

## **04.26.25 POLICY PROPOSAL 7**

***Title: Opposition to SC House Bill 3506***

### **Full Name\***

Alexandria Fossum

### **Designation\***

Medical Student

**Are you submitting on behalf of a county medical society, specialty society, or other member?\***

No

**If YES, please indicate the name of the county medical society, specialty society, or other member(s) for which you represent.**

*(If NO, you may skip.)*

### **Submission Title**

*Please provide a Title for your submission that identifies the issue being addressed.\**

Opposition to SC House Bill 3506

### **Submission / Idea\***

Opposition to SC House Bill 3506

### **Evidence / Support for Proposal\***

H. 3506 outlines that every individual's sex is male or female and can be defined at or before birth. It defines a female as "an individual who naturally has, had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces, transports, and utilizes eggs for fertilization," and it defines a male as "an individual who naturally has, had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization." These definitions do not account for a multitude of disorders of sexual development (DSD) which may result in the presence of elements of both male and female reproductive tracts, such as Androgen Insensitivity Syndrome (Witchel 2018). In contradiction, the bill claims that "an individual's sex can be observed or clinically verified at or before birth." In several DSDs, the sex assigned due to visible features at birth does not align with the sex that would be assigned based on internal reproductive organs (Witchel 2018). The bill also asserts that gender is synonymous with biological

sex. These assertions prevent transgender people from ever obtaining legal recognition of their gender identity, even if they medically transition.

**Requested Action: What action is required to achieve this idea?**

*(i.e. Enact legislation, have a state agency review an issue, enact an SCMA policy statement on a topic, or other action?)\**

The SCMA should oppose H. 3506 and any other bills that attempt to establish rigid, unchangeable legal guidelines for biological sex.

**Why is the Requested Action important?\***

22% of individuals who identify as transgender report being verbally harassed, assaulted, asked to leave a location, or denied services when they have shown someone an ID with a name or gender that did not match their presentation (James et. al 2024). HB 3506 would put transgender South Carolinians at increased risk of harrassment. Additionally, up to 1.7% of people are born with intersex traits or a DSD, which is often invisible before birth and is unknown until puberty or attempted conception (Fausto-Sterling 2000). These individuals frequently grow up to develop a gender identity different from the sex assigned to them at birth based on their visible features, which often differs from the sex that would be assigned based on the guidelines outlined in HB 3506. (Williams 2002). These individuals, as well as transgender individuals, benefit socially and psychologically from accurate gender and sex documentation which protects their right to privacy.

**If there are additional details not addressed above that you would like to share, please provide them here.**

*(If you feel that the above information is sufficient, you may skip.)*