

February 15, 2021

Paula Pullano  
Department of Health  
3 Capitol Hill  
Providence, RI 02908

Dear Ms. Paula Pullano:

Thank you for your work to ensure that Rhode Island's vital records regulations remain best-practice, inclusive, and protective of Rhode Islanders who identify as transgender and gender diverse. As community members who are transgender, gender diverse, or allies to trans and gender diverse communities, we write to express our strong support for RIDOH's proposed regulations revisions to Vital Records Regulations - 216-RICR-10-10-1.

The proposed revision eliminates the requirement of a notarized physician letter to change gender on a birth certificate. This change is in alignment with current best practices and the needs of our community. We are pleased and grateful that RIDOH is taking this important step.

We also write to emphasize the critical need to respect the privacy and safety of transgender and gender diverse people by avoiding the compelled disclosure of amendments on birth certificates. We respectfully request that future amendments to the regulations eliminate the potential for birth certificates to be marked as "amended" related to name changes.

The proposed amendment to the vital records regulations represents a vitally important update that recognizes the needs of transgender and gender diverse people while reflecting modern, best practice, medical and legal understanding. This new regulation ensures that every individual with a Rhode Island birth certificate can obtain a birth certificate that reflects their true gender identity without unnecessary barriers.

Thank you for your work to ensure that Rhode Island vital records practices are fair, inclusive, and protective for all.

Sincerely,

Alex West  
Alice Huang  
Angelina Linden  
Bella Robinson  
Ben Choiniere  
Christopher Alvord  
Colleen O'Donnell  
Dan Pittore  
Daniei Carrasco  
Daria Phoebe Brashear

Warren Alpert Medical School of Brown University

COYOTE RI

Warren Alpert Medical School of Brown University

Donya Sabet	
Eli Nixon	
Elliot Ruggles	Brown University
Emma Kintner	Rhode Island College
Ethan Huckel	TGI Network of Rhode Island
Heidi Salazar Martinez	
Iman Jenkins	
Jennie Msall	
Jessica Stensrud	
John Debella	Alpert Medical School of Brown University
Jordan S.	
Justice Graylen	
Kassie Hawkins	Sojourner House
Katherine Prevost	
Kristina Leite	
Logan England	
Luca Procaccianti	
M. Arianna Price	
Madison Graylen	
Mel Rainsberger	
Michael Wynn	
Morgan Askew	Brown University
Rachael King	
Rex LeBeau	
Samantha Elisheva Zerlin	
Selena Maranjian	
Shayna Adams	
Simon Olsen	
Spencer Lauble	
Stephanie S Meuse	
Victoria Cabral	
Volta Tran	Thundermist Health Center, Trans Action Coalition
Zach Forsberg-Lary	

February 6, 2021

Paula Pullano  
Rhode Island Department of Health  
3 Capitol Hill  
Providence, Rhode Island 02908  
Paula.Pullano@health.ri.gov

Comment submitted via e-mail

Re: Rules and Regulations Governing Vital Records (216-RICR-10-10-1)

Dear Ms. Pullano:

LGBTQ Action RI (LARI) appreciates the opportunity to comment on the proposed regulation governing vital records, 216-RICR-10-10-1. LARI is an advocacy organization dedicated to securing equality and justice for LGBTQ Rhode Islanders. We work to create and maintain affirming environments for LGBTQ people and to eliminate bias based on sexual orientation and/or gender identity and expression through advocacy and legislation. This work is done to create inclusive, affirming environments for LGBTQ people. LARI seeks to build a welcoming community that is affirming of all identities, and one which connects to the broader struggle for social justice.

LARI supports the updated regulation that an individual born in Rhode Island should be able to provide a self-attestation when requesting a gender change to a vital record. The proposed regulation eliminates a hurdle to the update of an individual's vital records.

LARI would like to thank the Rhode Island Department of Health on this first step of many that we know the Department will be taking to update all regulations that currently may restrict an individual's ability to update their vital records.

If you have any questions regarding our letter of support, please do not hesitate to contact LARI through Patrick Smock, 401-743-3108 or patricksmock2@gmail.com.

