

Union Calendar No. 629

118TH CONGRESS
2^D SESSION

H. R. 3887

[Report No. 118-758]

To amend title III of the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2023

Mr. CRENSHAW introduced the following bill; which was referred to the Committee on Energy and Commerce

NOVEMBER 20, 2024

Additional sponsors: Mr. JOHNSON of Ohio, Mrs. MILLER-MEEKS, Mrs. HARSHBARGER, Mr. PFLUGER, Mr. BABIN, Mr. SELF, Mrs. MILLER of West Virginia, Ms. TENNEY, Mr. SANTOS, Mr. VAN DREW, Mr. GROTHMAN, Mr. SCOTT FRANKLIN of Florida, Mr. GAETZ, Mr. NEHLS, Mrs. CAMMACK, Mr. STAUBER, Mr. WILLIAMS of Texas, Mr. ARRINGTON, Mr. MANN, Mr. NORMAN, Mr. POSEY, Mr. STEUBE, Mr. ELLZEY, Mr. CARTER of Georgia, Mr. GREEN of Tennessee, Mr. JACKSON of Texas, Mr. MOONEY, Mr. DUNCAN, Mrs. MILLER of Illinois, Mr. MORAN, Mr. FINSTAD, and Mr. ROUZER

NOVEMBER 20, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 7, 2023]

A BILL

To amend title III of the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Children’s Hospital*
5 *GME Support Reauthorization Act of 2023”.*

6 **SEC. 2. PROGRAM OF PAYMENTS TO CHILDREN’S HOS-**
7 **PITALS THAT OPERATE GRADUATE MEDICAL**
8 **EDUCATION PROGRAMS.**

9 *Section 340E of the Public Health Service Act (42*
10 *U.S.C. 256e) is amended—*

11 *(1) in subsection (a), by striking “2023” and in-*
12 *serting “2028”;*

13 *(2) in subsection (b)(3)(D), by inserting “and*
14 *the end of fiscal year 2028,” after “fiscal year 2022,”;*

15 *(3) in subsection (e), by adding at the end the*
16 *following new paragraph:*

17 *“(4) PROHIBITION ON PAYMENTS TO HOSPITALS*
18 *FURNISHING SPECIFIED PROCEDURES AND DRUGS TO*
19 *MINORS.—*

20 *“(A) IN GENERAL.—Notwithstanding any*
21 *other provision of this section, no payment may*
22 *be made under this section to a children’s hos-*
23 *pital for a fiscal year (beginning with fiscal year*
24 *2024) if, at any point during the preceding fis-*
25 *cal year, such hospital furnished specified proce-*

1 *dures and drugs (as defined in subsection (g)) to*
2 *an individual under 18 years of age.*

3 “(B) *SPECIAL RULE FOR FISCAL YEAR*
4 *2024.—In applying subparagraph (A) with re-*
5 *spect to payments described in such subpara-*
6 *graph for fiscal year 2024—*

7 *“(i) the reference to ‘for a fiscal year’*
8 *shall be treated as a reference to ‘for any*
9 *portion of fiscal year 2024 occurring after*
10 *December 31, 2023’; and*

11 *“(ii) the reference to ‘the preceding fis-*
12 *cal year’ shall be treated as a reference to*
13 *‘the period beginning on September 1, 2023,*
14 *and ending on December 31, 2023’.*

15 “(C) *RULE OF CONSTRUCTION.—Nothing in*
16 *this paragraph shall be construed as prohibiting*
17 *payments for a fiscal year (or, in the case of*
18 *payments for fiscal year 2024, during the por-*
19 *tion of such fiscal year described in subpara-*
20 *graph (B)(i)) to a hospital that, during the pre-*
21 *ceding fiscal year (or, in the case of payments*
22 *for fiscal year 2024, during the period described*
23 *in subparagraph (B)(ii)), furnished mental or*
24 *behavioral health services to individuals under*
25 *18 years of age for the treatment of gender dys-*

1 *phoria not consisting of specified procedures and*
2 *drugs.”;*

3 (4) *in subsection (f)—*

4 (A) *in paragraph (1)(A)—*

5 (i) *in clause (v), by striking “and” at*
6 *the end;*

7 (ii) *in clause (vi), by striking the pe-*
8 *riod at the end and inserting “; and”;* and

