

**House Committee on Oversight and Reform**  
**“The Administration’s Religious Liberty Assault on LGBT Rights”**  
**Testimony of Evan Minton, Livermore, California**

Thank you Chairwoman Maloney, Ranking Member Jordan, and Members of the Committee, I am honored to be here today.

In August 2016, I was in the process of undergoing a series of medical treatments stemming from my diagnosis of gender dysphoria. After my doctors determined that a hysterectomy was medically necessary as part of my course of treatment for gender dysphoria, I was scheduled to undergo the surgery at Mercy San Juan Medical Center, a hospital in the Dignity Health chain, near Sacramento, California, where I live.

I did not know much about Mercy San Juan Medical Center or Dignity Health, but I knew that my surgeon regularly performs hysterectomies at that hospital. Two days before the surgery date, a nurse called me to go over the details, and I mentioned that I was transgender. The very next day—a day before my surgery was supposed to take place—the hospital called my surgeon to inform her that the surgery had been cancelled. She immediately contacted hospital management and was informed that she would never be allowed to perform a hysterectomy on me at Mercy San Juan Medical Center because the surgery was related to my gender transition.

When I heard the news, I remember being so devastated that I collapsed on the floor. I was horrified that the hospital was refusing to treat me just because I’m transgender. To make matters worse, the fact that the surgery was cancelled then put all of the other treatments I had scheduled in flux. Because I had already experienced delays in getting the care I needed, the timing of this surgery was particularly important.

I was fortunate in that I was able to undergo a hysterectomy at a different hospital. But the experience was scarring. I had no idea prior to my hysterectomy that my local, community hospital was a Catholic hospital, or that they would argue that religious doctrine permits them to prevent doctors from providing patients with medically necessary care just because those patients are transgender. I now know that the U.S. Conference of Catholic Bishops believes that transgender people do not exist. I hope that my being here today serves as proof that yes, we do in fact exist and we have medical needs just like all other people. It should never be ok to deny transgender people—or anyone else—the care we need just because of who we are.

In 2017, the ACLU and the law firm Covington & Burling LLP filed a lawsuit against Dignity Health on my behalf. California law prohibits businesses open to the general public—including hospitals—from discriminating on the basis of gender identity. Just

last fall, a California Court of Appeal agreed with me that I suffered discrimination when the hospital cancelled my surgery. The court also said that Dignity Health does not have a religious freedom right to violate California's nondiscrimination law.

While my case has been pending in the courts, the Trump Administration weighed in. In January 2018—less than a year after I filed my case—the U.S. Department of Health and Human Services issued a proposed rule, titled “Protecting Statutory Conscience Rights in Health Care.” As opposed to working to protect patients and expand access to healthcare, the entire purpose of the Refusal of Care Rule is to support religious people and entities in limiting the care they provide to patients. In the Rule, three court cases were mentioned as a reason the rule was necessary—mine was one of them.

The fact that the Trump Administration singled me out—my name is now in the Federal Register—truly knocked me down for about nine months. When I try to explain this to people, some folks think I should see this as a badge of honor; that I must be doing something right if the Trump Administration is coming after me personally. But it does not feel that way to me. I have just felt like it is a heavy load and it is emotionally draining and pressure filled. And I still feel that way today.

This is also my experience in trying to access healthcare, now that I know my local hospital—and close to 1 in 6 hospitals that are Catholic in California and around the country—will refuse to provide care to transgender people. For example:

- Soon after I received my phalloplasty, I had an issue with a catheter that wouldn't stay in place. I went to an urgent care facility and was told they couldn't treat me and that I should go across the parking lot to the emergency room—at a Dignity Health Catholic hospital. I refused to do that, and instead insisted that my surgeon talk me through cutting the catheter out myself, which I did in a public restroom while he gave me directions on speaker phone.
- More recently, the trauma I had experienced when Dignity Health turned me away compounded my experience of another health crisis. A pharmacy gave me the wrong dose of medication—instead of 5 pills of 25mg each, the pharmacist gave me 5 pills of 125mg each. I was staying at my parents' house, and when they found me unable to walk and having difficulty speaking, they rushed me to the emergency room. My parents identified the closest emergency room as Mercy San Juan Medical Center and were driving there, but even in my drugged and terrified state I insisted that they take me to a different emergency room, further away. I am not comfortable receiving care at a health care facility whose

management claims to have the right to deny people like me care simply because we are transgender.

The Trump Administration's Refusal of Care Rule labels me as a threat to Dignity Health, the fifth largest health system in the U.S. with billions of dollars in revenue. According to the Trump Administration, I'm not someone who is deserving of healthcare. According to the Trump Administration, my health—and that of other transgender Americans—doesn't matter.

By inviting me here today to testify about my experiences, I feel like I can finally reclaim my voice and some of my power. Thank you for that. I am happy to answer any questions you may have.