



Physicians Caring for Texans

House Committee on Public Health
Written Testimony on House Bill 1686
Submitted by the Texas Medical Association
March 27, 2023

On behalf of the Texas Medical Association (TMA) and its more than 57,000 members, we thank Chair Klick and the House Committee on Public Health for the opportunity to provide testimony “on” House Bill 1686.

TMA appreciates both the complexity and sensitivity of the subject matter of House Bill 1686, which addresses providing gender-affirming medical care to adolescents with gender dysphoria. This is a vulnerable population of patients, which makes the relationship between the patient and physician even more important.

While physicians want to provide medically appropriate care for all patients, we understand that there is ongoing debate over what constitutes medically appropriate care when treating adolescents with gender dysphoria. Medical science is continually evolving. As physicians, our goal is to treat our patients with our best medical judgment using the best evidence-based care available. This includes evaluating the evolution of best practices in medical care through continual study and observation.

Currently, the standard of care provides some guardrails on the treatment of adolescents with gender dysphoria (in the same way the standard of care provides some guardrails for treatments related to other medical conditions).

HB 1686 would expressly prohibit certain forms of gender-affirming care for adolescents, ranging from more common treatments such as puberty blockers and hormone therapy, to outliers such as surgical treatments. While TMA is generally not supportive of surgical care to minors in these circumstances, we do have concerns about how this bill may impact the patient-physician relationship. For patient care in general, it is important for physicians to be able to use their best medical judgment to treat patients.

If this bill continues to move forward with its current prohibitions, we want to highlight a few important issues:

First, we have concerns with the language concerning attorney general enforcement. We

think it is important for the Texas Medical Board to be the sole enforcement body for any alleged physician violation as: (1) the Texas Medical Board regulates the practice of medicine in this state; and (2) TMB has due process provisions in place.

Second, we have concerns that the bill, as currently drafted, requires the Texas Medical Board to revoke a medical license for a violation.

Third, we would recommend including a grandfather provision to permit treatment to minors already on hormone therapy. It is important to permit continued administration of hormones, as sudden removal could result in negative health effects. We do not want patients to be negatively impacted by a sudden cessation of therapy or physicians to have to choose between complying with their ongoing ethical obligations and the law.

Again, as physicians, the health of our patients is paramount.