

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 4495

(SENATE AUTHORS: MAYE QUADE)

DATE
03/04/2024

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Introduction and first reading
Referred to Health and Human Services

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to health; prohibiting certain surgical procedures from being performed
1.3 on patients under age 12 with certain exceptions; authorizing disciplinary action
1.4 by health-related licensing boards; proposing coding for new law in Minnesota
1.5 Statutes, chapter 214.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [214.41] PROTECTION OF YOUTH WITH VARIATIONS IN THEIR
1.8 PHYSICAL SEX CHARACTERISTICS.

1.9 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.10 the meanings given.

1.11 (b) "Individual born with variations in their physical sex characteristics" means an
1.12 individual born with physical traits, including genitals, gonads, hormone function, or
1.13 chromosomal patterns, that vary from clinical norms of male and female regarding the
1.14 development, appearance, or function of sex characteristics.

1.15 (c) "Prohibited surgical procedure" means clitoroplasty, clitoral reduction, or clitoral
1.16 recession, including corporal sparing procedures; gonadectomy; any procedure that lengthens
1.17 or reroutes a urethra from its native orifice; vaginoplasty; urogenital sinus mobilization;
1.18 vaginal exteriorization; phalloplasty; hysterectomy; oophorectomy; or introitoplasty.

1.19 (d) "Surgical procedure required to address an immediate risk of physical harm" means:

1.20 (1) a surgical procedure to remove tissue that poses a significantly heightened clinical
1.21 risk of malignancy relative to that of the general population;

2.1 (2) a surgical procedure: (i) to allow urine to exit the body; (ii) to treat urinary
2.2 incontinence; or (iii) to make a minimally invasive adjustment to urinary function in order
2.3 to decrease a risk of infection or renal complication in an individual whose current urinary
2.4 function puts the individual at a demonstrated clinical risk of infection or renal complication;

2.5 (3) a surgical procedure that is required to treat complications of a previous surgery and
2.6 that, if delayed, would cause increased physical health risks to the individual; or

2.7 (4) any other surgical procedure necessary to preserve an individual's life in the event
2.8 of a medical emergency.

2.9 Subd. 2. **Certain surgical procedures prohibited.** A health care professional licensed
2.10 by a health-related licensing board is prohibited from performing, or assisting in the
2.11 performance of, a prohibited surgical procedure on an individual born with variations in
2.12 their physical sex characteristics who is under 12 years of age, unless the surgical procedure
2.13 is a surgical procedure required to address an immediate risk of physical harm.

2.14 Subd. 3. **Enforcement.** A violation of subdivision 2 is grounds for disciplinary action
2.15 by the health-related licensing board that licensed the health care professional who violated
2.16 subdivision 2.

2.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.