February 5, 2021

Paula Pullano  
Department of Health  
3 Capitol Hill  
Providence, RI 02908

Dear Ms. Paula Pullano:

Thank you for your work to ensure that Rhode Island's vital records regulations remain best-practice, inclusive, and protective of Rhode Islanders who identify as transgender and gender diverse. As community members who are transgender, gender diverse, or allies to trans and gender diverse communities, we write to express our strong support for RIDOH's proposed regulations revisions to Vital Records Regulations - 216-RICR-10-10-1.

The proposed revision eliminates the requirement of a notarized physician letter to change gender on a birth certificate. This change is in alignment with current best practices and the needs of our community. We are pleased and grateful that RIDOH is taking this important step.

We also write to emphasize the critical need to respect the privacy and safety of transgender and gender diverse people by avoiding the compelled disclosure of amendments on birth certificates. We respectfully request that future amendments to the regulations eliminate the potential for birth certificates to be marked as "amended" related to name changes.

The proposed amendment to the vital records regulations represents a vitally important update that recognizes the needs of transgender and gender diverse people while reflecting modern, best practice, medical and legal understanding. This new regulation ensures that every individual with a Rhode Island birth certificate can obtain a birth certificate that reflects their true gender identity without unnecessary barriers.

Thank you for your work to ensure that Rhode Island vital records practices are fair, inclusive, and protective for all.

Sincerely,

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Mel Rainsberger	
Michael Wynn	
Morgan Askew	Brown University
Rachael King	
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Samantha Elisheva Zerlin	
Selena Maranjian	
Shayna Adams	
Simon Olsen	
Spencer Lauble	
Stephanie S Meuse	
Victoria Cabral	
Volta Tran	Thundermist Health Center, Trans Action Coalition
Zach Forsberg-Lary	

**From:** Claire Pelham <[clairepelhamlicsw@gmail.com](mailto:clairepelhamlicsw@gmail.com)>

**Sent:** Wednesday, January 20, 2021 12:02 PM

**To:** Pullano, Paula (RIDOH) <[Paula.Pullano@health.ri.gov](mailto:Paula.Pullano@health.ri.gov)>

**Subject:** [EXTERNAL] : self-attestation when requesting a gender change to a vital record

Dear Ms Pullano,

My name is Claire Pelham and I am an independent clinical Social Worker here in Rhode Island. I have written several letters in clinical support of gender confirming surgeries for my trans clients over the years. I feel strongly that no one should have to consult a mental health professional in order to request a gender change to a vital record. To presuppose that an individual requires the assistance of a mental health professional in order to change this information is to cast doubt on that persons ability to be of sound mind. Thank you very much for taking the time to consider this matter. Should you have any questions, please do not hesitate to contact me.

Best regards,

Claire Pelham, LICSW

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**Claire Pelham, LICSW**  
**95 Sockanosset Crossroad Suite 307**  
**Cranston, RI**  
**02920**  
**401.487.5111**  
[clairepelham.com](http://clairepelham.com) [[clairepelham.com](http://clairepelham.com)]

*Because of the high value I place on the privacy of our clients, I do not use email to provide counseling services. Further because I cannot guarantee that messages will be read regularly, information regarding emergency situations should not be transmitted to me via email.*

*All communications about matters other than scheduling should occur either in person or by phone 401-487-5111. For mental health emergencies occurring after work hours or on weekends, please dial 911 or report to your nearest emergency room.*

*Please note that this email is intended for the designated recipient only, if you have received this email in error, please email the sender and delete immediately.*



128 Dorrance Street, Suite 400  
Providence, RI 02903  
Phone: (401) 831-7171  
Fax: (401) 831-7175  
[www.riaclu.org](http://www.riaclu.org)  
[info@riaclu.org](mailto:info@riaclu.org)

**TESTIMONY IN SUPPORT OF PROPOSED CHANGES  
TO DOH RULES AND REGULATIONS GOVERNING VITAL RECORDS  
[216-RICR-10-10-1]  
January 26, 2021**

The ACLU of Rhode Island is appreciative of the opportunity to provide testimony in support of the proposed changes to the Rules and Regulations Governing Vital Records. In particular, we are supportive of the amendments contained within Section 1.37(E), which would remove the requirement that an individual seeking to change the designated sex on their birth certificate must provide an affidavit from a medical professional supporting the individual's desire to amend their sex designation.

