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Testimony in Opposition to Ohio HB-68

Submitted by James H. Bisker, May 23, 2023

I am taking this opportunity to express my concerns about House Bill Number 68 (H.B. No. 68, HB-68, etc.). Along with a number of other Ohioans, I oppose this bill. There are many other people that have and will testify about their opposition to HB-68 for personal, clinical, and policy reasons. My opposition comes for those reasons, too, but mostly because I am angry about what this legislation seeks to do. It is shocking that a portion of our elected representatives have decided that they should intervene in yet another personal medical decision. This makes me fearful for the future.

I am adding my voice in opposition to HB-68 based on thorough reading of the bill and in-depth research of its claims and stated prohibitions in regard to gender transitioning care for minors. To make an informed decision about this matter, I used the skills garnered from my 30+ year career as a technology analyst for the financial services industry to avoid research errors such as confirmation bias, cherry-picking of research results, and anecdotal evidence.

While researching the information behind the particulars of HB-68, I kept returning to a basic question—why? Why do the representatives that crafted this bill and others that helped to create it feel the need to get involved with medical care that has been researched, supported, practiced, and updated with success for dozens of years? Yes, there are risks for minors and adults seeking medical care for gender transition just like any other medical care or procedure, but that is hardly sufficient reason for our government to be so directly involved so recently.

Current best practice for crafting legislation around medical issues relies on a broad array of scientists, technologists, and doctors who are members of organizations dedicated to the safety of the populations they serve. These groups and organizations provide input, council, and standards by which the citizens of Ohio can receive and benefit from medical and scientific research. HB-68 appears to have been written with disregard for these norms and the well-considered advice from a range of medical authorities. It makes me wonder what other medical procedures the State of Ohio will take up next in this vein.

Ohioans should understand that opposition to HB-68 and the raft of medical procedures it seeks to control or prohibit is a stark warning to the public: regardless of the medical condition for which they are being treated, the procedures and medications used, as well as the advice they are given about their condition may soon fall on the wrong side of a line that their government is now drawing.

The way that HB-68 is written makes it sound as though gender affirming care for minors is an all or nothing attack on children in unsuspecting families that will be completed in days or weeks. The bill assumes that such care always includes the most invasive of surgeries and medications and must be driven by political and cultural forces that seek to destroy parental rights and the very fabric of our nation. The sponsors of the bill make it sound as though there are kits to do this available at the corner drugstore which justifies these draconian measures.

To be clear, medical professionals support a wide spectrum of gender affirming care for minors with and without gender dysphoria. That is how we know that the medications and procedures used are kept up to date, are well considered, and take into account individual situations and reasonable spans of time. Procedures and medications that cause permanent changes to minors seeking gender transition care are generally not recommended until they are of legal age. There are inevitable exceptions to this statement, but such occurrences are exceedingly rare. Also, the timelines for gender transitioning care are almost always measured in years.

Finally, there seems to be an alarming answer to my primary question as to why HB-68 was written at all. Like so many other pieces of legislation in Ohio, HB-68 was crafted in service of a socially conservative agenda by actors in and out of government at both the state and federal level working to curtail, restrict, or as in this case, prohibit support for lifestyles they deem as aberrant. The bill uses poor reasoning, bad information with no citation of sources, and a very thin veneer of quasi-scientific terminology to mask a thesis that wouldn't pass muster in a high school social studies class. HB-68 is mean-spirited, hurtful, dangerous and not a meaningful way to protect or support minors in Ohio. If the legislature really wants to help children in Ohio, they will fund improvements to maternal and neonatal health, expand reading programs, increase aid and oversight of the foster care system, or better support mental health services for children.

Please vote no on HB-68. Thank You.

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Notes & Citations available on request.