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The Vermont State legislature is inconsistent in their pursuit of health care choice for individuals, free from government interference.

Last year, legislators claimed [Article 22](#), the reproductive liberty amendment to the State Constitution, would keep government out of decision-making between patients and their doctors.

This year, [H.89](#), which was passed in the House Judiciary Committee on Tuesday, February 7, proposes to codify gender-affirming care as the only type of care for minors experiencing gender dysphoria and incongruence that will be shielded from “abusive litigation” from other states. Page 4 of H.89 read as follows:

12 Sec. 1. 1 V.S.A. § 150 is added to read:

13 § 150. LEGALLY PROTECTED HEALTH CARE ACTIVITY

14 (a) “Gender-affirming health care services” means all supplies, care, and
15 services of a medical, behavioral health, mental health, surgical,
psychiatric,

16 therapeutic, diagnostic, preventative, rehabilitative, or supportive nature
17 relating to the treatment of gender dysphoria. Gender-affirming health care
18 services does not include conversion therapy as defined by [18 V.S.A. § 8351](#).

[Act 35](#), codified as 18VSA8351, detailed restrictions for all mental health providers, resulting in an exclusive gender-affirming standard in Vermont.

While approaches for treating youth experiencing gender-dysphoria and incongruence has evolved over the past several years, as acknowledged by the [World Professional Association for Transgender Health \(WPATH\)](#) the Vermont State Legislature remains locked in the past, relying on outdated [American Academy of Pediatrics Standards of Care from 2018](#), which puts minors, especially adolescent girls, at risk of being rushed into life-altering hormone treatments that they might later regret, as did detransitioner Chloe Cole, who

is [“seeking damages \[against Kaiser Permanente\] based on the evidence of malice, oppression, and fraud”](#).

House Judiciary members, with one dissenting vote, passed the archaic measure with self-congratulating tears and claims of being “leaders” in protecting gender-affirming care, [despite evidence-based witness testimony highlighting advancements in research regarding gender-affirming care, and testimony on how the language of H.89 would usurp parental rights and leave minors unprotected.](#)

H.89 passed on the House Floor on February 7, 2023, much to the detriment of youth, children, and families.

[S.37](#), scheduled to be voted upon early this week in the Senate Committee on Health and Welfare, intends to shield exclusively gender-affirming care practitioners from increases in malpractice premiums and force insurance companies to fully cover the costs of exclusively gender-affirming care, further shielding a system of care that currently has lawsuits filed against institutions by persons who received exclusively gender-affirming care.