

119TH CONGRESS
1ST SESSION

H. R. 498

To amend title XIX of the Social Security Act to prohibit Federal Medicaid funding for gender transition procedures for minors.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2025

Mr. CRENSHAW (for himself and Ms. GREENE of Georgia) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to prohibit Federal Medicaid funding for gender transition procedures for minors.

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 “Do No Harm in Med-
5 icaid Act”.

6 **SEC. 2. PROHIBITING FEDERAL MEDICAID FUNDING FOR**
7 **GENDER TRANSITION FOR MINORS.**

8 (a) IN GENERAL.—Section 1903(i) of the Social Se-
9 curity Act (42 U.S.C. 1396b(i)) is amended—

1 (1) in paragraph (26), by striking “; or” and
2 inserting a semicolon;

3 (2) in paragraph (27), by striking the period at
4 the end and inserting “; or”; and

5 (3) by inserting after paragraph (27) the fol-
6 lowing new paragraph: “(28) with respect to any
7 amount expended for specified gender procedures
8 under section 1905(kk) to an individual under 18
9 years of age enrolled in a State plan (or waiver of
10 such plan), including any amounts expended for the
11 administration of a State program that furnishes
12 specified procedures and drugs to individuals under
13 18 years of age.”.

14 (4) in the flush left matter at the end, by strik-
15 ing “and (18),” and inserting “(18), and (28)”.

16 (b) PROHIBITING FEDERAL MEDICAID FUNDING FOR
17 GENDER TRANSITIONS FOR MINORS.—Section 1905 of
18 the Social Security Act (42 U.S.C. 1396d) is amended by
19 adding at the end the following new subsection:

20 “(KK) PROHIBITING FEDERAL MEDICAID
21 FUNDING FOR GENDER TRANSITIONS FOR MI-
22 NORS.—

23 “(A) For purposes of section 1903(i)(28),
24 except as provided in subparagraph (B), the
25 term ‘specified gender transition procedures’

1 means, with respect to an individual, any of the
2 following when performed for the purpose of in-
3 tentionally changing the body of such individual
4 (including by disrupting the body’s develop-
5 ment, inhibiting its natural functions, or modi-
6 fying its appearance) to no longer correspond to
7 the individual’s sex:

8 “(i) Performing any surgery, includ-
9 ing—

10 “(I) castration;

11 “(II) sterilization;

12 “(III) orchiectomy;

13 “(IV) scrotoplasty;

14 “(V) vasectomy;

15 “(VI) tubal ligation;

16 “(VII) hysterectomy;

17 “(VIII) oophorectomy;

18 “(IX) ovariectomy;

19 “(X) metoidioplasty;

20 “(XI) clitoroplasty;

21 “(XII) reconstruction of the fixed
22 part of the urethra with or without a
23 metoidioplasty or a phalloplasty;

24 “(XIII) penectomy;

25 “(XIV) phalloplasty;

- 1 “(XV) vaginoplasty;
- 2 “(XVI) vaginectomy;
- 3 “(XVII) vulvoplasty;
- 4 “(XVIII) reduction
- 5 thyrochondroplasty;
- 6 “(XIX) chondrolaryngoplasty;
- 7 “(XX) mastectomy; and
- 8 “(XXI) any plastic, cosmetic, or
- 9 aesthetic surgery that feminizes or
- 10 masculinizes the facial or other phys-
- 11 iological features of an individual.
- 12 “(ii) Any placement of chest implants
- 13 to create feminine breasts or any place-
- 14 ment of erection or testicular prosetheses.
- 15 “(iii) Any placement of fat or artifi-
- 16 cial implants in the gluteal region.
- 17 “(iv) Administering, supplying, pre-
- 18 scribing, dispensing, distributing, or other-
- 19 wise conveying to an individual medica-
- 20 tions, including—
- 21 “(I) gonadotropin-releasing hor-
- 22 mone (GnRH) analogues or other pu-
- 23 berty-blocking drugs to stop or delay
- 24 normal puberty; and

1 “(II) testosterone, estrogen, pro-
2 gesterone or other androgens to an in-
3 dividual at doses that are
4 supraphysiologic, greater or more po-
5 tent than would normally be produced
6 endogenously in a healthy individual
7 of the same age and sex.

8 “(B) EXCEPTION.—Subparagraph (A)
9 shall not apply to the following when furnished
10 to an individual by a health care provider with
11 the consent of such individual’s parent or legal
12 guardian:

13 “(i) Puberty suppression or blocking
14 prescription drugs for the purpose of nor-
15 malizing puberty for an individual experi-
16 encing precocious puberty.

17 “(ii) Appropriate and medically nec-
18 essary procedures or treatments to correct
19 for—

20 “(I) a medically verifiable genetic
21 disorder of sex development, includ-
22 ing—

23 “(aa) 46,XX chromosomes
24 with virilization;

1 “(bb) 46,XY chromosome
2 with undervirilization; and

3 “(cc) both ovarian and tes-
4 ticular tissue;

5 “(II) sex chromosome structure,
6 sexsteroid hormone production, or sex
7 hormone action, if determined to be
8 abnormal for a healthy individual of
9 the same sex and age by a physician
10 through genetic or biochemical test-
11 ing;

12 “(III) infection, disease, injury,
13 or disorder caused or exacerbated by a
14 previous procedure described in sub-
15 paragraph (A), or a physical disorder,
16 physical injury, or physical illness that
17 would, as certified by a physician,
18 place the individual in imminent dan-
19 ger of death or impairment of a major
20 bodily function unless the procedure is
21 performed, not including procedures
22 performed for the alleviation of men-
23 tal distress; or

24 “(IV) procedures to restore or re-
25 construct the body of the individual in

1 order to correspond to the individual's
2 sex after one or more previous proce-
3 dures described in subparagraph (A),
4 which may include the removal of a
5 pseudo phallus or breast augmenta-
6 tion.

7 “(C) SEX.—For purposes of subpara-
8 graph(A), the term ‘sex’ means either male or
9 female, as biologically determined and defined
10 by clause (i) and clause (ii).

11 “(i) FEMALE.—The term ‘female’
12 means an individual who naturally has,
13 had, will have, or would have, but for a de-
14 velopmental or genetic anomaly or histor-
15 ical accident, the reproductive system that
16 at some point produces, transports, and
17 utilizes eggs for fertilization.

18 “(ii) MALE.—The term ‘male’ means
19 an individual who naturally has, had, will
20 have, or would have, but for a develop-
21 mental or genetic anomaly or historical ac-
22 cident, the reproductive system that at
23 some point produces, transports, and uti-
24 lizes sperm for fertilization.”.

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