

GREEN SHEET REDIGEST

HB 648

2023 Regular Session

Firment

HEALTH/CHILDREN: Prohibits certain procedures to alter the sex of a minor child.

DIGEST

Proposed law defines "minor" as any person under the age of 18.

Proposed law defines "sex" as the biological indication of male and female, as evidenced by sex chromosomes, naturally occurring sex hormones, gonads, and nonambiguous internal and external genitalia present at birth.

Proposed law retains the definition of "healthcare professional" in present law.

Proposed law prohibits healthcare professionals from knowingly committing any of the following acts that attempt to alter a minor's appearance in an attempt to validate a minor's perception of his sex if the minor's perception is inconsistent with his biological sex:

- (1) The prescription or administration of gonadotropin-releasing hormone analogues or other synthetic drugs.
- (2) The prescription or administration of testosterone, estrogen, or progesterone, in amounts greater than would naturally be produced.
- (3) The performance of any sterilizing surgery.
- (4) The performance of any surgery that artificially constructs tissue having the appearance of genitalia differing from the minor's biological sex.
- (5) The removal of any healthy or non-diseased body part or tissue.
- (6) The performance of any aesthetic surgical procedure.

Proposed law provides that if a healthcare professional has initiated a course of treatment for a minor that violates the provisions of proposed law prior to January 1, 2024, the healthcare professional may institute a period during which the minor's use of the drug or hormone is systematically reduced and discontinued. Proposed law further provides that the period may not extend beyond Dec. 31, 2024.

Proposed law provides that if a professional or occupational licensing board finds that a healthcare professional licensed or certified by the board has violated the provisions of proposed law, the board shall revoke any professional or occupational license or certificate held by the healthcare professional for a minimum of two years.

Proposed law provides that a person may bring a civil action for any injury suffered as a result of a violation of proposed law. Proposed law further provides that the civil action shall be commenced before the later of either of the following:

- (1) The lapse of a 12-year liberative prescription once the minor reaches the age of majority.
- (2) Within three years from the time the person discovered or reasonably should have discovered that the injury or damages were caused by the violation.

Proposed law provides that the attorney general may bring an action to enforce compliance with proposed law.

(Adds R.S. 40:1098.1-1098.4)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Delete references to "gender reassignment" from title.
2. Specify the procedures prohibited in proposed law.
3. Provide that a person may bring a civil action before the later of the lapse of a 12-year liberative prescription once the minor reaches the age of majority or within three years from the time the person discovered or reasonably should have discovered that the injury or damages were caused by the violation.
4. Make technical corrections.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the reengrossed bill

1. Add an effective date of January 1, 2024 to the bill.
2. Add provision setting a grace period of one year from the effective date of this bill by which a minor, currently receiving one of the prohibited treatments, by which his treatments must systematically be reduced and discontinued.