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**REVIEW OF MEDICAL LITERATURE AND HEALTH POLICY
REGARDING HOMOSEXUALS AND ACCESS TO CIVIL MARRIAGE**
(Testimony to Legislative Committee, California Assembly, April 10, 2007)

As a practicing physician, surgeon and a scientific researcher, I would like to testify that medical science is unambiguous and unanimous in endorsing absolute equality for same-sex couples, including access for civil marriage.¹ This nation's medical associations representing over 400,000 specializing in mental health, psychological health, women's health and family health have reviewed the research and issued policy statements endorsing equal access to civil marriage because it would improve mental and physical health and family health, and harm no one.

- The [American Psychiatric Association](#) and [American Psychological Association](#) says it would "promote mental health"² and "well being."³
- The [American Academy of Pediatrics](#) confirms that children of homosexual couples have exactly similarly healthy developmental outcomes as those of heterosexual couples,⁴ say that same-sex marriage "would further strengthen their families" with the social, psychological, and financial benefits and responsibilities that are deemed so important for children of heterosexual couples.⁴
- The [American Medical Association](#) confirms that homosexuality is not learned, contagious, or imposable,⁵ but it is innate and unchangeable.^{5,6,7} with no associated mental pathology, criminality, or harmfulness.⁵ There is thus no basis to discriminate by law.
- The [American College of Obstetricians and Gynecologists, District IX](#), views sexual orientation "as neutrally as we view handedness, skin color or any other biological trait: without discrimination."⁸

Social stigma and misinformation about homosexuals long ago inspired laws with no scientific basis, intended to benefit the populace. Today we know that these laws benefit no one, that the separate and unequal treatment creates an underclass, and says that this state and this country hold you, or your child, or your parents in lower regard than other citizens; branding you, your child or parents for social ostracism, violence, isolation, depression, lower-self concept, poorer self-care, and increased rates of obesity, smoking, alcohol and risky behavior. These laws convey the inaccurate and harmful attitudes into the minds and hearts of every new generation, and perpetuate the health disparities.

The cycle can stop with legislation based on **unambiguous and unanimous** scientific evidence that legal equality would remove the undeserved stigma of homosexuality in our society, improve the health of individuals and families, and harm no one.

Scientific evidence is the most ethical basis for good public law. Legislators routinely call on scientific experts for testimony on health related laws. There is no ethical justification to ignore these national health experts in reviewing any law that so heavily impacts family, child, community, mental and school health. **The science is unambiguous and unanimous in**

endorsing the absolute equality of homosexuals, including marriage equality, for the betterment and health of Americans.

The [Child Welfare League of America](#) and the [American Academy of Child and Adolescent Psychiatry](#) issued policy stating that gays and lesbians have equal parenting skills, child-centered concerns and parent-child attachments.”^{9,10} Research confirms that their children have equally healthy development and outcomes, but would benefit from having two legal parents, especially in the event of the loss of a parent from divorce, death, or disability.

The [National Association of Social Workers](#) has endorsed equal access to civil marriage because same-sex couples will have similar rights for the responsibilities they already undertake for each other.”¹¹ Marriage will increase the number of families covered by health insurances, and decrease the number of state dependents. More people will have routine and preventive care, reducing disease burden and improving self-care. Clinicians can give more accurate care if they know the orientation. Stigma will decrease, as will the resultant psychic distress. Families will be more accepting and supportive of their children, and these youth will experience less school violence and less suicidality.

Tradition is not a valid reason to exclude homosexuals from civil marriage contract any more than it was a valid reason to exclude women from voting or property ownership, when they came about, finally in the 19th century, to claim them. The [American Anthropological Association](#), experts in world culture and tradition, explicitly states that “...more than a century of anthropological research provides no support whatsoever for the view that either civilization or viable social orders depend upon marriage as an exclusively heterosexual institution. Rather, anthropological research supports the conclusion that a vast array of family types, including families built upon same-sex partnerships, can contribute to stable and humane societies.”¹²

References for above testimony:

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4. Pawelski JG, Perrin EC, Foy JM, et al. The effects of marriage, civil union, and domestic partnership laws on the health and well-being of children. *Pediatrics.* Jul 2006;118(1):349-364.
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8. American College of Obstetricians and Gynecologists District IX. Letter to the Honorable Dave Jones., In: Honorable Dave Jones, Chair of Judiciary Committee, eds. Sacramento,

