

SECOND REGULAR SESSION

# HOUSE BILL NO. 1519

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE HUDSON.

2960H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to the right to refuse to participate in certain medical treatments.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be known as section 191.1705, to read as follows:

**191.1705. 1. As used in this section, the following terms mean:**

(1) "Health care institution", any public or private hospital, outpatient center for primary care, medical center, physician organization, health care professional association, outpatient center for surgical services, private physician's office, pharmacy, long-term care facility, medical school, nursing school, medical training facility, or other entity or location in which health care services are performed;

(2) "Health care professional", any physician; nurse practitioner or other nurse; physician assistant; nurse's aide; allied health professional; medical assistant; employee of a hospital, outpatient center for primary care, outpatient center for surgical services, long-term care facility, or pharmacy; pharmacist; pharmacy technician; medical school faculty member or student; nursing school faculty member or student; psychology or counseling faculty member or student; medical researcher; laboratory technician; counselor; social worker; or other person who facilitates or participates in a health care service;

(3) "Sex reassignment or gender identity transitioning", the process in which a person transitions from identifying with and living as a gender that corresponds to his

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 or her biological sex to identifying with and living as a gender different from his or her  
18 biological sex and may involve social, legal, or physical changes.

19       **2. (1) No health care institution or any health care professional or other person**  
20 **shall be required to perform, assist, or participate in medical procedures, treatments,**  
21 **counseling, prescriptions, or surgeries related to sex reassignment or gender identity**  
22 **transitioning if such procedures, treatments, counseling, prescriptions, or surgeries are**  
23 **contrary to the established policy of, or the moral, ethical, or religious beliefs of, such**  
24 **health care institution, health care professional, or other person.**

25       **(2) No cause of action shall accrue against any such health care institution,**  
26 **health care professional, or other person on account of such refusal to perform, assist, or**  
27 **participate in medical procedures, treatments, counseling, prescriptions, or surgeries**  
28 **related to sex reassignment or gender identity transitioning. This section may be used as**  
29 **a defense in any purported action related to or arising out of the exercise of the rights**  
30 **protected by this section.**

31       **3. No person or institution shall be:**

32       **(1) Denied or discriminated against in the receipt of any public benefit,**  
33 **assistance, or privilege whatsoever; or**

34       **(2) Denied or discriminated against in any public or private employment by any**  
35 **means including, but not limited to, any adverse action related to hiring, promotion,**  
36 **advancement, transfer, licensing, education, training, or granting of hospital privileges**  
37 **or staff appointments**

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39 **on the grounds that the person or institution refuses to perform, assist, or participate in**  
40 **medical procedures, treatments, counseling, prescriptions, or surgeries related to sex**  
41 **reassignment or gender identity transitioning.**

42       **4. Any person who shall deny or discriminate against another for refusal to**  
43 **perform, assist, or participate in medical procedures, treatments, counseling,**  
44 **prescriptions, or surgeries related to sex reassignment or gender identity transitioning**  
45 **shall be liable to the party injured in an action at law, suit in equity, or other form of**  
46 **redress. A prevailing party who establishes a violation of the rights protected by this**  
47 **section shall be awarded reasonable attorney's fees.**

48       **5. Nothing in this section shall be construed to allow any person to deny**  
49 **visitation, recognition of a designated representative for health care decision-making, or**  
50 **emergency medical treatment necessary to cure an illness or injury as required by law in**

51 **accordance with the Emergency Medical Treatment and Labor Act, 42 U.S.C. Section**  
52 **1395dd, in effect on January 1, 2024.**

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