CHANGING THE SEX DESIGNATION ON YOUR BIRTH CERTIFICATE, DRIVER’S LICENCE AND OHIP CARD

In Ontario, there are numerous barriers that prevent trans people from accessing proper identification. Changing the sex designation on government documents to reflect one’s gender identity can be very difficult; there are different rules and regulations for most forms of identification, the accessibility of this information varies, and the requirements can be onerous. Without proper identification, a person’s access to employment, housing, health care, and the many other circumstances that require government documentation are negatively impacted. Accordingly, identification documents are a pivotal concern to the overall well-being of trans persons.

This fact sheet provides information for trans people on how to change the sex designation on their driver’s licence, their birth certificate, and their health card in Ontario (please note that the Ontario health card or “OHIP” card is not considered a piece of identification. In this fact sheet, the OHIP card will be referred to as “government documentation”). Federal identification (passport, SIN card, Certificate of Indian Status etc.) will be addressed in a later publication.

DRIVER’S LICENCE

To change the sex designation on your driver’s licence, you will need the following (photocopies not accepted):

a) A personal letter requesting to change the sex designation on your licence that includes your full name, your current address, your driver’s licence number, and the name and address of the physician or psychologist who has provided you a letter in support of the change.

b) A letter written by a physician licensed by the College of Physicians and Surgeons of Ontario or a psychologist (including a psychological associate) licensed by the College of Psychologists of Ontario. The letter must state that the physician or psychologist has either treated or examined you and supports your request to change the sex designation on your licence. Make sure the letter is written on the physician or psychologist’s letterhead and is signed by the physician.

Sex reassignment surgery is not required to change your sex designation; however, if you have had this surgery, you can present supporting medical documentation instead of a letter from a physician.
You will need to take this documentation in person to a ServiceOntario centre.

For Further Information:

Service Ontario General Line
Toll-free: 1-800-267-8097
Toronto: 416-326-1234
TTY (toll-free): 1-800-268-7095
TTY (Toronto): 416-325-3408

Ministry of Transportation, ServiceOntario
Driver and Vehicle Licensing General Inquiry
Toll-free: 1-800-387-3445
Toronto: 416-235-2999

Weblinks:

Instructions:


Service location finder:

https://www.services.gov.on.ca/locations/start.do

BIRTH CERTIFICATE

The Human Rights Tribunal of Ontario ordered the provincial government to cease requiring trans persons to have "transsexual surgery" in order to obtain a change of sex designation on their birth registration. In accordance with the tribunal’s order, the criteria for changing sex designation on a birth registration have been revised and there is no longer a requirement for "transsexual surgery." The new criteria are stated below.

To change the sex designation on your birth certificate, you must be at least 18 years old and must have been born in Ontario. You will also need the following documentation (photocopies are not accepted):

a) A completed Application for a Change of Sex Designation on a Birth Registration
b) A completed Statutory Declaration by a Person for a Change of Sex Designation on a Birth Registration. This declaration requires you to affirm that you have assumed (or have always had) the gender identity that accords with the change in sex designation on your birth certificate, that you are living full-time in this gender identity, and that you intend to maintain this gender identity. You will need a commissioner for taking affidavits or a notary public to witness and sign this form.

c) A completed application form for a birth certificate (this is the Request for Birth Certificate form). This form requires you to have a guarantor.

d) All previously issued birth certificates (this is your short form birth certificate) and certified copies of your birth registration (this is your long form birth certificate).

e) A letter from a practicing physician, psychologist, or psychological associate authorized to practice in Canada that supports your request to change the sex designation on your birth certificate. Make sure the medical professional signs the letter, writes it on their letterhead, and includes the following information:

- They are in good standing with the appropriate regulatory body (e.g. College of Physicians and Surgeons of Ontario or College of Psychologist of Ontario)
- Their licence number
- They have treated/evaluated you (must write your full name)
- They agree that your gender identity does not accord with the sex designation on your birth certificate
- They agree that the change in sex designation on your birth certificate is appropriate

This letter may be replaced by alternative evidence under certain circumstances. Please see the Application for a Change of Sex Designation on a Birth Registration for further details.

The old application forms to change sex designation on a birth registration are no longer available. If a person submits one of the former medical certificates signed by a practicing physician authorized to practice in Canada, it may be accepted in place of the letter from a physician or psychologist (provided the person complies with the other application requirements).

The following fees apply:

- To change your sex designation - $37
- To order a birth certificate (short form) - $25
To order a certified copy of your birth registration (long form) - $35

Once your documentation is complete, you can mail your application package and corresponding fees to the Office of the Registrar General. You can also submit your application in person at the Toronto office or the Ottawa Government Service Centre ServiceOntario locations. Your new birth certificate will be delivered to you by mail in approximately 6 to 8 weeks.