For members of the LGBTQ+ community, the changing of a sex designation on such vital records as birth certificates is both an affirming and extremely personal choice. This amendment recognizes that the only person who should be subject to making such decisions is the individual to whom the birth certificate is issued. It further expands the access to such affirming processes to individuals for whom the obtaining of such an affidavit may have been financially or personally prohibitive. Overall, and most importantly, this change ensures that the autonomy to amend such sex designation is rightfully placed solely with the individual that the change immediately affects.

We believe that this amendment will have a great and positive impact on the LGBTQ+ population in Rhode Island and encourage its codification into regulation. Thank you for your consideration of our commentary.

Submitted by: Hannah Stern, Policy Associate



February 13, 2021

Via Electronic Mail

Paula Pullano  
Rhode Island Department of Health  
3 Capitol Hill  
Providence, RI 02908  
Paula.Pullano@health.ri.gov

Re: GLAD's Comment on Proposed Amendment to Vital Records Regulations - 216-RICR-10-10-1

Dear Ms. Pullano:

We write on behalf of GLBTQ Legal Advocates and Defenders (GLAD), a New England-based legal organization dedicated to creating a just society free of discrimination based on gender identity and expression, HIV status, and sexual orientation. Thank you for your work to ensure that Rhode Island's vital records regulations remain best-practice, inclusive and protective of Rhode Islanders who identify as transgender and non-binary.<sup>1</sup> GLAD, with the support of community organizations and individuals listed at the end of this comment, writes to express our strong support for the Rhode Island Department of Health's (RIDOH) proposed regulations eliminating the requirement of a notarized physician letter to change gender on a birth certificate. Rhode Island has already taken important steps to affirm and protect transgender and non-binary people: for example, the Department of Motor Vehicles already allows the practice of gender marker amendments via self-attestation.<sup>2</sup> We are pleased and grateful that RIDOH is taking this important step to meet the needs of transgender and non-binary Rhode Islanders.

Adopting the proposed regulations eliminating the requirement of a notarized physician letter to change gender on a birth certificate will help to ensure that transgender and non-binary people have access to consistent identity documents. This critical change will ensure that Rhode Island remains a leader in protecting transgender and non-binary people, in line with other states, organizations, and existing Rhode Island agencies that have adopted policies for updating gender markers via self-attestation.<sup>3</sup> GLAD fully supports this significant step to improve the lives of Rhode Islanders.

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<sup>1</sup> Throughout this comment we use the term "transgender and non-binary people," but we acknowledge that this term is not all-encompassing with regards to the communities that these regulations directly impact. We seek to include all community members, regardless of label, who seek to ensure that their birth certificates accurately reflect their gender identity.

<sup>2</sup> *Gender Designation on a License or Identification Card*, R.I. Div. of Motor Vehicles (2019), [http://www.dmv.ri.gov/documents/forms/license/gender\\_designation.pdf](http://www.dmv.ri.gov/documents/forms/license/gender_designation.pdf). See also *Procedure for Changing Gender Designation on License or Identification Card*, R.I. Div. of Motor Vehicles (Jan. 26, 2021), <http://www.dmv.ri.gov/licenses/address/>.

<sup>3</sup> Currently, eleven states and New York City allow self-attestation of gender to amend a birth certificate and do not require any medical evidence or court order in order to do so. Cal. Health & Safety Code § 103425 (Deering 2018); 5 Colo. Code Regs. § 1006-1 (2020); Idaho Admin. Code r. 16.02.08.201 (2020); *How to Amend Sex Designation on a Birth Certificate for Adults*, Kan. Dep't of Health & Env't (Jan.29, 2021), [https://www.kdheks.gov/vital/amend\\_sex\\_desination\\_adults.htm](https://www.kdheks.gov/vital/amend_sex_desination_adults.htm). See also *Foster v. Anderson*, No. 18-02552-DDC-KGG (D. Kan. June 21, 2019) (consent judgment); Mont. Admin. R. 37.8.311 (2020); Nev. Admin. Code § 440.030



## The Need for Accurate Identity Documents and An Accessible Process

Transgender and non-binary people, like others, need identity documents and records to open bank accounts, start new jobs, enroll in school, obtain health care, travel, and navigate everyday life.<sup>4</sup> Having documents that do not reflect who they are or that do not match their other records can create significant problems in peoples' lives. Indeed, one recent U.S. survey found that mismatched identification exposes people to a range of negative outcomes, from denial of employment, housing, and public benefits to harassment and physical violence.<sup>5</sup>

