



## **Advocating for the Hawai'i LGBTQIA+ Community**

January 30, 2025

House Committee on Health  
Hawai'i State Capitol  
415 South Beretania Street, Room 329  
Honolulu, HI 96813  
Hearing: January 31, 2025 9:15AM

### **RE: Strong Support for House Bill #612 Prohibition of Surgery on intersex infants**

Aloha Chair Takayama, Vice Chair Keohokapu-Lee Loy, and fellow committee members,

I am writing in strong support of House Bill 612 on behalf of the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus. (LGBTQ+) Commission, which was established by the 2022 Hawai'i State Legislature with the following purpose:

“...to improve the State's interface with members of the lesbian, gay, bisexual, transgender, queer, plus community; identify the short- and long-range needs of its members; and ensure that there is an effective means of researching, planning, and advocating for the equity of this population in all aspects of state government.”

HB 612, which prohibits non-consensual, non-medically necessary surgeries on intersex infants, is a crucial step toward protecting our most vulnerable citizens—infants—who cannot speak for themselves. This bill ensures that life-altering surgeries are delayed unless they are medically urgent or an emergency, allowing individuals the opportunity to participate in decisions about their own bodies when they are old enough.

### **Understanding Intersex Variations**

Some babies are born with physical sex characteristics that do not fit typical male or female categories. These differences arise from natural variations in chromosomes, genes, or hormones—factors that influence how a baby develops in the womb. Sometimes these variations are visibly obvious at birth, while in other cases, they are only detectable through medical examination. Some babies even have internal reproductive structures that do not align with their external anatomy.

To illustrate, imagine a person's genetic material as a cookbook. Chromosomes are like the book's cover and pages, while genes are the instructions for building and operating the human body. A chromosomal variation might be like a book with missing or extra pages, or pages arranged in a different order. A gene variation could be compared to a recipe with extra, missing, or misspelled words—altering how the instructions are followed. Hormonal influences might be like spilling something on a page, making it difficult to read. And sometimes, the body simply misinterprets the instructions, much like misreading a sentence aloud. These variations result in diverse, natural differences in anatomy.

## HI State LGBTQ+ Commission Testimony in Strong Support of HB 612

### The Harm of Non-Consensual Surgeries

Despite these variations being a normal part of human biology, intersex infants have historically been subjected to irreversible surgeries to make their bodies appear more typically male or female. These procedures are often performed without medical necessity, solely to ease parental uncertainty or align with societal expectations. However, many intersex individuals later express deep regret, distress, and physical complications due to these surgeries—especially when they do not align with their gender identity as they grow older.

Parents may understandably feel uncertain when their baby's anatomy is different from expectations. Some may worry about how to describe their child's sex to family and friends. In the past, surgeons have offered to "correct" these differences, believing it would make life easier for the child. However, these surgeries carry significant risks, including the possibility that doctors and parents choose the wrong sex. A child may later realize they are male or female, only to find that their genitals were permanently altered to reflect a different identity. For example, a child who grows up knowing they are a boy may have undergone a surgery that removed or altered their male anatomy in infancy—an irreversible decision that can cause lifelong distress.

Of course, HB612 does not prohibit surgery when it is necessary for the baby's health—such as cases where a child cannot urinate due to an anatomical blockage. The bill simply ensures that non-urgent, cosmetic surgeries are postponed so that the individual can make an informed decision about their own body when they are ready.

### Widespread Medical and Human Rights Support

The movement to end non-consensual, non-medically necessary surgeries on intersex infants is backed by a broad coalition of medical and human rights organizations. Nearly every major U.S. medical organization and children's hospital has issued statements opposing these procedures or recommending against them.

In 2013, the United Nations Special Rapporteur on Torture denounced these surgeries as a human rights violation. In 2024, the World Health Organization called for an end to them. Organizations representing intersex individuals overwhelmingly advocate for delaying surgery until the child can provide informed consent. There is no credible medical evidence that waiting to perform these surgeries causes harm—but there is overwhelming evidence that performing them without consent can lead to significant physical and psychological harm.

