

Kansas State Board of Healing Arts
800 SW Jackson, Lower Level-Suite A
Topeka, KS 66612



phone: 785-296-7413
fax: 785-368-7102
Email: KSBHA_healingarts@ks.gov
www.ksbha.org

Susan Gile, Executive Director

Laura Kelly, Governor

**Neutral Testimony on HB2791
Senate Committee on Public Health and Welfare
Kansas State Board of Healing Arts
January 28, 2025**

Chair Gossage and Honorable Committee Members,

Thank you for the opportunity to provide this neutral testimony concerning SB63, the help not harm act. My name is Susan Gile, and I am the Executive Director for the Kansas State Board of Healing Arts.

As written, HB2791 would prohibit healthcare professionals from treating minor patients whose gender identity is inconsistent with their sex. Though the Board remains neutral on the passage of this bill, we do believe that there are several factors that would be prudent to discuss:

First, it is important for committee members to consider how New Section 3 may be amended in the future as available clinical research develops. As you know, changes in medicine are both fast-paced and evidence-based. Physicians are expected and incentivized to stay up-to-date with current medical literature and guidance. As written, the bill would forbid specific procedures and run the risk of becoming outdated and out-of-step with current guidelines.

Second, the proposed 10-year window for civil action would be irregular for other professional malpractice cases (currently 4-year window). There is also concern that investigations of these claims would be *extremely* difficult due to the broad definition of harms found on pg 4 lines 17, which currently reads: *“any physical, psychological, emotional, or physiological harms to such child in the next 10 years from the date that the individual turns 18 years of age”*

As stated above, the Board remains neutral on the passage of HB2791. We would welcome further discussion of the above items. Should you have any questions, please feel free to contact me at 785-296-2680

Sincerely,

Susan Gile
Executive Director

BOARD MEMBERS: RICHARD BRADBURY, DPM, PRESIDENT, SALINA • SHERRI WATTENBARGER, PUBLIC MEMBER, VICE PRESIDENT, LENEXA • ABEBE ABEBE, MD, SHAWNEE
MARK BALDERSTON, DC, SHAWNEE • MOLLY BLACK, MD, SHAWNEE • R. JERRY DEGRADO, DC, WICHITA • TOM ESTEP, MD, WICHITA
STEVEN J. GOULD, DC, CHENEY • DAVID JORDAN, PUBLIC MEMBER, LAWRENCE • STEPHANIE KUHLMANN, DO, WICHITA • VERNON MILLS, MD, LEAVENWORTH
STEPHANIE SUBER, DO, LAWRENCE • DONNA SWEET, MD, WICHITA • RONALD M. VARNER, DO, AUGUSTA • KATHY WOLFE MOORE, PUBLIC MEMBER, KANSAS CITY