Not only is it critical for transgender and non-binary people to have access to consistent identity documents, but it is important for the process to be consistent and straightforward. Unfortunately, many governments impose burdensome requirements that make it difficult or impossible for some people to update their IDs.<sup>6</sup> Indeed, the aforementioned survey found that only one-fifth of transgender people have been able to update all of their IDs and records to reflect their gender identity, and one-third have updated none of their IDs or records.<sup>7</sup> Further, leading medical organizations have made clear that transgender and non-binary people should have access to straightforward administrative procedures to update the gender marker on their ID documents and records, without need for a court order or medical gatekeeping.<sup>8</sup>

## The Need to Respect the Privacy of Transgender and Non-Binary People and to Avoid Compelled Disclosure of Amendments

We also write to emphasize the critical need to respect the privacy and safety of transgender and non-binary people by avoiding the compelled disclosure of amendments on birth certificates. As mentioned above, incongruent identification can expose people to a range of negative outcomes. Removing barriers to changing gender on birth certificates is critical, as is ensuring that name changes on birth certificates do not

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(2020); N.J. Rev. Stat. § 26:8-40.12 (2020); N.M. Code R. § 7.2.2.17 (LexisNexis 2020); *Gender Designation Corrections*, N.Y. Dep't of Health (July, 2020),

[https://www.health.ny.gov/vital\\_records/gender\\_designation\\_corrections.htm](https://www.health.ny.gov/vital_records/gender_designation_corrections.htm); Rules of City of N.Y. Health Code [24 RCNY] § 207.05 (2020); Or. Admin. R. 333-011-0272 (2020); Wash. Admin. Code § 246-490-075 (2020).

<sup>4</sup> World Prof. Ass'n for Transgender Health, *WPATH Identity Recognition Statement* (2017), <https://www.wpath.org/media/cms/Documents/Web%20Transfer/Policies/WPATH%20Identity%20Recognition%20Statement%2011.15.17.pdf>; see also Am. Psychiatric Ass'n, *Position Statement on Discrimination Against Transgender and Gender Diverse Individuals* (July 2018), <https://www.psychiatry.org/File%20Library/About-APA/Organization-Documents-Policies/Policies/Position-2018-Discrimination-Against-Transgender-and-Gender-Diverse-Individuals.pdf>.

<sup>5</sup> Nat'l Ctr. for Transgender Equal., *The Report of the 2015 U.S. Transgender Survey* 89-90 (2016), <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>.

<sup>6</sup> See *id.*

<sup>7</sup> See *id.* at 89.

<sup>8</sup> See, e.g., World Prof. Ass'n for Transgender Health, *WPATH Identity Recognition Statement* (Nov. 15, 2017), <https://www.wpath.org/media/cms/Documents/Web%20Transfer/Policies/WPATH%20Identity%20Recognition%20Statement%2011.15.17.pdf>; Am. Psychological Ass'n, *Transgender, Gender Identity, and Gender Expression Non-Discrimination* 26 (2008), <https://www.apa.org/about/policy/transgender.pdf>; Am. Med. Ass'n, *Conforming Sex and Gender Designation on Government IDs and Other Documents H-65.967* (2019), <https://policysearch.ama-assn.org/policyfinder/detail/transgender?uri=%2FAMADoc%2FHOD.xml-0-5096.xml>. For example, the American Medical Association (AMA) has formally expressed support for “every individual’s right to determine their gender identity and sex designation on government documents and other forms of government identification” and for “policies that allow for a sex designation or change of designation on all government IDs to reflect an individual’s gender identity, as reported by the individual and without need for verification by a medical professional.” *Id.*

appear with a strike through. This practice allows an observer to see a former name alongside a legally changed name, essentially “outing” transgender and non-binary people.

Recent cases across the country illustrate the potential harm that gender incongruent identification documents, and inadvertent disclosure of gender identity, pose.

