

HOUSE AMENDMENT NO. _____
TO
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Offered By

1 AMEND House Amendment No. _____ to House Bill No. 1973, Page 1, Line 9, by deleting said line
2 and inserting in lieu thereof the following:

3
4 "included on the student's birth certificate.

5 191.1720. Sections 191.1720 to 191.1740 and section 376.1280 shall be known and may be
6 cited as the "Missouri Save Adolescents from Experimentation (SAFE) Act".

7 191.1725. For purposes of sections 191.1725 to 191.1740, the following terms mean:

8 (1) "Biological sex", the biological indication of male or female in the context of
9 reproductive potential or capacity, such as sex chromosomes, naturally occurring sex hormones,
10 gonads, and nonambiguous internal and external genitalia present at birth, without regard to an
11 individual's psychological, chosen, or subjective experience of gender;

12 (2) "Cross-sex hormones":

13 (a) Testosterone or other androgens given to biological sex females in amounts that are
14 larger or more potent than would normally occur naturally in healthy biological sex females; and

15 (b) Estrogen given to biological sex males in amounts that are larger or more potent than
16 would normally occur naturally in healthy biological sex males;

17 (3) "Gender", the psychological, behavioral, social, and cultural aspects of being male or
18 female;

19 (4) "Gender reassignment surgery", any medical or surgical service that seeks to surgically
20 alter or remove healthy physical or anatomical characteristics or features that are typical for the
21 individual's biological sex in order to instill or create physiological or anatomical characteristics that
22 resemble a sex different from the individual's biological sex including, but not limited to, genital or
23 nongenital gender reassignment surgery performed for the purpose of assisting an individual with a
24 gender transition;

25 (5) "Gender transition", the process in which an individual goes from identifying with and
26 living as a gender that corresponds to his or her biological sex to identifying and living as a gender
27 different from his or her biological sex, and may involve social, legal, or physical changes;

28 (6) "Gender transition procedures":

29 (a) Any medical or surgical service, including, but not limited to, physician's services,

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1 inpatient and outpatient hospital services, or prescribed drugs, related to gender transition that seeks
2 to:

3 a. Alter or remove physical or anatomical characteristics or features that are typical for the
4 individual's biological sex; or

5 b. Instill or create physiological or anatomical characteristics that resemble a sex different
6 from the individual's biological sex including, but not limited to:

7 (i) Medical services that provide puberty-blocking drugs, cross-sex hormones, or other
8 mechanisms to promote the development of feminizing or masculinizing features in the opposite
9 biological sex; or

10 (ii) Genital or nongenital gender reassignment surgery performed for the purpose of
11 assisting an individual with a gender transition;

12 (b) The term "gender transition procedures" shall not include:

13 a. Services to individuals born with a medically verifiable disorder of sex development
14 including, but not limited to, an individual with external biological sex characteristics that are
15 irresolvably ambiguous, such as those born with 46 XX chromosomes with virilization, 46 XY
16 chromosomes with undervirilization, or having both ovarian and testicular tissue;

17 b. Services provided when a physician has otherwise diagnosed an individual with a
18 disorder of sexual development and determined through genetic or biochemical testing that the
19 individual does not have normal sex chromosome structure, sex steroid hormone production, or sex
20 steroid hormone action;

21 c. The treatment of any infection, injury, disease, or disorder that has been caused by or
22 exacerbated by the performance of gender transition procedures regardless of whether the gender
23 transition procedure was performed in accordance with state and federal law or whether funding for
24 the gender transition procedure is permissible under section 191.1735; or

25 d. Any procedure undertaken because the individual suffers from a physical disorder,
26 physical injury, or physical illness that would, as certified by a physician, place the individual in
27 imminent danger of death or impairment of a major bodily function unless surgery is performed;

28 (7) "Genital gender reassignment surgery", a medical procedure performed for the purpose
29 of assisting an individual with a gender transition including, but not limited to:

30 (a) Surgical procedures such as penectomy, orchiectomy, vaginoplasty, clitoroplasty, or
31 vulvoplasty for biologically male patients or hysterectomy or ovariectomy for biologically female
32 patients;

33 (b) Reconstruction of the fixed part of the urethra with or without a metoidioplasty; or

34 (c) Phalloplasty, vaginectomy, scrotoplasty, or implantation of erection or testicular
35 prostheses for biologically female patients;

36 (8) "Health care professional", an individual who is licensed, certified, or otherwise
37 authorized by the laws of this state to administer health care in the ordinary course of the practice of
38 his or her profession;

39 (9) "Nongenital gender reassignment surgery", medical procedures performed for the

1 purpose of assisting an individual with a gender transition including, but not limited to:

2 (a) Surgical procedures for biologically male patients, such as augmentation mammoplasty,
 3 facial feminization surgery, liposuction, lipofilling, voice surgery, thyroid cartilage reduction, gluteal
 4 augmentation, hair reconstruction, or various aesthetic procedures; or

5 (b) Surgical procedures for biologically female patients, such as subcutaneous mastectomy,
 6 voice surgery, liposuction, lipofilling, pectoral implants, or various aesthetic procedures;

7 (10) "Physician", an individual who is licensed to practice medicine in this state;

8 (11) "Puberty-blocking drugs", gonadotropin-releasing hormone analogues or other
 9 synthetic drugs used in biological sex males to stop luteinizing hormone secretion and therefore
 10 testosterone secretion, or synthetic drugs used in biological sex females that stop the production of
 11 estrogens and progesterone, when used to delay or suppress pubertal development in children for the
 12 purpose of assisting an individual with a gender transition;

13 (12) "Public funds", state, county, or local government moneys, including any such moneys
 14 deposited with or derived from any department, agency, or instrumentality authorized or
 15 appropriated under state law.

