

HCS HBs 1520, 1519, 2355 & 2357 -- GENDER TRANSITION PROCEDURES

SPONSOR: Hudson

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Emerging Issues by a vote of 10 to 4. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 7 to 2.

The following is a summary of the House Committee Substitute for HB 1520.

This bill prohibits any health care institution or professional from being required to perform or participate in any medical procedures related to sex reassignment surgery or gender identity transitioning if such procedures are contrary to the institution's or professional's moral, ethical, or religious beliefs. No cause of action shall accrue against any medical professional that refuses to participate in such procedures based on the reasoning explained above. No health care institution or professional shall be denied or discriminated against in the receipt of any public benefit or subject to any adverse action related to hiring or advancement on the grounds that the person or institution refuses to participate in such procedures. A person who violates the provisions of this bill will be liable to the party injured in an action at law, suit in equity, or other form of redress, and a prevailing party who establishes a violation of the rights established by this bill shall be awarded reasonable attorney's fees. These provisions shall not be construed to allow any person to deny visitation, recognition of a designated representative for health care decision-making, or emergency medical treatment necessary to cure an illness or injury as required by law in accordance with the Emergency Medical Treatment and Labor Act, 42 U.S.C. Section 52 1395dd, in effect on January 1, 2024.

Current law, which is known as the "Missouri Save Adolescents from Experimentation (SAFE) Act", prohibits the prescription or administration by a health care provider of a cross-sex hormone or puberty-blocking drug, as defined in Chapter 191, RSMo, to any individual under 18 years of age. However, such treatments may be prescribed or administered to individuals under 18 years of age if that individual had been prescribed or administered such treatment before the enactment of the prohibition. The prohibition of such treatments sunsets on August 28, 2027.

Beginning March 1, 2025, the exception on the prohibition of individuals previously prescribed either of these treatments and the sunset of the prohibition are repealed.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROponents: Supporters say that this bill is necessary to protect children from the irreversible harm of gender transition procedures. Children are too young to make a decision that they may regret later in life but cannot reverse due to the permanency of certain gender transition procedures. Several proponents encouraged counseling rather than resorting to medical procedures. This bill would ensure that counseling became more of a consideration for trans individuals. Proponents also say health care workers that oppose transition procedures should not be forced to perform or participate in them. Health care workers' beliefs should be considered and respected. This is especially true if a health care worker chooses not to participate in a procedure. This choice is up to the doctor, not the patient.

Testifying in person for the bill were Representative Hudson; Jamie Reed, LGBT Courage Coalition; Timothy Faber; Nancy Delcour; Theresa Collins; Joanne M Schrader; and Bev Ehlen, Liberty Link Missouri.

OPponents: Those who oppose the bill say that politicians should not impose religious beliefs on others. Many examples were given of individuals that did not feel like themselves until they were able to go through with gender affirming surgery/treatment. Being able to have this surgery/treatment at a younger age would have allowed them to feel like themselves earlier and would have saved them from a lot of mental anguish. Opponents further stated that health care workers should be above self-interest and should put the wishes of the patient above their own. Opponents also pointed out the broad interpretation of health care professional. Health care professional could apply to a variety of individuals in the health care field. As written, this bill would allow for a receptionist at a health care facility to voice his or her displeasure with a gender transition procedure.

Testifying in person against the bill were Missouri Chapter, American Academy of Pediatrics; Winston Apple; Jeff Dewald; Joseph Albert Jefferies; Eury Speir; Abortion Action Missouri (Formerly Pro-Choice Missouri); Missouri Family Health Council; American College of Obstetricians and Gynecologists; Jamie Howard; Andrew Rodriguez Damsgaard; Katy Erker-Lynch, Promo; City of Kansas City; Greater Kansas City Chamber of Commerce; Charlie Adams; American Civil Liberties Union of Missouri; Amy Hammerman, National Council of Jewish Women; Vanessa Wellbery, Advocates of Planned Parenthood of The St. Louis Region And Southwest Missouri; and Rev Lazarus Justice Jameson.

OTHERS: Others testifying on the bill say that there is evidence that gender affirming care results in reduction of suicide, anxiety, and harmful thoughts.

Testifying in person on the bill was Rieka Yu, Most Policy Initiative.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.