- In a landmark case in Puerto Rico, the district court struck a policy permitting individuals to change the name on their birth certificate while prohibiting changes to gender markers as a forced disclosure of transgender status in violation of the constitutional right of informational privacy. *Gonzalez v. Nevares*, 305 F. Supp. 3d 327, 333 (D.P.R. 2018).<sup>9</sup> In striking the policy, the court noted that it “exposes transgender individuals to a substantial risk of stigma, discrimination, intimidation, violence, and danger.” *Id.* at 333.
- Further, in *In re Name Change of A.L.*, 81 N.E.3d 283, 290-91 (Ind. Ct. App. 2017), the Indiana Court of Appeals agreed with a transgender plaintiff who objected to publishing notice of a gender marker change because he established that “publication of notice of his petition for a name change would create a significant risk of substantial harm to him,” due to personal experience of discrimination in the workplace and the violent assault of a friend due to gender identity. The court further noted that “[p]ublication of his birth name and new name would enable members of the general public to seek him out, placing him at a significant risk of harm. And in today’s day and age, information that is published in a newspaper is likely to be published on the Internet, where it will remain in perpetuity, leaving L.S. at risk for the rest of his life.” *Id.*
- In recent weeks, a federal district court in Alabama similarly found that the state’s surgical requirement for changing gender on driver’s licenses violated an individual’s Equal Protection rights and that the plaintiffs were in fact harmed by the requirement. *Corbitt v. Taylor*, No. 2:18cv91-MHT, 2021 U.S. Dist. LEXIS 8316 (M.D. Ala. Jan. 15, 2021). In finding that the state’s policy order “directly and concretely injured the plaintiffs,” the court noted that “[w]henver plaintiffs show an identification document that calls them male, the reader of the document instantly knows that they are transgender. That, the record makes clear, is dangerous.”<sup>10</sup>

Maintaining an original name on a birth certificate poses a serious risk to transgender and non-binary people who change their legal names to align with their gender identity. For example, if an individual changes an originally listed name typically associated with the male gender to a name typically associated with the female gender (or *vice versa*), if the method of amendment used is a strike-through method, then that individual’s birth certificate will bear *both* names, demonstrating to anyone with access to this vital record that the individual has most likely also changed their gender marker, thereby disclosing their transgender or non-binary status without that individual’s consent. Doing so poses a substantial risk to that individual’s privacy rights. Indeed, in striking Puerto Rico’s forced disclosure of transgender status through identification documents as a violation of a constitutional right to “decisional privacy,” the court in *Nevares* required new birth certificates to reflect an applicant’s true gender “without using a strike-out line or otherwise including any information that would disclose a person’s transgender status on the face of the birth certificate.” *Nevares*, 305 F. Supp. 3d. at 333-34.<sup>11</sup>

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<sup>9</sup> Further, the court reiterated that, “At the heart of liberty is the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life.” *Nevares*, 305 F. Supp. 3d. at 333, (quoting *Planned Parenthood v. Casey*, 505 U.S. 833, 112 S. Ct. 2791 (1992)).

<sup>10</sup> *Taylor*, 2021 U.S. Dist. LEXIS 8316 at 7-8.

<sup>11</sup> In illustrating the implication on one’s privacy rights, the court noted that “[m]uch like matters relating to marriage, procreation, contraception, family relationships, and child rearing, ‘there are few areas which more closely intimate facts of a personal nature’ than one’s transgender status.” *Nevares*, 305 F. Supp. 3d. at 333 (quoting *Doe v. Town of Plymouth*, 825 F.Supp. 1102, 1107 (D. Mass. 1993)).

Further, a strike-through practice for name changes would undermine existing regulations which protect against disclosure of gender marker amendments. Section 1.38(B) of the regulations already provides a carveout from the requirement to mark a record as amended “for corrections to sex on the birth certificate that differ from the sex on the original birth certificate.”<sup>12</sup> The goal this regulation serves - to protect that individual’s privacy and prevent inadvertent disclosure of gender identity - is vitally important.

Because of this concern, we reached out to the RIDOH to clarify current practice. We appreciate the e-mail confirmation that RIDOH does not use the strike-through method for name change amendments on birth certificates. We understand that RIDOH lists at the bottom of the birth certificate that there has been a legal name change along with a reference to the court and to the date of the name change.

When considering future amendments, we respectfully suggest clarifying that name changes on birth certificates where gender change is also sought will not be subject to the strike-through method for amendment (to codify current practice) and, ideally, would not be marked as amended in any capacity. This will ensure that an amended birth certificate will not display a former name once amended.

