



Massachusetts Transgender Political Coalition

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617-778-0519

Changing Your Gender Marker on Legal Documents

If you have any additional questions about the process for changing your gender marker on official documents, please feel free to contact MTPC at 617-778-0519. We are also collecting people's [stories of experiences](#) with discrimination or positive experiences in order to advocate for improved policies here.

<http://www.masstpc.org/projects/discr-stories.shtml>

Changing your gender on your Driver's License/State ID Card:

To change the gender marker on your state issued identification, you need to submit an application together with a Gender Designation Change Form, signed by you and a medical provider attesting to the gender that you consider yourself to be. The medical provider should be a licensed physician, therapist or counselor, or psychiatric social worker. A copy of the Gender Designation Change Form is available at the MTPC website, from MTPC or at the RMV.

You are no longer required to submit medical proof of sex reassignment surgery or an amended birth certificate. The next edition of the Registry of Motor Vehicles Driver's Manual will reflect the new policy.

If your current state issued identification/license has a name you do not use anymore or has not been updated since you have legally changed your name, you must also bring your court ordered name change document.

Amending an I.D./License will cost \$25.00. If you do not have an I.D./License yet, applying for a new license will cost \$50.00.

Changing your gender on your Social Security Card:

To change your name in the Social Security Administration (SSA) records, provide the following at your local SSA office. All documents need to be originals or certified copies by the issuing agency. You can find the nearest SSA office by calling 1-800-772-1213 or visiting www.ssa.gov/pgm/reach.htm

1. A completed Form SS-5 “Application For A Social Security Card.”
2. Proof of identity. One or more identity documents in your new legal name, such as, a driver license, passport, state-issued ID, etc. These documents must show your current legal name.
3. A letter from the surgeon or attending physician verifying that “sex change surgery has been completed.” It is important that this letter clearly states that your sex surgery has been completed (and not just “performed”) and the letter identifies you as the person changing their gender marker. It is also helpful (but not required) for the letter to state you identify and live as the gender you wish to be perceived as. When choosing your surgeon, it is a good idea to confirm that he/she will write this letter for you.
4.
 - a. A. If you are a U.S. citizen and have not previously established citizenship with SSA, you will need to present a birth certificate, U.S. passport, or other proof of citizenship. Note: your birth certificate or other document establishing citizenship does not need to show your current name or gender. However, you will need to show proof that you are the same person, such as with a court order for legal name change.
 - b. If you are a non-citizen, you will need to show documents proving your immigration status and work eligibility, such as, Form I-551, I-94 with unexpired foreign passport, and/or work permit card (I-766 or I-688B). Because there are many types and combinations of qualifying documents for non-citizens, you should call SSA to confirm that your documents qualify.

Changing your gender on your Passport:

To change your gender marker on your Passport, you will need to apply for a completely new passport. In order to request a new passport by mail, all the following must be true about your current passport:

- Is **undamaged** and can be **submitted** with your application
- Was issued when you were **age 16 or older**
- Was issued within the last **15 years** (up to 5 years after expiration)
- Was issued in your **current name** or you can legally document your name change

If the above statements do not apply, or you do not yet have a Passport, you will need to [Apply in Person](http://travel.state.gov/passport/get/first/first_830.html) (http://travel.state.gov/passport/get/first/first_830.html)

You will also need to submit the following with your application:

1. Evidence of citizenship and proof of identity (for example, a driver's license or birth certificate).
2. A photo that is a good likeness of current appearance. (2x2 inches in size with white or off-white background – these photos can be taken for \$15.00 at acceptance facilities, such as designated Post Offices)
3. A fee of \$75 to have a new passport issued. (An additional \$25.00 is required for processing in-person applications. No credit cards accepted by mail or in person (Cash, check, or money order).
4. The State Department regulations require you to annotate the application with the words “gender transition.” The regulations do not state where this annotation must be and are brand new so we cannot track the experiences of others yet, so just make sure those words are somewhere on the application.
5. Attending physician’s letter stating that you have “had appropriate clinical treatment for gender transition” or are “in the process of gender transition.”* This policy recognizes that people’s medical needs vary and that appropriate clinical treatment may be different for one person than for another.

