



ODH Transgender Surgery Rules Clear JCARR

Bills in this Story

[HB68](#) GENDER SERVICES FOR MINORS, SINGLE-SEX SPORTS TEAMS ([Click, G](#))

Mentioned in this Story

[Rep. Jamie Callender](#) (R-Concord)

[Rep. Brett Hillyer](#) (R-Columbus)

[Rep. Kevin Miller](#) (R-Newark)

[Rep. Bob Peterson](#) (R-Sabina)

[Rep. Michael Skindell](#) (D-Lakewood)

Ohio Department of Health (ODH) rules banning gender transition surgeries and referrals for minors will move forward after Republicans on the Joint Committee on Agency Rule Review (JCARR) voted against invalidating them on Monday.

Numerous witnesses testified against the rules, and Democrats argued they should be invalidated for violating several JCARR prongs.

JCARR was also scheduled to consider ODH rules on reporting requirements for gender transition care, but those rules were placed in “to be refiled” status ahead of the meeting. (See *The Hannah Report*, 4/12/24.)

Rep. Mike Skindell (D-Lakewood) moved to invalidate ODH Rules 3701-59-06 and 3701-83-60.

“These rules are enacted beyond the scope of the authority of the department; they violate or are conflict with the federal and state constitutions, federal and state statutes and federal and state rules; they are contrary to the intent of the Legislature; they fail to adequately detail the adverse impact on businesses and individuals; and these rules will result in the death of Ohioans,” Skindell said.

Skindell’s motion was rejected 6-4 on a party-line vote.

JCARR Co-Chair Rep. Jamie Callender (R-Concord) and Rep. Brett Hillyer (R-Dennison) were not present for the meeting, and were replaced by Reps. Bob Peterson (R-Sabina) and Kevin Miller (R-Newark). House GOP spokesperson Pat Melton told *Hannah News* that both Callender and Hillyer asked for substitutes for Monday’s meeting, but reasons for their



ences were not provided. Both Callender and Hillyer voted against HB68 (Click), which gender-affirming care for minors and prohibits transgender women and girls from playing women's and girls' school sports. (See *The Hannah Report*, 6/21/23.)

Among those providing opposition testimony was Trenton, NJ City Councilperson Jennifer Williams, a Republican who is transgender.

"Implementation of these rules will place a real cost to Ohio in business creativity, talent drain and potentially loss of businesses. Right now, talented employees of Ohio companies are contacting companies in New Jersey and other states regarding moving from Ohio due to the ramifications of these rules and the recently-passed HB68," Williams said.

Williams also said these rules are not appropriately promulgated under the Ohio Revised Code (ORC) section on limiting the spread of communicable diseases.

"In the election of 1978, the Briggs Initiative in California would have banned lesbians and gays and those supporting them from working in that state's public school systems. Ronald Reagan, the former California governor and my fellow Republican, wrote in the *Los Angeles Herald Examiner* to announce his opposition to the Briggs Initiative. In this column he stated that, 'Whatever else it is, homosexuality is not a contagious disease like the measles. Prevailing scientific opinion is that an individual's sexuality is determined at a very early age.' I will never know, of course, but I think after a good conversation with the facts, the Gipper would have felt the same way about transgender people too."

Skindell asked Williams if being transgender is an infectious or contagious disease.

"Not at all sir. I cannot give it to you or anyone else in this room, nor could I give it to my daughter who was in a small minivan with me for eight-hour on the way here," Williams said.

Mallory Golski, civic engagement and advocacy manager for Kaleidoscope Youth Center (KYC), said these rules and other anti-transgender policies will cause young people to leave Ohio.

"Almost every time I speak to young people at KYC, they are asking me, 'Is it safe for me to continue to live in Ohio?'" Golski said. "There are so many bright, intelligent, talented teenagers who I talk to every single day, who have absolutely no interest in attending a college or university in Ohio because they're scared that their health care will be taken away. ... If we want Ohio to be attractive to young, bright, talented individuals who work for places like the Intel plant etc., this kind of policy is not in the best interest of Ohio."

Skindell said gender transition surgeries are already not being performed on minors in Ohio, but he's concerned about the rules' ban on referrals.



“... understanding is that, should somebody seek referral, prior to actually having the alignment surgery, there is a lot that goes on that may actually take more than a year or so – all kinds of care, like psychiatric evaluations and things like that. Am I correct on that understanding?” Skindell said.

Golski said that is her understanding, noting young people already need to “jump through numerous hoops as it is” to receive gender-affirming health care in Ohio.

“They can’t just walk into CVS and buy testosterone,” Golski said.

Skindell asked Golski if prohibiting referrals will result in more young Ohioans committing suicide.

“Absolutely,” Golski said. “I have no doubt that there are young people out there who either want to get out of Ohio, or see this as -- I don’t want to be alive anymore. It’s horrible, and it’s not something I want to talk about ... but it is a reality. ... I have no doubt that if these rules are put into place, there are young people who are alive now who will not be alive. I have no doubt that these rules will lead to suicides.”

All testimony is available at www.hannah.com>Important Documents & Notices>Library.

All other items on the agenda cleared JCARR without discussion.

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