9 (iii) *by adding at the end the fol-*
10 *lowing:*

11 “(vii) *for each of fiscal years 2024*
12 *through 2028, \$124,000,000.”;* and

13 (B) *in paragraph (2)—*

14 (i) *in subparagraph (E), by striking*
15 *“and” at the end;*

16 (ii) *in subparagraph (F), by striking*
17 *the period at the end and inserting “; and”;*
18 *and*

19 (iii) *by adding at the end the fol-*
20 *lowing:*

21 “(G) *for each of fiscal years 2024 through*
22 *2028, \$261,000,000.”;* and

23 (5) *in subsection (g), by adding at the end the*
24 *following new paragraph:*

25 “(4) *SPECIFIED PROCEDURES AND DRUGS.—*

1 “(A) *IN GENERAL.*—*Except as provided in*
2 *subparagraph (B), the term ‘specified procedures*
3 *and drugs’ means, with respect to an individual,*
4 *any of the following:*

5 “(i) *Performing any surgery for the*
6 *purpose of changing the body of such indi-*
7 *vidual to correspond to a sex that differs*
8 *from their biological sex, including—*

9 “(I) *castration;*

10 “(II) *orchiectomy;*

11 “(III) *scrotoplasty;*

12 “(IV) *vasectomy;*

13 “(V) *hysterectomy;*

14 “(VI) *oophorectomy;*

15 “(VII) *ovariectomy;*

16 “(VIII) *metoidioplasty;*

17 “(IX) *penectomy;*

18 “(X) *phalloplasty;*

19 “(XI) *vaginoplasty;*

20 “(XII) *vaginectomy;*

21 “(XIII) *vulvoplasty;*

22 “(XIV) *reduction*

23 *thyrochondroplasty;*

24 “(XV) *chondrolaryngoplasty; and*

25 “(XVI) *mastectomy.*

1 “(ii) Any plastic surgery that femi-
2 nizes or masculinizes the facial features for
3 the purposes described in clause (i).

4 “(iii) Any placement of chest implants
5 to create feminine breasts for the purposes
6 described in clause (i).

7 “(iv) Any placement of fat or artificial
8 implants in the gluteal region for the pur-
9 poses described in clause (i).

10 “(v) Administering, supplying, pre-
11 scribing, dispensing, distributing, or other-
12 wise conveying to an individual medica-
13 tions for the purposes described in clause
14 (i), including—

15 “(I) gonadotropin-releasing hor-
16 mone (GnRH) analogues or other pu-
17 berty-blocking drugs to stop or delay
18 normal puberty;

19 “(II) testosterone or other
20 androgens to biological females at doses
21 that are supraphysiologic to the female
22 sex; and

23 “(III) estrogen to biological males
24 at doses that are supraphysiologic to
25 the male sex.

1 “(B) *EXCEPTION.*—Subparagraph (A) shall
2 *not apply to the following individuals:*

3 “(i) *An individual with both ovarian*
4 *and testicular tissue.*

5 “(ii) *An individual with respect to*
6 *whom a physician has determined through*
7 *genetic or biochemical testing that the indi-*
8 *vidual does not have normal sex chro-*
9 *mosome structure, sex steroid hormone pro-*
10 *duction, or sex steroid hormone action.*

11 “(iii) *An individual experiencing in-*
12 *fection, disease, injury, or disorder caused*
13 *or exacerbated by previous medical proce-*
14 *dures as defined in subsection (g)(4)(A).*

15 “(iv) *An individual suffering from a*
16 *physical disorder, physical injury, or phys-*
17 *ical illness that would, as certified by a*
18 *physician, place the individual in immi-*
19 *nent danger of death or impairment of a*
20 *major bodily function unless the procedure*
21 *is performed.*

22 “(C) *BIOLOGICAL SEX.*—For purposes of
23 *subparagraph (A), the term ‘biological sex’*
24 *means the indication of male or female sex by re-*
25 *productive potential or capacity, sex chro-*

1 *mosomes, naturally occurring sex hormones, go-*
2 *nads, or internal or external genitalia present at*
3 *birth.”.*

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