

June 3, 2025

Senator Lydia Edwards, Senate Chair

Representative Michael Day, House Chair

Joint Committee on the Judiciary

Dear Chair Edwards and Chair Day,

I am Sean Cahill, Director of Health Policy Research at the Fenway Institute at Fenway Health in Boston. Fenway Health provides care to everyone, and about half of our 33,000 patients are LGBTQ+. We have 6,000 transgender and nonbinary patients, 2300 HIV patients, and 3500 patients on PrEP for HIV prevention. Our research institute conducts groundbreaking research, education and training, and policy development on LGBTQ+ health equity and sexual health.

As the largest provider of gender-affirming care in New England, Fenway Health strongly supports **S.2522, An Act strengthening health care protections in the Commonwealth**. This legislation would strengthen our existing Shield Law by enhancing data privacy, increasing legal protections for providers and patients, expanding enforcement authority, protecting providers of legal gender affirming care from losing their license or facing disciplinary action, and protecting families of transgender youth against politically motivated attacks from out of state actors.

Specifically, this legislation would prohibit Massachusetts entities from sharing gender affirming care related electronic health data with out-of-state investigations without explicit patient consent. As someone who has long advocated for the collection and use of gender identity and sexual orientation data to improve clinical decision support, preventive screenings, and population health management, I believe that it is critically important that this information not be used to persecute transgender patients or providers. Medical mistrust is already significant among transgender patients. Sharing personal health information without consent will likely exacerbate medical mistrust. This legislation would also exclude gender affirming care medications from Prescription Monitoring Program disclosures.

The Endocrine Society of America, the American Medical Association, and many other health professional organizations consider gender affirming care to be medically necessary for the treatment of gender dysphoria. A sizable body of research indicates that the freedom to access such care can improve health and well-being. This legislation protects the ability of transgender residents of Massachusetts to access gender affirming care free of worry that they will be persecuted as a result. In the current political climate, with the federal government and more than half the U.S. states implementing myriad anti-transgender policies, it is important that Massachusetts strengthen protections for patients and providers of gender affirming care.

Thank you for considering this legislation. Please contact me at scahill@fenwayhealth.org with any questions.

Sincerely,

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