

RÉSUMÉ DIGEST

ACT 466 (HB 648)

2023 Regular Session

Firment

Relative to minor children, new law retains the definition of "healthcare professional" as provided in existing law.

New law defines "minor" as any natural person who has not reached the age of majority as provided in existing law.

New law defines "sex" as the biological indication of male or female as evidenced by a medical examination of all of the following:

- (1) Sex chromosomes.
- (2) Naturally occurring sex hormones.
- (3) Gonads.
- (4) Nonambiguous internal and external genitalia present at birth.

New 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 of self 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.

New law provides that the prohibited acts listed in new law shall not be considered healthcare services.

New law further provides that the prohibitions listed in new law shall not limit or restrict the provision of health care.

New law provides that if a healthcare professional has initiated a course of treatment for a minor that violates the provisions of new law prior to Jan. 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. New law further provides that the period may not extend beyond Dec. 31, 2024.

New law further 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 new law, the board shall revoke any professional or occupational license or certificate held by the healthcare professional for a minimum of two years.

New law provides that a minor may not consent to any procedures or services that are prohibited in new law.

New law further provides that a person who has been harmed as a result of acts which are prohibited by new law or who has been subjected to acts which are prohibited by new law with or without consent has a cause of action for damages in a court of competent jurisdiction.

New law establishes the time periods in which a cause of action for damages is to commence.

New law further establishes provisions for damages and further provides that consent shall not operate as defense to a petitioner's claim that is filed in accordance with new law.

New law authorizes the attorney general to bring a civil action and provides for injunctive and declaratory relief.

New law provides for severability.

Effective January 1, 2024.

(Adds R.S. 40:1098.1-1098.6)