

Hello, my name is Carol Kauffman. I am with the Vermont Family Alliance and I reside in the Town of Addison. Vermont Family Alliance is a parental rights and minor protection advocacy group.

Unsurprisingly, H89 will expand Article 22. This bill proposes to define legally protected healthcare activity to include reproductive healthcare services and gender-affirming healthcare for minors. H89 does not define a minor or set an age limit. Please remember that.

H89 does not address minor brain development, minor consent challenges, minor protections, such as case plans, due process, and court oversight

H89 does not protect parental rights and responsibilities

H89 is set to codify the Prohibition of Conversion Therapy once again in Vermont law. The Prohibition of Conversion Therapy originated in 18VSA8351, which is include in your handouts Each member also has a copy of H.230 now Act 35 which codifies the Prohibition of Conversion Therapy into mental health. Act 35 of 2017 allows minors to consent to mental health services from psychotherapy and “other counseling services that are supportive” without parental knowledge. Act 35 and now H89 not only codify the Prohibition of Conversion Therapy, but they also codify unknown adult access to minors, usurping parental rights and responsibilities without statute accountability and parental accommodations.

Dr. Kenneth Zucker, long acknowledged as a foremost authority on gender identity issues in children. Zucker believes that gender-dysphoric pre-pubertal children are best served by helping them align their gender indentity with their anatomic sex. This view ultimately cost him his 30- year directorship of the Child Youth and Family Gender Identity Clinic at the Center for Addiction and Mental Health in Toronto.

The human brain does not develop critical thinking until the mid to late twenties, therefore, Vermont laws restrict the purchase of alcohol and cigarettes until the age of 21. All adults must

show proof of age and all adults are restricted from purchasing alcohol and cigarettes on behalf of young adults and minors.

Minors do not have the mental capacity to independently make health care decisions and give informed consent requirements. “The Teenage Brain” by neuroscientists Frances E Jensen and Amy Ellis Nutt is a must-read for everyone influencing minors. This judicial committee cannot expect critical thinking to occur when the critical thinking part of the brain has not developed. As brains develop minors get better at thinking and processing information. We need to be patient. We can’t expect immediate results when minors are not ready to adequately process information.

H89 will grant any minor the right to make adult decisions they are not mentally prepared to make with longterm consequences they cannot fathom the repercussion of. The creators of H89 are aware of this and have made accommodations that usurp parental rights and responsibilities, extending parental rights and responsibilities to unknown adult surrogates who are not reviewed and selected by the parents or a court oversight process.

H89 defines adults able to consent on behalf of children on page 16 as; “persons who provide reproductive health care services or gender-affirming health care service, persons who assist others in obtaining reproductive health care services or gender-affirming health care services

H89 On page 20 “An adult person, a parent, or a legal guardian acting on behalf of a minor... may apply to the Secretary of State to have an address designated by the Secretary serve as the person’s address or the address of the minor...” This “adult person” is not defined, yet they are given equal rights and responsibilities as the parents and legal guardians.

Parents cannot continue to be excluded from selecting the adults that will have intimate access to their children.

H89 does not set reasonable minor protections regarding these “persons” or “adult”, such as background checks, fingerprinting, registering with the Secretary of State, Vermont Department of Children and Families case plans, or court oversight.

I submitted an amicus brief by Dr. Erica E. Anderson, Ph.D., with my testimony. Dr. Anderson is a clinical psychologist practicing in Berkeley, California, with over 40 years of experience, and is transgender. Dr. Anderson argues, “Whether a minor experiencing gender incongruence would transition socially is a major and potentially life-altering decision that requires parental involvement, for many reasons.” Dr. Anderson’s Table of Authorities is exhaustive.

I also submitted *Chloe Cole v. Kaiser Permanente Medical Group* lawsuit. Chloe alleges that Kaiser Permanente coerced her into transgender medical treatment, describing her experience as grossly negligent and resulting in permanent mutilation and damage to her body, “I made an adult decision as a child.” Chloe’s lawsuit will give you insight into the Prohibition of Conversion Therapy/gender-affirming care gone wrong. Chloe’s experience is not isolated.

Yesterday, a judiciary committee member asked if the American Academy of Pediatrics standard of care for gender-affirming care is trustworthy. The question should be; Has the American Academy of Pediatrics and NHS America conducted an exhaustive study, equal to that of the Cass Study in Europe?

I can’t imagine the pressure each of you has and will experience to pass H89.

Thirty-seven states have parental notification laws, as you are aware, Vermont is not one of them. We are watching families flock to parental right states to protect their children. We are watching states pass legislation protecting parental rights and responsibilities.

Sister states will not come after Vermont because an adult chooses to come to Vermont to access legally protected health care including reproductive health care services and gender-affirming health care services. Prostitution-free states are not known to go after another state's prostitution rights because an adult upon their own accord left that state to be part of another state's prostitution market. This matter is entirely different when it comes to trafficking children across state lines.

I have submitted an appeal from the United States District Court for the Eastern District of Arkansas, *Brandt v. Rutledge*. This litigation will give each committee member clarity as to the reasons why a sister state would decide to take legal action against the State of Vermont.

Vermont's disregard for parental rights and responsibilities, Vermont statutes mandating Prohibition of Conversion Therapy, Vermont statutes allowing unknown adults to access minors without parental knowledge, and extending Vermont's Address Confidentiality Program to minors across our nation and beyond will not meet H89 standard of "abusive litigation".

I ask each of you to vote no on H89.

Thank you,

Carol Kauffman

Vermont Family Alliance

