

April 23, 2024

Connecticut Senate Bill 425
Judiciary Committee

Testimony of Louis Brown Jr., J.D.
Executive Director, Christ Medicus Foundation

Thank you for the opportunity to express my view on Senate Bill 425. I serve as executive director of the Christ Medicus Foundation, a Catholic health care ministry dedicated to sharing the love of Jesus Christ for all people in health care and to advancing life affirming dignified care for all patients.

As matter of human dignity and justice, it is vital that health care entities respect and protect the human and civil rights of all patients. Because of each person's inherent human dignity and the right to life of all people, every person has a right to ethical life affirming medical care. Accordingly, the federal government and every state should robustly enforce civil rights provisions that protect patients from discrimination in health care. Thankfully, federal laws including Section 1557 of the Patient Protection and Affordable Care Act, Title VI of the Civil Rights Act, Title IX of the Education Amendments Act, the Rehabilitation Act, the Americans with Disabilities Act, and the Emergency Medical Treatment and Active Labor Act provide patients with vital and necessary protections against discrimination based on race, color, national origin, limited English Proficiency, sex, disability, ability to pay. Additionally, federal law also protects the civil rights of medical conscience and religious freedom under the federal medical conscience statutes which include the Church Amendment, the Coates-Snowe Amendment, and the Weldon Amendment. Taken together, these federal laws protect the life, health, and human dignity of patients, especially patients who are most vulnerable. To protect and advance human dignity and basic civil rights it is important that every state, including Connecticut, likewise provide strong legal protections for the human dignity and civil rights of all patients in health care. And I of course, strongly support advancing civil rights enforcement to protect the civil rights of all patients in Connecticut.

Accordingly, I wanted to comment on Connecticut Senate Bill 425's 'gender identity or expression' language in the legislation. Persons who have gender dysphoria or who are dealing with gender confusion should be treated with great love, care and compassion and should never be subject to unjust discrimination. Persons with gender dysphoria or struggling with gender confusion should always have equal access to ethically based life affirming medical care.

However, if 'gender identity or expression' is included in the legislation, some will assert that the bill makes it unlawful for a health care professional to decline to provide puberty blockers, sex reassignment surgeries, or other transgender procedures to patients when the health care professional has medical, scientific, ethical, or moral objections to these procedures.

The balance of medical and scientific research in the United States and in Europe demonstrate that transgender procedures are harmful to the life, health and dignity of patients and are therefore medically unethical. In the recently issued declaration on human dignity, *Dignitatis Infinita*, that the Holy See issued with the support of Pope Francis, the Holy See's Dicastery for the Doctrine of the Faith stated: "It follows that any sex-change intervention, as a rule, risks threatening the unique dignity the person has received from the moment of conception."

The inclusion of 'gender identity and expression' in SB 425 presents several serious problems for Connecticut health care and for the wellbeing, dignity, and rights of Connecticut patients and families.

First, to force medical professionals to provide unethical transgender related procedures, as SB 425 currently appears to require, would seriously harm patients in need of authentic ethical and dignified medical care.

Second, using a nondiscrimination statute to mandate the performance of medically harmful procedures undermines American civil rights law and legitimate civil rights enforcement. Federal and state civil rights statutes should not be used to force medical professionals to perform procedures they believe are unethical and unsafe for patients. If SB 425 mandates doctors to perform contested procedures to which those same doctors object based on medical, scientific, and ethical grounds, SB 425 risks undermining patient trust in the health care system.

Fourth, under the federal Church Amendment, it is a likely violation of the right of medical conscience for a state to compel medical professionals and health care entities to violate their conscience-based objections. The civil right of conscience is foundational to safeguarding human dignity and the civil rights of patients because the right of conscience shields vulnerable persons from unethical procedures.

While the human dignity and rights of all patients – including patients with gender dysphoria or dealing with gender confusion - require strong passionate enforcement of civil rights protections at the federal and state level, the cause of justice is thwarted where civil rights laws are illegitimately used to coerce unethical procedures that are damaging to patients.

Thank you for the opportunity to share my thoughts on this legislation.