For Further Information:

Office of the Registrar General
P.O. Box 4600
189 Red River Road
Thunder Bay, Ontario P7B 6L8

Service Ontario:
Toll-free: 1-800-461-2156
Toronto: 416-325-8305
Fax: (807) 343-7459
E-mail: ORGID@ontario.ca

Toronto Office, ServiceOntario
47 Sheppard Avenue East, 4th Floor, Unit 417
Toronto, Ontario M2N 5X5
Hours of Operation:
Monday, Tuesday, Wednesday, Friday: 8:30 a.m. to 5:00 p.m.
Thursday: 8:30 a.m. to 8:00 p.m.

Ottawa Government Service Centre, ServiceOntario
110 Laurier Avenue West
Ottawa, Ontario K1P 1J1

Hours of Operation:
Monday to Friday: 8:30 a.m. to 5:00 p.m.

Weblinks:

Instructions and forms:

Frequently asked questions:


ServiceOntario (Toronto office):

https://www.services.gov.on.ca/locations/locationDetail.do?id=11801

ServiceOntario (Ottawa office):

https://www.services.gov.on.ca/locations/locationDetail.do?id=12089

ONTARIO HEALTH INSURANCE PLAN (OHIP) CARD

The Ministry of Health and Long-Term Care has aligned its health card policy with the criteria required to change the sex designation on a birth certificate. Accordingly, sex reassignment surgery is no longer a prerequisite for changing the sex designation on an Ontario health card.

In addition, you do not have to be a certain age to alter the sex designation on your health card. Eligible residents of Ontario over the age of 16 must submit an application in person at a ServiceOntario centre. Parents or legal guardians can register children under the age of 16; a child is not required to present in person at a ServiceOntario centre.

To change the sex designation on your health card, you will need the following documentation (photocopies are not accepted):

a) Your current OHIP card. If you do not have a photo health card, you must re-register for this type of card when you change your sex designation.

b) A completed Change of Information form.

c) Three documents to prove your Canadian citizenship or OHIP-eligible immigration status, Ontario residence, and identity. For a list of accepted documentation, see the Ontario Health Insurance Coverage Document List.

d) Your updated Ontario birth certificate with the correct sex designation. If you do not have an Ontario birth certificate, the following two documents are also acceptable:

A written declaration from you stating that:
o you have assumed (or have always had) the gender identity that accords with the requested change in sex designation
o you are living full-time in that gender identity and intend to maintain it
o the application is not being made for an improper purpose

AND

A letter (on letterhead) signed by a practising physician, a psychologist, or a psychological associate authorized to practice in Canada indicating that:

o he/she has treated or evaluated you
o your gender identity does not accord with the sex designation on your OHIP-eligible citizenship/immigration document
o he/she is of the opinion that the change of sex designation is appropriate

If you have undergone sex reassignment surgery, one of the following documents is also acceptable:

a) A certificate signed by the medical practitioner who performed your sex reassignment surgery certifying that s/he performed the surgery

OR

b) A letter from the hospital where your sex reassignment surgery was performed certifying that you underwent this surgery.

Once your application is complete, you will need to submit your documentation at a ServiceOntario centre

For Further Information:

Ministry of Health and Long-Term Care, ServiceOntario:
Toll-free: 1-888-376-5197
Toronto: 416-314-5518
TTY (toll-free): 1-800-387-5559
TTY (Toronto): 416-327-4282
Hours of operation:

Monday to Friday: 8:30am - 5:00pm
Ontario Health Card Information System:
416-327-7567

Weblinks:

Instructions (scroll down to the bottom of the page):


Change of Information Form:

http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?openform&ENV=WWE&NO=014-0280-82

Ontario Health Insurance Coverage Document List:

http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?openform&ENV=WWE&NO=014-9998E-82

Service location finder:

https://www.services.gov.on.ca/locations/start.do

IMPLICATIONS FOR HEALTH CARE PROVIDERS

- All providers need to be aware of the impact of government documentation as a social determinant of health. Trans people who are unable to change their name and/or sex designation on government documentation can face tremendous barriers in accessing health care, employment, housing, and income. Having a sex designation that is inconsistent with one’s gender presentation on government documentation can leave individuals vulnerable to violence and harassment. Supporting clients to get the documentation they need will enable them to access other supports and services, and will allow many people to function in day-to-day life.

- Physicians should be aware of the regulations and requirements that pertain to name and sex designation change on official government documents given their current role in facilitating these changes and the overall transition of their patients. Be prepared to assist
your patients when they request documentation to support changes to their government identification or health card, and ensure they know you are willing to provide this information if/when they require it.

• Clients will often ask where they should start in the process of changing their ID and government documentation. There is no particular order in which these documents should be changed. Different people will make different choices about what documentation they would like to change and when to change it.