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 10. American Academy of Child and Adolescent Psychiatry. Policy statement: gay, lesbian, and bisexual parents. August 9, 2006; <http://www.aacap.org/page.wv?section=Policy+Statements&name=Gay%2C+Lesbian+and+Bisexual+Parents+Policy+Statement>.
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SPEAKER BIO

Dr. O'Hanlan is a Board Certified Gynecologic Oncologist, and author of 41 peer-reviewed journal articles. She is past President of The Gay and Lesbian Medical Association, author of "Homophobia As a Health Hazard: Report of the GLMA", "Lesbian Health: Perspectives for the Treating Obstetrician/Gynecologist," the first chapter on lesbian health in Copeland's Gynecology Textbook, and published the first evidence of HPV transmission by lesbians. She is co-principal investigator of one of the first NIH grants to study lesbians with breast cancer. She has been an invited presenter on LGBT health issues at the National Institutes for Health, the President's Cancer Panel, the Office of Research on Women's Health, and the American College of Obstetricians and Gynecologists. She wrote the American Medical Women's Association policy endorsing adoption, custody, and the same-gender civil marriage. To increase peer-reviewed information on lesbian health, she founded the Lesbian Health Fund in 1992, which has fostered 47 articles, with 31 grants from over \$500,000 donated. She is a Fellow of the Rockway Institute.

The Rockway Institute brings together scientific and professional expertise to counter antigay prejudice and inform public policies affecting lesbian, gay, bisexual, and transgender (LGBT) people. We believe that public opinion, policies, and programs should be shaped by the facts about LGBT lives, not by political ideology. A primary goal is to convey accurate scientific and professional information about LGBT issues to the media, legislatures, and the courts. The Institute also conducts research relevant to LGBT public policy questions in the areas of family relations, education, healthcare, social services, and the workplace. I am a speaker in the national dialogue on LGBT issues, disseminating accurate research information on LGBT topics to public policy makers, the media, community leaders, and educators.

Dr. Kate O'Hanlan, a practicing surgeon and health researcher from Portola Valley, presented peer-reviewed scientific literature and consensus statements from the nations health experts to legislators at the hearing. The conclusions were that excluding same-sex couples from marriage causes harm by treating LGBT people and their families differently, which brands them for social isolation and victimization, alienates them from the health system, and conveys inaccurate attitudes about homosexuality to society.

“Medical science is unambiguous and unanimous in endorsing absolute equality for same-sex couples, including access to civil marriage,” Dr. O'Hanlan said. “The nation's experts in child health, mental health, psychological health, women's health and family health have reviewed the research and issued policy statements endorsing equal access to civil marriage because it would improve mental and physical health of America's families, and harm no one.”

Frequently asked questions with answers

1) Is there any disagreement in the medical field about the position you are advocating?
Yes, National Association for Research and Therapy of Homosexuality represents that it has 1,000 members vs. over 400,000 members represented by the below organizations who endorse homosexuality as a natural expression of sexuality. We in medicine do not adhere to the conclusions of a fringe .2%, many of whom have had their membership revoked by their licensing organizations for using unscientific methods.

Year endorsed	Association	# members
2007	American College of Obstetricians / Gynecologists in California	5000
2006	American PsychoAnalytic Association	3,500
2006	American Association Child and Adolescent Psychiatrists	7,500
2006	American Academy of Pediatrics	60,000
2004	American Psychological Association	148,000
2004	American Psychiatric Association	35,000
2004	National Association of Social Workers	150,000
TOTAL PROFESSIONALS ENDORSING EQUALITY:		409,000
	National Association for Research / Therapy of Homosexuals	1,000

2) Aren't there medical organizations whose mission it is to convert homosexuals?

Yes, but the AMA has declared such “reparative” therapy malpractice:

- It stigmatizes a normal behavior.
- It is an unchangeable trait.
- When one fails to change their normal, unchangeable trait, they are further stigmatized as failures.

3) Where does your research come from? Why haven't we seen this before?

All of my references are from the National Library of Medicine (NLM) in Washington, DC, or from the expert association websites with their policy reviews, which rely on the 40+ years of research retained in the NLM, from which to draw their conclusions.