This letter must contain (See 7 Fam. 1320 Appendix M(b)):

- Identification of the physician as a physician who has treated or evaluated you
- Physician’s full name
- Medical license or certificate number
- Issuing state or other jurisdiction of medical license/certificate
- Drug Enforcement Administration (DEA) registration number (if physician does not have DEA number, for example if he or she practices in a foreign

country, then further clarification or verification of the physicians bona fides must also be submitted)

- Address and telephone number of physician
- Statement that he/she has a doctor/patient relationship with you
- Language stating that the applicant “has had appropriate clinical treatment for gender transition to male/female (new gender)” or “is in the process of gender transition to male/female”*
- Statement “I declare under penalty of perjury under the laws of the United States that the forgoing is true and correct.”

MTPC recommends that you give the physician a copy of the sample letter that appears in Appendix M. Ask the physician to model his or her letter closely after the sample and to include the information listed above.

The National Center for Transgender Equality has issued [the following statement](#) about these physician letters:

“No specific treatment is required, and details of your treatment need not be provided. In fact, NCTE encourages you and your doctor to only state in the letter that you have had the clinical treatment determined by your health care providers to be appropriate. Details about surgery, hormone treatment, or other treatments are unnecessary and not helpful.”

*If you are in the process of gender transition, the passport agency will issue a two year limited validity passport.

The regulations issued by the state department specifically state that surgery is not a prerequisite for your new passport and that passport adjudicators and consular offices may not ask for additional medical information. In conversations with you, workers at the passport office are required to refer to you using the pronouns appropriate to your “new gender” and to ask only appropriate questions.

Though there is no passport fee waiver available for the general public (no-fee passports are available to family members of U.S. government officials), you may apply for a Passport Card (\$20.00) instead of a Passport Book (\$75.00). A Passport Card however, is only valid for ground and sea travel in North America only (A passport card cannot be used at any U.S. airport). A \$25.00 processing fee still applies for all in person passport applications, including the passport card.

Please contact MTPC if you have recently had problems changing your passport information.

Changing your name/gender on your Birth Certificate:

The process for changing your name/gender on your birth certificate depends on the state or country for which you were born. Below is some information about changing your name/gender on your birth certificate if you were born in Massachusetts. Lambda Legal provides information about birth certificate changes in every U.S. state.

<http://www.lambdalegal.org/our-work/issues/rights-of-transgender-people/sources-of-authority-to-amend.html>

In Massachusetts, a person who has completed sex reassignment surgery, and has had a legal name change by a court, may have their birth record amended to reflect the newly acquired sex and name. (M.G.L. c. 46 s. 13)

Name

The applicant must submit to the appropriate clerk a certified copy of the legal name change court order.

Sex Designation

The applicant must provide the town clerk (in town/city of birth) with a physician's notarized statement indicating completion of sex reassignment surgery. Please note, it is important to include the word "completed" and not just "performed" sexual reassignment surgery.

Appendix

Sample Physician's letter provided in regulation [7 Fam. 1320](#), Appendix M, Exhibit B

Attending Physician's Letterhead

(Physician's Address and Telephone Number)

I, (physician's full name), (physician's medical license or certificate number), (issuing U.S. State/Foreign Country of medical license/certificate), (DEA Registration number or comparable foreign designation), am the physician of (name of patient), with whom I have a doctor/patient relationship and whom I have treated (or with whom I have a doctor/patient relationship and whose medical history I have reviewed and evaluated). (Name of patient) has had appropriate clinical treatment for gender transition to the new gender (specify new gender male or female).

Or

(Name of patient) is in the process of gender transition to the new gender (specify new gender male or female).

I declare under penalty of perjury under the laws of the United States that the forgoing is true and correct.

Signature of Physician

Typed Name of Physician

Date