

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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|-----------------------|---------------|-------|
| ADOPTED | <u> </u> | (Y/N) |
| ADOPTED AS AMENDED | <u> </u> | (Y/N) |
| ADOPTED W/O OBJECTION | <u> </u> | (Y/N) |
| FAILED TO ADOPT | <u> </u> | (Y/N) |
| WITHDRAWN | <u> </u> | (Y/N) |
| OTHER | <u> </u> | |

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Committee

3 Representative Gantt offered the following:

4
 5 **Substitute Amendment for Amendment (466231) by**
 6 **Representative Fine (with title amendment)**

7 Remove lines 50-227 and insert:

8 Section 2. Paragraph (f) of subsection (1) of section
 9 382.016, Florida Statutes, is created to read:

10 382.016 Amendment of records.—The department, upon receipt
 11 of the fee prescribed in s. 382.0255; documentary evidence, as
 12 specified by rule, of any misstatement, error, or omission
 13 occurring in any birth, death, or fetal death record; and an
 14 affidavit setting forth the changes to be made, shall amend or
 15 replace the original certificate as necessary.

16 (1) CERTIFICATE OF LIVE BIRTH AMENDMENT.—

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17 (f) The sex recorded on a birth certificate must be the
18 person's biological sex at birth and may only be changed in the
19 case of a scrivener's error. Upon request, the department may
20 change the sex on a birth certificate of person born with
21 external biological sex characteristics that were unresolvably
22 ambiguous at the time of birth.

23 Section 3. Paragraphs (c) through (gg) of subsection (5)
24 of section 456.074, Florida Statutes, are redesignated as
25 paragraphs (d) through (hh), respectively, and a new paragraph
26 (c) is added to that subsection, to read:

27 456.074 Certain health care practitioners; immediate
28 suspension of license.—

29 (5) The department shall issue an emergency order
30 suspending the license of any health care practitioner who is
31 arrested for committing or attempting, soliciting, or conspiring
32 to commit any act that would constitute a violation of any of
33 the following criminal offenses in this state or similar
34 offenses in another jurisdiction:

35 (c) Section 456.52(6), relating to providing gender
36 clinical interventions to a minor.

37 Section 4. Section 456.52, Florida Statutes, is created to
38 read:

39 456.52 Prohibition on gender clinical interventions for
40 minors; physician requirements.—

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41 (1) For the purposes of this section, "gender clinical
42 interventions" means procedures or therapies that alter internal
43 or external physical traits.

44 (a) The term includes, but is not limited to:

45 1. Sex reassignment surgeries or any other surgical
46 procedures that alter primary or secondary sexual
47 characteristics.

48 2. Puberty blocking, hormone, and hormone antagonistic
49 therapies.

50 (b) The term does not include:

51 1. Treatment provided by a physician who, in his or her
52 good faith clinical judgment, performs procedures upon, or
53 provides therapies to, a minor born with a medically verifiable
54 genetic disorder of sexual development, including the following:

55 a. External biological sex characteristics that are
56 unresolvably ambiguous.

57 b. A disorder of sexual development, in which the
58 physician has determined through genetic or biochemical testing
59 that the minor does not have normal sex chromosome structure,
60 sex steroid hormone production, or sex steroid hormone action
61 for a male or female.

62 2. Treatment of any infection, injury, disease, or
63 disorder caused or exacerbated by the performance of gender
64 clinical interventions regardless of whether such interventions
65 were performed in accordance with state or federal law.

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66 (2) A physician may not provide gender clinical
67 interventions to a minor, except that a minor who was prescribed
68 gender clinical interventions described in (1)(a)2. on or before
69 January 1, 2023, and continuously received such therapies
70 through July 1, 2023, may continue to receive such therapies
71 through December 31, 2023, solely for the purpose of gradual
72 discontinuation of such therapies.

73 (3) Any emergency rules adopted under this section are
74 exempt from s. 120.54(4)(c) and shall remain in effect until
75 replaced by rules adopted under the nonemergency rulemaking
76 procedures of the Administrative Procedure Act.

77 (4) This section does not require a person to participate
78 in a gender clinical intervention. A person is not liable for
79 the refusal to participate in a gender clinical intervention. A
80 person who is a member of or associated with the staff of a
81 hospital, or an employee of a hospital or physician in which or
82 by whom gender clinical interventions are authorized, performed,
83 or provided, and states an objection to such intervention on
84 clinical, moral, or religious grounds is not required to
85 participate in such intervention. The refusal of any such person
86 may not form the basis for any disciplinary or other
87 recriminatory action against such person.

88 (5) A board, or the department if there is no board, must
89 revoke the license of a health care practitioner if the board,

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90 or the department if there is no board, determines that the
91 health care practitioner violated this section.

92 (6) A health care practitioner who willfully or actively
93 participates in a violation of (2)(b) commits a felony of the
94 third degree, punishable as provided in s. 775.082, s. 775.083,
95 or s. 775.084.

96 Section 5. Section 627.6411, Florida Statutes, is created
97 to read:

98 627.6411 Coverage of certain treatment.—A health insurance
99 policy may not provide coverage for gender clinical
100 interventions as defined in s. 456.52(1) for minors.

101 Section 6. Subsection (48) is added to section 641.31,
102 Florida Statutes, to read:

103 641.31 Health maintenance contracts.—

104 (48) A health maintenance contract may not include
105 coverage for gender clinical interventions as defined in s.
106 456.52(1) for minors.

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110 **T I T L E A M E N D M E N T**

111 Remove lines 5-37 and insert:

112 determination under specified circumstances; amending s.
113 382.016, F.S.; prohibiting a person's biological sex from being
114 changed on a birth certificate; providing an exception; amending

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1421 (2023)

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115 s. 456.074, F.S.; requiring the department to immediately
116 suspend the license of a health care practitioner who is
117 arrested for committing or attempting, soliciting, or conspiring
118 to commit specified violations related to gender clinical
119 interventions for a minor; creating s. 456.52, F.S.; providing a
120 definition for the term "gender clinical interventions";
121 prohibiting gender clinical interventions for minors; providing
122 exceptions; specifying conditions and limitations for any
123 emergency rules adopted; authorizing certain persons to refuse
124 to participate in gender clinical interventions; providing
125 penalties; creating s. 627.6411, F.S.; prohibiting a health
126 insurance policy from providing coverage for gender clinical
127 interventions for minors; amending s. 641.31, F.S.; prohibiting
128 a health maintenance contract from including coverage for gender
129 clinical interventions for minors; providing an effective date.