Imagine in 1400 Galileo saying that his scientific observations showed that the earth rotated around the sun. The Church insisted that the sun rotated around the earth. Speaking science to personally held belief systems is difficult because people have to change their thinking, which is why only scientific research should be the basis for laws in this country.

4) What about children? Don't they suffer from having same-sex parents? Doesn't research show that children are better off with a mother and a father?

There is a research study that shows that children do better in a two-parent home than with a single mother. But the data comparing outcomes from two male parents or two female parents with a male-female household show no differences in the children's outcomes.

5) Are children with same-sex parents more likely to be gay?

Not according to the research. Only one study mentioned that some of the boys might be less sexually aggressive and more nurturant, and that girls might be more sexually adventurous, but I doubt that would be a problem for society.

6) Aren't gay people more likely to be depressed?

Homosexuality does not cause depression. But stigma and discrimination cause depression, isolation, poor self-concept, low self-care. And since the very laws of our country discriminate in so many ways—telling our gay and lesbian citizens that they are undesirable—they contribute to the great harm that discrimination inflicts on each new generation of children.

7) Aren't domestic partnerships enough to ensure the health and well-being of same-sex couples?

No. The very name conveys disdain from our state for our families to our children. Try to explain to my 8-year old god-son Max that his two Mothers can only have an RDP but not be married. He already knows that marriage is the standard for uniting a family all over the world, and that most of his friends' parents are married. Then try to tell him that his family only gets an RDP. Plus, using the word marriage conveys to the country that all the families of all our citizens are equal, and all are ready to access the 1,138 federal rights and responsibilities of marriage that the United States government deems so essential for the health of the heterosexual family.

8. Access to civil marriage results in no further rights in California since there is already RDP. What is the point of this law?

We in American society were raised with the concept that marriage is the standard for the ultimate commitment of one's life and love to another. Assigning only RDP to some humans, and denying them marriage does not meet that standard. Imagine in 1922 giving women a limited "advisory vote" that is recognized only state by state, but not by the national elections. Women would not stand for the message of persistent disdain that the limited rights given them conveys, and they would continue to fight for exactly equal rights for all humans throughout the nation. Separate is not equal. This law conveys to the United States that we will not discriminate by sexual orientation, and it states that we are prepared for national marriage equality when they get around to it.

9. What is the benefit to heterosexuals from having civil marriage endorsed?

Kids must be taught in early school that RDP is not the marriage that most other kids' parents have. Telling kids that their parents are treated as different destabilizes their trust in their parents. With all families treated equally, all kids (96% heterosexual) of same-sex households will have more confidence in their parents and their family's position in society.

By removing the stigma against homosexuality, heterosexual parents will come more quickly into securely accepting their pre-homosexual children, and feel more assured of their child's safety in the schools, and likelihood of a satisfying life after that. They will deal less often with other families condemning their child, using cruel words such as "Hate the sin, love the sinner." (this calls the child a sinner...)

Extended families will feel less stigma about incorporating their gay relatives into family traditions, providing more extended family closeness, maintaining family traditions, and enhancing support to children.

10. Isn't homosexuality unnatural, at least biologically, since the genitals do not have the natural anatomic fit, and they cannot produce children?

Sexual orientation appears to be a natural phenomenon influenced by many known and unknown hormones that affect the developing fetal brain during the first third of pregnancy. There is a whole spectrum of orientations from exclusively heterosexual to exclusively homosexual with bisexual in the middle.

The evidence is that there are physical anatomy traits as well as special behavioral traits in humans that typically distribute along this spectrum such as one's sense of gender and orientation. These traits distribute differently with homosexual orientation and transsexualism. Research on brain anatomy, physiology, and behavior skills and traits confirm a total body physical, behavioral, and anatomic effect on homosexuality. Some 4% of children simply come out of the womb perfectly destined to be LGBT. We cannot alter that process, but like origins of other harmless inborn traits, our civilized society accommodates them and legislates for their fair treatment in life. Left-handedness, dwarfism, skin color come to mind. We don't make fun of different people anymore; rather we legislate for their mental and physical health and well-being and safety.

Over 450 species of animals and birds have been observed to perform homosexual acts, repeatedly, in the presence of the opposite sex, with some pairs bonding together for a lifetime. From Bagemihl B. *Biological Exuberance: Animal Homosexuality and Natural Diversity*: St. Martin's Press; 1999.