For these reasons, the Hawai'i State LGBTQ+ Commission strongly urges you to support HB 612. This bill protects children from unnecessary, harmful medical interventions and upholds their fundamental right to bodily autonomy.

Should you or any member of your staff have any questions regarding this testimony you can reach the Hawai'i State LGBTQ+ Commission at [hawaiistatelgbtqpluscommission@gmail.com](mailto:hawaiistatelgbtqpluscommission@gmail.com).

Mahalo nui loa,

Shanda Brack, APRN, MSN she/her  
Finance Chair  
[Hawai'i State LGBTQ+ Commission](#)



## TESTIMONY FROM THE STONEWALL CAUCUS OF THE DEMOCRATIC PARTY OF HAWAI'I

### HOUSE COMMITTEE ON HEALTH

January 29, 2025

#### Testimony in Support of House Bill [612] Relating to Health

Aloha Chair Takayama, Vice Chair Keohokapu-Lee Loy, and esteemed Members of the Committee:

Aloha, my name is Abby Simmons, Chair of the Stonewall Caucus of the Democratic Party of Hawai'i, and I am writing in strong support of HB612, which seeks to protect the bodily autonomy and well-being of infants born with variations in their physical sex characteristics by prohibiting non-emergency, irreversible medical procedures until the individual can participate in the decision.

#### **Why This Bill is Necessary**

##### **1. Protecting Bodily Autonomy**

Every individual has the right to make informed decisions about their own body. Infants born with intersex traits are often subjected to medically unnecessary surgeries intended to “normalize” their bodies, yet these decisions should be made by the individual, not imposed upon them as infants.

##### **2. Medical Consensus Against Unnecessary Surgeries**

Leading medical organizations, including the World Health Organization (WHO), the United Nations, and the American Academy of Pediatrics, have increasingly advised against non-consensual, non-emergency surgeries on intersex infants. These procedures often carry serious physical and psychological risks, such as:

- Loss of sexual function and sensation
- Chronic pain and scarring
- Hormonal imbalances requiring lifelong medical intervention
- Emotional trauma and identity struggles

### 3. Social Pressures Should Not Dictate Medical Decisions

Many of these procedures are performed not because they are medically necessary, but to fit societal expectations of male and female bodies. However, gender identity is personal. This bill ensures that children have the right to grow and decide for themselves.

### 4. HB612 Protects Children While Allowing Medically Necessary Procedures

This bill does not prohibit urgent medical care. It allows procedures when there is an immediate risk to the child's health, such as:

- Preventing life-threatening infections
- Treating serious urinary complications
- Addressing malignancies or conditions that pose a direct risk to survival

### The Bottom Line

Intersex individuals deserve the same rights to medical autonomy and informed consent as anyone else. HB612 ensures that no irreversible procedures are performed unless they are absolutely necessary for an infant's health.

By passing this bill, Hawai'i will join a growing number of states and countries that recognize the importance of bodily integrity, human rights, and ethical medical practices.

I urge this committee to support HB612 and uphold the fundamental right of all individuals to make decisions about their own bodies.

Mahalo for your time and consideration.

Respectfully,

Abby Simmons (she/her)  
Chair & SCC Representative  
Stonewall Caucus  
Democratic Party of Hawai'i  
<https://linktr.ee/stonewalldph>  
(808)352-6818



Where LGBTQIA+ Rights Meet the Labor Movement  
A constituency group of the Hawai'i State AFL-CIO

January 29, 2025

House's Committee on Health  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Hearing: Friday, January 31, 2025 at 9:15 AM

RE: **STRONG SUPPORT for House Bill 612**

Aloha Chair Takayama, Vice-Chair Keohokapu-Lee Loy and fellow committee members,

Pride at Work – Hawai'i is an official chapter of [Pride at Work](#) which is a national nonprofit organization that represents LGBTQIA+ union members and their allies. We are an officially recognized constituency group of the AFL-CIO that organizes mutual support between the organized Labor Movement and the LGBTQIA+ Community to further social and economic justice.