To that effect, we suggest future amendments to Section 1.37(E)(5)(b) as follows, with underlined text representing additions and struck-through text representing deletions:

Correction requests regarding sex on a birth certificate that include a request for a legal name change will be marked as amended only with respect to the name change, **without using the method described in § 1.38(A)(2) of this Part**, pursuant to § 1.38 of this Part.<sup>13</sup>

Another alternative for a future regulation amendment to Section 1.37(E)(5)(b) is as follows, with underlined text representing additions and struck-through text representing deletions:

Correction requests regarding sex on a birth certificate that include a request for a legal name change will **not** be marked as amended **only** with respect to the name change **or corrections to sex**, pursuant to § 1.38(**B**) of this Part.

Rhode Island law provides broad flexibility for the state director of health to adopt rules and regulations to enforce the state’s vital records statute.<sup>14</sup> The vital records statute does not enumerate the manner by which a vital record must be marked as amended, providing discretion for the director of health to expand the application of this carveout to cover name changes on birth certificates that accompany gender marker changes.<sup>15</sup> As such, we hope that future amendments will either clarify that the strike-through method shall not be used to mark a legal name change to a Rhode Island birth certificate accompanying a gender marker change, or will clarify that a legal name change accompanying a gender marker change shall not be marked as amended. We believe that these changes would clarify an ambiguity in the regulations that creates a risk that an amended birth certificate bearing a name change will telegraph an individual’s transgender or non-binary status, since the regulations as currently drafted allow an amendment to be completed by “drawing a single line through in incorrect information, noting the correct information directly above or next to it, and denoting the corrected information with an asterisk.”<sup>16</sup> While we understand

<sup>12</sup> 216-10-10 R.I. Code R. §§ 1.37(E)(5).

<sup>13</sup> 216-10-10 R.I. Code R. §§ 1.37(E)(5)(b).

<sup>14</sup> See R.I. Gen. L. § 23-3-3.

<sup>15</sup> R.I. Gen. L. § 23-3-21.

<sup>16</sup> 216-10-10 R.I. Code R. § 1.38(A)(2). Although the regulations outline four different mechanisms for amending a vital record, only the strike-through option appears viable for birth certificate name changes. Section 1.38(A)(1) outlines a method to fill in blank information fields. Section (A)(3) allows the issuance of a new certificate, but only in connection with an adoption, legitimation, and paternity determination or acknowledgement. Section (A)(4)

that this is not current practice, we believe it would be helpful to codify RIDOH practice in the regulations for the avoidance of any doubt as to best practice. With a future clarification to regulation, RIDOH can ensure that Rhode Island furthers the important goal of maintaining the privacy and safety of transgender and non-binary people.

### Conclusion

The proposed amendment to the vital records regulations represents a vitally important update that recognizes the needs of transgender and non-binary people and reflects modern, best-practice medical and legal understanding. This new regulation ensures that every individual with a Rhode Island birth certificate can obtain a birth certificate that reflects their true gender identity without unnecessary barriers.

Thank you for your work to ensure that Rhode Island vital records practices are fair, inclusive and protective for all. If you have any questions about this comment, or if we can be of any additional assistance, please do not hesitate to contact us.

Sincerely,



Patience Crozier, Esq.  
Senior Staff Attorney  
pcrozier@glad.org



Anthony Lombardi, Esq.  
Legal Fellow  
alombardi@glad.org

Signing on in support:

Colleen Daley Ndoye, Executive Director, Project Weber/RENEW

Alicia Gauvin, The Center for Sexual Pleasure and Health (The CSPH)

SAGE-RI

ACLU of Rhode Island

LGBTQ Action RI

Black & Pink Providence

Thundermist Health Center

Rhode Island Commission for Human Rights

Denise Crooks, MPH, LICSW

Emily Allen, MD, MPH

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outlines the process for correcting electronic records and requires listing the information being amended. *See* 216-10-10 R.I. Code R. § 1.38(A)(1)-(4).

February 12, 2021

Paula Pullano  
Rhode Island Department of Health  
3 Capitol Hill, Room 410  
Providence, RI 02908-5097  
Paula.Pullano@health.ri.gov

Dear Ms. Pullano:

Thank you for your work to ensure that Rhode Island's vital records regulations remain best-practice, inclusive, and protective of Rhode Islanders who identify as transgender and non-binary. As licensed clinicians who provide care to trans and gender diverse Rhode Islanders daily, we write to express our strong support for RIDOH's proposed regulations revisions to Vital Records Regulations - 216-RICR-10-10-1. The proposed revision eliminates the requirement of a notarized physician letter to change gender on a birth certificate. This change is in alignment with current best practices and our professional ethics. We are pleased and grateful that RIDOH is taking this important step to meet the needs of transgender and other gender diverse Rhode Islanders.

