

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HEALTH

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December 5, 2014
Start: 1:28 p.m.
Recess: 1:45 p.m.

HELD AT: Committee Room - City Hall

B E F O R E:
COREY D. JOHNSON
Chairperson

COUNCIL MEMBERS:
Maria Del Carmen Arroyo
Rosie Mendez
Mathieu Eugene
Peter A. Koo
James G. Van Bramer
Inez D. Barron
Robert E. Cornegy, Jr.
Rafael L. Espinal, Jr.

A P P E A R A N C E S (CONTINUED)

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2 CHAIRPERSON JOHNSON: Good afternoon; I'm
3 Corey Johnson, Chair of the Council's Committee on
4 Health. Today the Committee will vote on proposed
5 Introduction No. 0491-A, a Local Law to create a new
6 mechanism for amending the sex designation on birth
7 records and proposed Introduction 0492-A, a Local Law
8 creating an advisory board to review the
9 implementation and effectiveness of the gender marker
10 change requirement and submit a report.

11 Transgender people comprise one of the
12 most disenfranchised communities and the statistics
13 reflecting this reality are astounding. According to
14 the National Transgender Discrimination Survey, 40
15 percent of transgender people have faced harassment
16 when presenting identity documents that did not match
17 their gender identity or expression. The kinds of
18 stories and experiences I've heard over the years and
19 at last month's Health Committee hearing on these
20 bills reflect this harsh realities. As one young
21 transgender man shared at the hearing, transitioning
22 is one of the most private things a person can go
23 through, but being a transgender person often feels
24 like having to disclose this private information to
25 everyone around you. I have heard from people whose

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2 lives have been impacted in so many ways, beyond
3 access to services and benefits; people are taunted,
4 abused, stigmatized, outed and have their privacy
5 invaded in countless ways. The 1972 policy requiring
6 proof of sex reassignment surgery to change a birth
7 certificate presents an insurmountable barrier to the
8 vast majority of transgendered native New Yorkers who
9 do not undergo surgery and are therefore prevented
10 from having accurate birth records.

11 Proposed Introduction 0491-A removes this
12 antiquated requirement for surgery and instead allows
13 individuals to amend the gender marker on their birth
14 certificates by having a medical or mental health
15 professional fill out an affidavit or affirmation
16 attesting that the changed sex designation more
17 accurately reflects the applicant's gender identify.
18 By doing so it brings New York City in line with New
19 York State, the federal government and a handful of
20 other states, but it also goes further than others by
21 providing an expansive pool of medical and mental
22 health professionals who can attest to an
23 individual's gender and moves beyond the idea that
24 transgender people need treatment in order to have
25 basic rights.

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2 The Committee is also voting on a
3 companion bill, proposed Introduction 0492-A, which
4 will create an advisory board of transgender
5 advocates and other experts to review implementation
6 of this new gender marker change requirement and
7 submit an evaluation of this new requirement, the
8 purpose of which is to ensure that this new policy is
9 achieving the broad access to this process that is
10 intended.

11 Having such a critical document that
12 correctly reflects your gender identify is a basic
13 human right that too many transgender people have
14 been denied for far too long. I am proud to sponsor
15 these two pieces of legislation; I am also pleased to
16 report that the City's Board of Health is acting
17 tomorrow on a mere provision to amend the Health
18 Code. These measures will transform the lives of
19 transgender individuals in so many ways that other
20 people take for granted, from accessing government
21 benefits and health coverage to getting a job and
22 using appropriate facilities. With this legislation
23 we will make a critical document accessible to a
24 population that has been terribly disenfranchised.

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2 Before I close, I would like to express
3 my gratitude to the advocacy community for their
4 critical input to the Council on this important
5 legislation and also for their dedication to this
6 issue and for working so hard to improve the lives of
7 transgender people.

8 I want to acknowledge my colleagues on
9 the Health Committee who have joined us today, all of
10 whom are co-sponsors of this piece of legislation,
11 the two pieces of legislation before us, Council
12 Member Rosie Mendez, Majority Leader Jimmy Van
13 Bramer, Council Member Peter Koo, Council Member
14 Robert Cornegy and Council Member Rafael Espinal.