Pride at Work – Hawai'i submits this testimony in **STRONG SUPPORT** of House Bill 612, which seeks to protect [intersex](#) keiki from non-consensual and medically unnecessary surgeries that can cause lifelong harm. This bill represents a crucial step toward ensuring bodily autonomy, dignity, and human rights for intersex individuals in our state.

Intersex people are born with physical sex characteristics that do not fit typical binary definitions of male or female. Currently, many of these keiki (one is too many) are subjected to medically unnecessary surgeries in infancy or early childhood—often before they can express their own gender identity or personal consent. These procedures, which include irreversible genital and gonadal surgeries, can result in severe physical and psychological consequences, including sterilization, loss of sexual function, chronic pain, and emotional trauma.

The United Nations, the World Health Organization, and numerous human rights organizations have condemned these non-consensual surgeries as human rights violations. Major medical associations are increasingly recognizing that intersex individuals should have the right to make informed decisions about their own bodies when they are old enough to do so. HB 612 aligns Hawai'i with these global human rights standards and ensures that intersex keiki are protected from harm.

By passing this bill, Hawai'i will affirm its commitment to justice, equality, and the fundamental right of all individuals to bodily autonomy. We urge the Legislature to stand in solidarity with intersex individuals and their families by advancing HB 612 without delay.

In solidarity,

Michael Golojuch, Jr.  
President  
[Pride at Work – Hawai'i](#)



Friday, January 31, 2025 at 9:125 am  
Room 329 & Via Video Conference

**House Committee on Health**

To: Representative Gregg Takayama, Chair  
Representative Sue Keohokapu-Lee Loy, Vice Chair

From: Lesli Nicolay, MD  
Kapi'olani Medical Center for Women and Children

**Re: HB 612– Comments  
Relating To Health**

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My name is Lesli Nicolay, MD. I specialize in pediatric surgery and urology at Kapi'olani Medical Center for Women and Children (Kapi'olani). Kapi'olani is an affiliate of Hawaii Pacific Health. Kapi'olani Medical Center is the state's only maternity, newborn and pediatric specialty hospital. It is also a tertiary care, medical teaching and research facility. Specialty services for patients throughout Hawai'i and the Pacific Region include intensive care for infants and children, 24-hour emergency pediatric care, air transport, maternal-fetal medicine and high-risk perinatal care.

I am writing to provide COMMENTS on HB 612 which would prohibit the performance of certain procedures on individuals born with variations in their physical sex characteristics under 1 year of age.

I am one of 4 practicing pediatric urologists privileged to care for the children in Hawaii. I am based at Kapi'olani Medical Center for Women and Children, but also serve the pediatric urologic needs of children through the Kaiser medical system as well. My practice includes children who live on all of the Hawaiian Islands and US territories in the Pacific region. I have trained for 6 years in general urology and 2 sub-specialized years in pediatric urology. I am board certified in both. I have dedicated my life to care for children with genital-urinary (GU) tract conditions, both congenital and acquired. A large portion of my practice is addressing abnormalities and congenital variations of the genitalia for which the standard of care is to provide comprehensive education based on the most reliable and current medical information to individuals and their families including all options both surgical and non-surgical and the associated benefits and risks of each.

This bill, while understood in spirit, oversimplifies the complex nature involved in these conditions and will ultimately limit providers and families from adding their expertise to the conversation. While intersex/disorders of sexual development make up a very small

subset of children with variations in genitalia, they comprise a group that is very complex and have a diverse array of genetic, hormonal, gonadal and genital conditions. As a result, each child is unique and is best served by the expertise of a multidisciplinary team of subspecialty physicians that fully evaluates all aspects of this child. This is NOT a single physician working independently, rather a team consisting of prenatal/maternal-fetal medicine, pediatric endocrinology, genetic, pediatric urology, neonatology, developmental pediatrics, child and adolescent psychiatry and psychology, adolescent gynecology, social work and others. Neither I, nor the other members of the group are in favor or against surgery. The recommendations offered are centered on scientific data and best practice guidelines in a thoughtful and methodical way. Parents are educated and given the ability to make their own informed decisions to advocate for their child which is encouraged and respected by the team. Imposing legislative regulation will undermine individual care.