• Clients who were not born in Ontario face a whole range of barriers in obtaining and changing government issued documentation that are beyond the scope of this fact sheet. Generally, the easiest approach in these cases is to have the individual obtain a birth certificate from their province or country of origin, and then proceed from there.

• Obtaining and keeping ID can be a particular challenge for people with no fixed address. Street health services will often provide a mailing address and/or ID storage for people that require this service. For instance, people in the GTA can access these services at over 40 sites through the Partners for Access and Identification (PAID) Project (http://www.neighbourhoodlink.org/partners-for-access-and-identification-paid/).

• Certain clients may choose not to change the sex designation or name on any of their documentation. Some of the reasons for choosing to not change documentation include:
  - It may not seem important or relevant to them.
  - They may want to make a political point. For instance, they are proud that they don’t meet the gender expectations of the name and sex they were assigned at birth.
  - They may be worried that they will loose access to services that are specific to their assigned gender. For instance, trans men who have a uterus might choose not to change their sex designation to “M” on their health card because they are worried that they will face barriers in getting a hysterectomy if they ever need one.
  - Some people may choose to have different names and sex designations on difference pieces of ID if they need to pass as different genders in different contexts. For instance, some people may not be out to their families or in their workplaces, and they maintain that situation by retaining the name and gender assigned to them at birth on certain pieces of ID.
In some cultures, family inheritance only passes through the male line. Some trans women may choose to keep a male designation on their documentation to ensure that they are not excluded from their inheritance.

Many clients may feel that their gender is not binary (i.e. that they are somewhere along a spectrum of gender expressions, and/or that they have many gender expressions that can’t be confined to either an “M” or an “F”). Some of these clients may choose to keep their assigned gender on their documentation, while others choose to change their sex designation.

For further information on gender transition and government identification in Ontario, see “Trans Ontarian’s Sex Designations on Federal and Provincial Identity Documents: A Report Prepared for the Canadian Human Rights Commission” (Bauer 2012). This document is available online at http://transpulseproject.ca/

POLICY RECOMMENDATIONS FOR THE MINISTRY OF GOVERNMENT SERVICES

1. Immediate-term

Improve customer service at the Office of the Registrar General for trans people in Ontario by creating a phone number and email for inquiries, and ensuring that staff who are knowledgeable about changes to trans ID and government documentation are available to answer inquiries. In our audit of this service, we were told by customer service representatives that they would only accept questions regarding trans ID if they were faxed in; however, the office does accept email inquiries (ORGID@ontario.ca). This information, and in particular, this email address, should be readily accessible to the public.

2. Short-term

Train ServiceOntario employees so that they are familiar with the regulations and requirements pertaining to sex designation change for trans individuals, ensuring that they are able to provide respectful and appropriate services to trans people. Currently, it is difficult to access representatives who are knowledgeable and helpful regarding this situation.

3. Long-term

As the Ontario Human Rights Tribunal has indicated, requiring individuals to undergo “transsexual surgery” to change the sex designation on their government identification in Ontario is discriminatory, and changes must be made to the Vital Statistics Act regarding the criteria for sex designation change. This legislative amendment is an important basis for the regulatory and
operational changes made in Ontario that concern trans Ontarians access to appropriate ID and
government documentation.

REFERENCES

Bauer, Greta. Trans Ontario’s Sex Designations on Federal and Provincial Identity Documents: A Report Prepared for the Canadian

This fact sheet was written by Jen Gartner & Loralee Gillis.

Thanks to the Sherbourne Health Centre Trans Working Group for reviewing the information provided in this fact sheet.

If there are errors or omissions in this fact sheet, please contact Loralee Gillis: lgillis@rainbowhealthontario.ca

Last Updated: January 2014
## APPENDIX – SEX DESIGNATION CHANGE CHECK LIST

<table>
<thead>
<tr>
<th>Identification</th>
<th>Required Documents</th>
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| **Driver’s Licence** | - Personal letter requesting change in sex designation  
- Physician’s letter approving your request to change sex designation **OR**  
- Documentation confirming you have had sex reassignment surgery  |
| **Birth Certificate** | - Application for a Change of Sex Designation on a Birth Registration  
- Statutory Declaration by a Person for a Change of Sex Designation on a Birth Registration  
- Request for Birth Certificate form  
- All previously issued short form and long form birth certificates  
- A supporting letter from a practicing physician, psychologist, or psychological associate  
- The applicable fees  |
| **OHIP Card** | - Your OHIP Card  
- Change of Information form  
- Three additional documents to prove Canadian citizenship/immigration status, residency in Ontario, and identity (see the Ontario Health Coverage Document List)  
- Your updated Ontario birth certificate **OR** one of the following:  
  - A written declaration and a supporting letter from a practicing physician, psychologist, or psychological associate  
  - A certificate from a physician who performed your sex reassignment surgery  
  - A letter from the hospital where your sex reassignment surgery was performed |