15 I also wanna thank my Legislative
16 Director, Louis Cholden-Brown, the Health Committee
17 Counsel, Dan Hafetz, Policy Analyst to the Health
18 Committee, Crystal Pond and Crilhien Francisco, the
19 Finance Analyst to the Health Committee for their
20 work on this legislation.

21 I wanna just also say, on a personal
22 note, that for many transgendered New Yorkers this is
23 a long time in the making; this was first visited in
24 2006 and failed at the time and it has taken eight
25 years with the help of a dedicated staff here at the

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2 Council, tremendous advocates and a willing
3 administration, including the Health Commissioner,
4 Dr. Bassett, that we have been able to get this done
5 in the first year, which I think is very exciting and
6 is gonna help a tremendous number of people who we've
7 already heard from and who are excited to be able to
8 take advantage of this new law when it goes into
9 effect.

10 So I wanna ask if any of my colleagues
11 have anything to say; if not, the clerk can call the
12 roll. Does anyone wanna say anything? Okay, great.

13 COMMITTEE CLERK: Kevin Penn [sp?],
14 Committee Clerk, roll call in the Committee on
15 Health, Intros 0491-A and 0492-A. Council Member
16 Johnson.

17 CHAIRPERSON JOHNSON: I vote aye on all.

18 COMMITTEE CLERK: Mendez.

19 COUNCIL MEMBER MENDEZ: I vote and aye
20 and I wanna thank our chair and my colleagues from
21 the LGBT caucus; this is an important piece of
22 legislation for our community, a long time in waiting
23 and under your leadership, Mr. Chair, it has happened.
24 Thank you very much.

25 COMMITTEE CLERK: Koo.

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2 COUNCIL MEMBER KOO: I vote aye on all.

3 COMMITTEE CLERK: Van Bramer.

4 COUNCIL MEMBER VAN BRAMER: Before I vote
5 I just wanna congratulate the chair for moving these
6 historic pieces of legislation, really, to provide
7 relief and dignity and justice to members of our
8 society and members of our LGBT community; it's bee a
9 long time in the coming; it is some of the unfinished
10 work of our civil rights movements and our overall
11 work towards equality for all. So I wanna thank and
12 congratulate Chair Johnson for moving it so quickly,
13 so swiftly and for working so deftly with the
14 administration to get this done in a way that is both
15 quick but meaningful at the same time. So
16 congratulations, and with that appreciate and
17 gratitude I am very, very proud to vote aye on all.

18 COMMITTEE CLERK: Cornegy.

19 COUNCIL MEMBER CORNEGY: Before I vote I
20 just wanna say thank you so much to the chair for
21 taking the patience to educate me on the importance
22 of this piece of legislation; I vote aye on all.

23 COMMITTEE CLERK: Espinal.

24 COUNCIL MEMBER ESPINAL: I wanna
25 congratulate Chairman Johnson on this progressive

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2 piece of legislation. I represent a growing
3 transgender community in Bushwick, who unfortunately
4 in the recent past they have been bullied and
5 attacked and I just wanna say that this is a great
6 first step in making sure that they feel more
7 comfortable in their skin in my community, so thank
8 you for your hard work; I'm a proud co-sponsor.
9 Thank you.

10 COMMITTEE CLERK: By a vote of 6 in the
11 affirmative, 0 in the negative; no abstentions, all
12 items have been adopted.

13 CHAIRPERSON JOHNSON: Thank you. And I
14 would ask the clerk to keep the roll open for a few
15 minutes; we have two members that are on their way
16 over. Thank you very much. Thank you all.

17 [background comments, laughter] One quick
18 correction; the Board of Health is actually voting on
19 Tuesday, December 9th. [background comments]

20 [pause]

21 COMMITTEE CLERK: Arroyo.

22 [pause]

23 [background comments, laughter]

24 COMMITTEE CLERK: Arroyo.

25 COUNCIL MEMBER ARROYO: Aye.

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COMMITTEE ON HEALTH

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COMMITTEE CLERK: Vote stands at 7 in the affirmative.

[background comments]

[pause]

COMMITTEE CLERK: Barron.

COUNCIL MEMBER BARRON: I vote aye.

COMMITTEE CLERK: Final vote in the Committee on Health, 8 in the affirmative, 0 in the negative; no abstentions.

[pause]

CHAIRPERSON JOHNSON: With a unanimous vote, this hearing; again, in favor of these two pieces of legislation, this hearing is adjourned.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date December 8, 2014