Additionally, this bill has the unintended consequences to encompass all other individuals with physical genital anomalies. For example, hypospadias (the hole through which urine passes is not located at the tip of the penis) is one of the most common congenital findings in males and rarely has anything to do with intersex. Hypospadias affects 1 in every 250 boys born and the incidence is increasing. We know that delaying such surgeries increases the rate of complications when compared to performing surgery at an earlier age. This bill could delay treatments, harm children and potentially be quite costly. Most procedures considered routine and/or minor, would be subjected to this burdensome process. Procedures to release scar causing tethering or entrapping the penis or correcting other congenital anomalies that rotate, curve and/or distort the penis would all be affected. Families may not be given another option than to seek treatments that meet the standard of care outside of Hawaii.

We are concerned that having physician practice legislated through statute sets a harmful precedent. A bill that attempts to legislate limits on health care options, fails to individualize treatments, ignores scientific data and best practice guidelines and limits parental right creates a potentially dangerous situation that may harm children and negatively impact the medical care that is delivered here in Hawaii.

Thank you for the opportunity to testify.

**HB-612**

Submitted on: 1/29/2025 9:39:21 AM

Testimony for HLT on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephanie Austin	Individual	Oppose	Written Testimony Only

Comments:

These decision must be made by the physician and their patient: cannot have a blanket rule like this!



**HB-612**

Submitted on: 1/29/2025 7:24:16 PM

Testimony for HLT on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Individual	Support	Written Testimony Only

Comments:

I strongly support HB612. We need to protect the children from unnecessary medical procedures. Please pass HB612.

Mike Golojuch, Sr.

**HB-612**

Submitted on: 1/29/2025 8:30:01 PM

Testimony for HLT on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard S Velasquez	Individual	Support	Written Testimony Only

Comments:

please vote for this bill, there is no need to subject infants to this intrusive and unnecessary procedure according to medical experts

## Testimony in SUPPORT of HB 612, RELATING TO HEALTH

I fully support this bill. It is critical for needless and harmful surgeries to be prohibited. It's not like a friend introduces their new baby and you immediately strip off their diaper to see if the baby has the genitals you expect.

Some 25 years ago I had extensive discussions online with adults who had survived infant or child surgeries to "fix" them<sup>1</sup>. In most cases, this was turning people with intersex conditions or ambiguous genitals into females because "it's easier to dig a hole than build a pole." As a result, many of these people had long term trauma from intimate surgeries and sexual functioning problems from genital scarring. Many were also traumatized by repeated medical obsession over their genitals, or serious identity conflict with their forced female sex.

I am a Registered Nurse in Hawaii and earned a PhD in biomedical engineering. I reviewed the Bill and agree with the exceptions defined to ensure proper functioning for elimination and other urgent needs for medical intervention.

Jennifer Booker, BSN, PhD, RN

Waipahu, HI

1/29/2025

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<sup>1</sup> A now-defunct website called "Bodies Like Ours."

**HB-612**

Submitted on: 1/30/2025 12:24:21 AM

Testimony for HLT on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Alice Smith	Individual	Support	Written Testimony Only

Comments:

As a physician, it is important that intersex children are protected until they are of an age to understand and express their desires. When I was in pediatric residency in the early 90s these children would be operated on shortly after birth. Now we know that can have devastating consequences for the child.

**HB-612**

Submitted on: 1/30/2025 6:56:46 AM

Testimony for HLT on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Teri Heede	Individual	Support	Written Testimony Only

Comments:

There is no excuse for performing surgery on children like this. Let their bodies mature and be just as God made them.

**HB-612**

Submitted on: 1/30/2025 9:15:04 AM

Testimony for HLT on 1/31/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara J. Service	Individual	Support	Written Testimony Only

Comments:

Please support HB612 to protect intersex keiki.