16 191.1730. 1. A physician or other health care professional shall not provide gender
 17 transition procedures to any individual under eighteen years of age.

18 2. A physician or other health care professional shall not refer any individual under eighteen
 19 years of age to any health care professional for gender transition procedures.

20 3. A physician or other health care professional shall not be prohibited from providing any
 21 of the following procedures that are not gender transition procedures to an individual under eighteen
 22 years of age:

23 (1) Services to individuals born with a medically verifiable disorder of sex development
 24 including, but not limited to, an individual with external biological sex characteristics that are
 25 irresolvably ambiguous, such as those born with 46 XX chromosomes with virilization, 46 XY
 26 chromosomes with undervirilization, or having both ovarian and testicular tissue;

27 (2) Services provided when a physician has otherwise diagnosed an individual with a
 28 disorder of sexual development and determined through genetic or biochemical testing that the
 29 individual does not have normal sex chromosome structure, sex steroid hormone production, or sex
 30 steroid hormone action;

31 (3) The treatment of any infection, injury, disease, or disorder that has been caused by or
 32 exacerbated by the performance of gender transition procedures regardless of whether the gender
 33 transition procedure was performed in accordance with state and federal law or whether funding for
 34 the gender transition procedure is permissible under section 191.1735; or

35 (4) Any procedure undertaken because the individual suffers from a physical disorder,
 36 physical injury, or physical illness that would, as certified by a physician, place the individual in
 37 imminent danger of death or impairment of a major bodily function unless surgery is performed.

38 191.1735. 1. Public funds shall not be directly or indirectly used, granted, paid, or
 39 distributed to any individual, entity, or organization that provides gender transition procedures to an

1 individual under eighteen years of age.

2 2. Health care services furnished in the following situations shall not include gender
3 transition procedures to an individual under eighteen years of age:

4 (1) By or in a health care facility owned by the state or a county or local government; or

5 (2) By a physician or other health care professional employed by the state or a county or
6 local government.

7 3. Any amount paid by an individual or an entity during a tax year for the provision of
8 gender transition procedures or as premiums for health care coverage that includes coverage for
9 gender transition procedures shall not be tax deductible.

10 4. The MO HealthNet program shall not reimburse or provide coverage for gender transition
11 procedures to an individual under eighteen years of age.

12 191.1740. 1. Any referral for or provision of gender transition procedures to an individual
13 under eighteen years of age is unprofessional conduct and shall be subject to discipline by the
14 appropriate licensing entity or disciplinary review board with competent jurisdiction in this state.

15 2. An individual may assert an actual or threatened violation of sections 191.1725 to
16 191.1740 as a claim or defense in a judicial or administrative proceeding and obtain compensatory
17 damages, injunctive relief, declaratory relief, or any other appropriate relief.

18 3. (1) An individual shall bring a claim for a violation of sections 191.1725 to 191.1740 no
19 later than two years after the day the cause of action accrues.

20 (2) An individual under eighteen years of age may bring an action throughout the
21 individual's minority through a parent or next friend and may bring an action in the individual's own
22 name upon reaching the age of majority at any time from that point until twenty years after reaching
23 the age of majority.

24 4. Notwithstanding any other provision of law, an action under sections 191.1725 to
25 191.1740 may be commenced, and relief may be granted, in a judicial proceeding without regard to
26 whether the individual commencing the action has sought or exhausted available administrative
27 remedies.

28 5. In any action or proceeding to enforce a provision of sections 191.1725 to 191.1740, a
29 prevailing party who establishes a violation of sections 191.1725 to 191.1740 shall recover
30 reasonable attorney's fees.

31 6. (1) The attorney general may bring an action to enforce compliance with sections
32 191.1725 to 191.1740.

33 (2) Sections 191.1725 to 191.1740 do not deny, impair, or otherwise affect any right or
34 authority of the attorney general, the state, or any agency, officer, or employee of the state, acting
35 under any law other than sections 191.1725 to 191.1740, to institute or intervene in any
36 proceeding."; and

37
38 Further amend said bill, Page 5, Section 304.060, Line 39, by inserting after said section and line the
39 following:

1 "376.1280. 1. For purposes of this section, the following terms mean:

2 (1) "Gender transition procedures", the same meaning given to the term in section 191.1725;

3 (2) "Health benefit plan", the same meaning given to the term in section 376.1350;

4 (3) "Health carrier", the same meaning given to the term in section 376.1350.

5 2. A health carrier or health benefit plan that offers or issues health benefit plans that are
6 delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2023, shall
7 not include reimbursement for gender transition procedures for an individual under eighteen years of
8 age.

9 3. A health carrier or health benefit plan that offers or issues health benefit plans that are
10 delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2023, shall
11 not be required to provide coverage for gender transition procedures."; and"; and

12
13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.

15
16 THIS AMENDMENT AMENDS 4492H01.16H.