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February 9, 2023

Senator Ben Hansen, Chair, and Members of the Health and Human Services Committee
State Capitol, Lincoln, NE

RE: LB810 (Murman) Adopt the Medical Ethics and Diversity Act

OPPOSE – *Please include this written testimony as part of the public hearing record for LB810.*

Dear Senator Hansen and Members of the Health and Human Services Committee:

The League of Women Voters supports equal rights for all under state and federal law regardless of race, color, gender, religion, national origin, age, sexual orientation or disability. We also believe that a basic level of quality health care should be available for all U.S. residents. Additionally, the American Medical Association supports everyone's access to quality evidence-based health care regardless of gender or sexual orientation.

When we place ourselves in the care of a medical doctor, we trust them to follow the science, ask for help when needed, share their knowledge with us and each other, keep our confidence and remember that those they care for are human beings. In taking up their oaths, medical doctors do not promise to only care for those whose lives they approve of or to only prescribe medicines they themselves would use. According to the Patient Bill of Rights, we all have the right to be treated with respect and the right to make informed decisions ourselves about our own care.

A recent nationwide survey revealed that 8% of LGBTQ persons who had visited a doctor or health care provider in the previous year had been denied service due to their actual or perceived sexuality. That number jumps to 29% of transgender persons denied service. Of non-metro LGBTQ persons who had been turned away, 31% to 41% said it would be very difficult or impossible to find the same service at a different facility (1).

Section 1557 of the Affordable Care Act provides federal protections against these types of discrimination. While Section 1557 was challenged in 2016, the U.S. Department of Health and Human Services has committed to resolving complaints from the LGBTQ community and will prohibit discrimination on the basis of sex as interpreted by the U.S. Supreme Court's 6-3 decision in *Bostock v. Clayton County* (2020) to include sexual orientation and gender identity.

Having a state law that expressly contradicts a federal law will result in miscommunications, lawsuits and possibly needless deaths – all bad outcomes for Nebraskans. Please do not advance LB810 to General File. Thank you for your consideration of our position and for all you do for Nebraska.

Sincerely,

Sara Lee, Social Policy Action Team, LWVNE
Jill McDermott, Social Policy Director, LWVNE
MaryLee Moulton, President LWVNE

1. Center for American Progress. (2018, January 18). Discrimination prevents LGBTQ people from accessing health care. <https://www.americanprogress.org/article/discrimination-prevents-lgbtq-people-accessing-health-care/>