remove outdated, costly barriers to members of Vermont's LGBTQIA+ community who simply want to amend their birth certificates to reflect their true selves.

Many of us take birth certificates for granted. We pay attention to them only when we need to obtain a passport or other legal documents. However, for members of our LGBTQIA+ community, obtaining vital records that reflect their true identity is hardly routine. Current law imposes unnecessary barriers to amending a birth certificate, such as obtaining medical certification, that are relics from a time when we did not fully understand gender identity. These barriers are more than red tape – they impose costs that may be prohibitive to those Vermonters who struggle to find suitable, affordable health care.

H. 628 seeks to remove that cumbersome, expensive process from our statutes and vest the Vermont Department of Health with the authority to issue regulations designed to simplify and dignify the process. Under Vermont law, rulemaking requires state agencies to engage fully with communities in drafting, refining, and implementing regulations. That includes review of written proposals, conducting public hearings, and reviewing comments to proposed rules or revisions.<sup>1</sup> Rulemaking also provides a swifter, more efficient means of adjusting procedures to reflect practical needs as they arise. We look forward to engaging with all Vermonters in that rulemaking process.

More broadly, we should view H. 628 as yet another measure needed to fully support valued members of our community. The most recent figures from the Vermont Department Health provide a heartbreaking picture: Fully 50% of LGBTQIA+ youth in Vermont have seriously

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<sup>1</sup> See 3 V.S.A. § 840, *Public hearing and comment*, available online at <https://tinyurl.com/yr9ksf2c>.

February 2, 2022  
Page Two

considered suicide — more than three times the rate for cisgender, heterosexual youth. In addition, Vermont’s LGBTQIA+ youth are more than five times more likely to attempt suicide.<sup>2</sup>

I am grateful to those sponsoring H. 628 for bringing this critical issue before us. I urge you to make this sensible, just, and long-overdue bill a priority and pass it as soon as you can.

Sincerely,

A handwritten signature in blue ink, appearing to read 'TJD', followed by a horizontal line.

Thomas J. Donovan, Jr.  
Vermont Attorney General

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<sup>2</sup> Vermont Department of Health, *2019 Youth Risk Behavior Survey* (March 2020), available online at <https://tinyurl.com/2p95jvbd>.