We also write to emphasize the critical need to respect the privacy and safety of transgender and non-binary people by avoiding the compelled disclosure of amendments on birth certificates. We respectfully request that future amendments to the regulations eliminate the potential for birth certificates to be marked as "amended" related to name changes.

The proposed amendment to the vital records regulations represents a vitally important update that recognizes the needs of transgender and gender diverse people and reflects modern, best-practice medical and legal understanding. This new regulation ensures that every individual with a Rhode Island birth certificate can obtain a birth certificate that reflects their true gender identity without unnecessary barriers.

Thank you for your work to ensure that Rhode Island vital records practices are fair, inclusive, and protective for all.

Sincerely,

Timothy P Cavanaugh, MD  
Thundermist Health Center

Jason Rafferty, MD, MPH, EdM  
Thundermist Health Center and  
Emma Pendleton Bradley Hospital;  
Warren Alpert Medical School of Brown University

Sydney Loiselle, LCSW

Susan Charlotte Jacobsen, LMHC

Matthew Malek, MD, MPH  
Thundermist Health Center

Marissa Roberge, APRN  
Thundermist Health Center

Allie Scheer, LICSW  
Thundermist Health Center

Claire Williams, MD  
Thundermist Health Center

Jaye Watts, LICSW  
Thundermist Health Center

Jessica Johnson, MD, MPH  
Thundermist Health Center

Laura Flynn, DMD  
Thundermist Health Center

Jenna Chaplin, LICSW

Kathryn Ryznal, FNP  
Thundermist Health Center

Daniel Zariczny, LICSW  
Thundermist Health Center

Sarah Schwarzschild, FNP-BC  
Thundermist Health Center

Kristen Goad, FNP  
Thundermist Health Center

Julia Silence De Mello, MS, APRN, NP-C

Christine Forte, LICSW  
Thundermist Health Center

Jessica F Toucinho, LMHC  
Thundermist Health Center

Allison Parkhurst, LMFT

Jennifer Buckley, MD  
Thundermist Health Center

Christine Omerhi Pincince, FNP  
Thundermist Health Center

Rachel Yoder, LICSW

Meghan Grant, DO  
Thundermist Health Center

Michele D. Paliotta, LICSW

Kira Keenan, MSW, MeD, LICSW

Dale Folan, LICSW

Denise Crooks, MPH, LICSW

Caitlin A. Gillooly, MD  
Thundermist Health Center

Cary Donaldson, LICSW

Rachael Berube, APRN  
Thundermist Health Center

Andrew Lewandowski, LICSW

Agnieszka Janicka, MD

Beth Cronin, MD

Gabriel J. Pleasants, MD  
Thundermist Health Center

Wilfredo Giordano-Perez, MD, AAHIVS  
Tri-County Health Center,  
Alpert Medical School of Brown University,  
The Miriam Hospital

Laura Starr, LICSW, CAADC  
Thundermist Health Center

Tamatha Zerrenner, LICSW  
Thundermist Health Center

Latoya D. Sherron, LCSW

Joline Macfarlan, MD  
Thundermist Health Center

Camia Dimock, MD  
Thundermist Health Center

Danielle Simmons, APRN, FNP-BC

Camille Wingate, LMHC  
Thundermist Health Center

Jennifer Gaviria, LICSW  
Thundermist Health Center

Nithin Paul, MD

Jonathan Dreyer, MD  
Thundermist Health Center

Jessica Peipock, LICSW

Alexandra Hunt, LICSW

Jessica Kaplan, MSW, LICSW

Laurie Thornton, MA, CAGS, LMHC

Joshua Diem, Associate Professor of Social Work  
Rhode Island College

Emily Adams, NP  
Open Door Health

Dr. Megan Tucker, Licensed Psychologist  
Tufts University & Private Practice

Jill Wagner, LICSW

Emily Allen, MD, MPH

Michele Forcier, MD, MPH

Kimberly Bennett, LICSW  
Thundermist Health Center