

HCS HB 419 -- GENDER TRANSITION PROCEDURES (Hudson)

COMMITTEE OF ORIGIN: Standing Committee on General Laws

This bill establishes the "Missouri Save Adolescents from Experimentation (SAFE) Act". Under the provisions of this bill, no health care provider, as defined, shall knowingly perform a gender transition surgery on, or administer cross-sex hormones or puberty-blocking drugs for the purpose of a gender transition to, an individual under 18 years of age.

The prescription or administration of cross-sex hormones or puberty-blocking drugs to an individual under 18 years of age for the purpose of a gender transition shall be grounds for a cause of action against the health care provider, as provided in the bill. Such action may be brought within 30 years of the injured individual reaching the age of 21 or the date the treatment of the injury at issue in the action has ceased, whichever is later.

No health care provider may seek a waiver of the right to bring an action under the provisions of this bill, and any such attempted waiver shall be null and void.

The provisions of this bill shall not apply to any speech protected by the First Amendment of the United States Constitution.

The provisions of this bill shall not apply to:

(1) Services to individuals born with a medically verifiable disorder of sex development;

(2) Services provided when a health care provider has otherwise diagnosed an individual with a disorder of sex development and determined that the individual does not have normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action;

(3) The treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of gender transition surgery or the prescription or administration of cross-sex hormones or puberty-blocking drugs; or

(4) Any procedure by a health care provider, other than a gender transition surgery or the prescribing or administering of cross-sex hormones or puberty-blocking drugs for the purpose of a gender transition, undertaken because the individual suffers from a physical disorder, injury, or illness that would, as certified by a health care provider, place the individual in imminent danger of

death or impairment of a major bodily function unless surgery is performed.

The bill specifies that no Mo HealthNet payments may be made for gender transition surgeries, cross-sex hormones, or puberty-blocking drugs for the purpose of a gender transition. This bill excludes gender transition surgery from the arrangement of necessary health care services for offenders confined in correction centers.

This bill provides for a conditional effective date:

- (1) Six months from the date of the Governor's signature;
- (2) January 15, 2024, if the bill is not signed and returned by the Governor within the Constitutional time limits; or
- (3) March 23, 2024, if the Governor vetoes the bill and the General Assembly overrides the Governor's veto.