

Senate Health and Human Services Committee

Sophie Walsh 271-3469

SB 520, relative to breast surgeries for minors.

Hearing Date: March 11, 2026

Time Opened: 10:52 a.m.

Time Closed: 11:10 a.m.

Members of the Committee Present: Senators Rochefort, Birdsell, Prentiss and Long

Members of the Committee Absent: Senator Avar

Bill Analysis: This bill permits a physician to perform breast surgery on a minor if the procedure is at the election of the minor in consultation with her primary care physician.

Sponsors:

Sen. Reardon

Sen. Fenton

Sen. Perkins Kwoka

Sen. Altschiller

Who supports the bill: 84 people signed in support of the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (sophie.walsh@gc.nh.gov).

Who opposes the bill: 10 people signed in opposition to the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (sophie.walsh@gc.nh.gov).

Who is neutral on the bill: No one.

Summary of testimony presented:

Senator Tara Reardon, Senate District 15

- Senator Reardon referenced an email sent to her from a constituent after the passage of HB 712-FN. She received an elective breast reduction in high school and described it as the best thing she did for herself. She experienced a transformation in her life that would have not been possible if she did not elect to receive the surgery.
- Senator Reardon explained this surgery was routine at one time, but has been clouded by the introduction of gender dysphoria and transitioning youth.

- Senator Reardon explained that she has received a lot of feedback since introducing this bill and acknowledged that the language did not clearly convey her intent.
- She introduced two potential committee amendments that could be adopted to specify the intent of the bill to apply for medical reasons.
- Senator Reardon noted that because her constituent's doctor was not willing to specifically diagnose anything, the constituent worries that her doctor would have shied away from the legal ambiguity and not performed the surgery.
- Senator Reardon emphasized that this is a helpful solution for women who are currently in this situation.
- Senator Rochefort said it seems like the constituent's doctor may not have opted for the first committee amendment option, and Senator Reardon explained that he would have not been comfortable with the existing law from HB 712-FN.

Beth Scaer

- Ms. Scaer stated that she is speaking in opposition to the bill as written, as it repeals HB 712-FN.
- She referenced written testimony submitted to the Committee and told the stories of six young women who received double mastectomies and later regretted the procedure.
- Senator Prentiss noted that mastectomies and breast reductions are medically different and asked if it is Ms. Scaer's position that a minor with a medical reason unrelated to gender dysphoria should not have the ability to get a breast reduction.
- Ms. Scaer explained that breast reductions are being performed on girls who end up with double mastectomies, as they end up taking almost the entire breast. She said she could see this continuing with the amendment.
- Senator Prentiss asked for clarification on if it is Ms. Scaer's position that a minor with a medical condition unrelated to gender dysphoria should not be able to have a breast reduction.
- Ms. Scaer said that HB 712-FN included an extensive list of conditions and diagnoses that would cover the issue this constituent was dealing with.
- Senator Rochefort said he believes that was the original intention, but it was not how it came out. He referenced the list of exemptions from HB 712-FN, including: reconstruction surgeries on minors to correct malformation, malignancy, injury, or physical disease, removal of malignant, malformed, or otherwise damaged tissue, genital surgeries on minors with disorders of sex development, male circumcision, and breast surgery subject to RSA 329:53.
- Senator Prentiss referenced RSA 329:53 and noted that it includes malignancy, injury, infection, malformation, and reconstructive purposes. She explained that reduction is not always considered a reconstructive purpose.

- Senator Prentiss explained that this provides an extra level of protection and clarification, so that there will not be any questions in these circumstances.
- Ms. Scaer said she wants to be sure this does not open a big hole for someone to claim they need a breast reduction when they are truly looking to transition.
- Senator Rochefort noted that he can see the ambiguity in RSA 329:53.

Aubrey Freedman

- Mr. Freedman stated that while he was originally opposed with the bill as written, he is okay with it after hearing Senator Reardon's testimony and amendment. He emphasized that this is for medical conditions that have nothing to do with gender dysphoria.
- Mr. Freedman said he would be okay with this bill as long as it remains specific to physical and medical conditions.
- He questioned the presence of parental consent, and Senator Rochefort noted that it is covered in another section of the law.