

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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>	

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

3 Representative Fine offered the following:

4

5 **Amendment**

6 Remove lines 70-173 and insert:

7 person's biological sex at birth. The sex recorded on the birth  
 8 certificate may only be changed in the case of a scrivener's  
 9 error or in the case of a person born with external biological  
 10 sex characteristics that were unresolvably ambiguous at the time  
 11 of birth. The sex recorded on a birth certificate may not be  
 12 changed for the purpose of affirming a person's perception of  
 13 his or her sex if that perception is inconsistent with the  
 14 person's sex at birth. The department may change the sex  
 15 recorded on a birth certificate under this paragraph upon the  
 16 written request of a health care practitioner, as defined in s.

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17 456.001, stating, and providing evidence establishing, the basis  
18 for the correction. Making a misrepresentation or providing  
19 fraudulent evidence in such a request is grounds for discipline  
20 under s. 456.72 and the applicable practice act.

21 Section 4. Paragraphs (c) through (gg) of subsection (5)  
22 of section 456.074, Florida Statutes, are redesignated as  
23 paragraphs (d) through (hh), respectively, and a new paragraph  
24 (c) is added to that subsection, to read:

25 456.074 Certain health care practitioners; immediate  
26 suspension of license.—

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

33 (c) Section 456.52(8), relating to providing gender  
34 clinical interventions to a minor.

35 Section 5. Section 456.52, Florida Statutes, is created to  
36 read:

37 456.52 Prohibition on gender clinical interventions for  
38 minors; physician requirements.—

39 (1) For the purposes of this section, "gender clinical  
40 interventions" means procedures or therapies that alter internal  
41 or external physical traits for the purpose of affirming a

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42 person's perception of his or her sex if that perception is  
43 inconsistent with the person's sex at birth.

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.

66 (2)(a) Gender clinical interventions may only be provided

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67 by a physician licensed under chapter 458 or chapter 459 or a  
68 physician practicing medicine or osteopathic medicine in the  
69 employment of the Federal Government.

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

77 (3) Notwithstanding ss. 458.320(5) and 459.0085(5), a  
78 physician who provides gender clinical interventions for adults  
79 must obtain and maintain professional liability coverage in the  
80 amounts established in ss. 458.320(2)(b) and 459.0085(2)(b), as  
81 applicable.

82 (4)(a) A physician must, while physically present in the  
83 same room as an adult patient, obtain informed written consent  
84 from the patient each time the physician provides gender  
85 clinical interventions. The physician must sign the consent and  
86 maintain the consent in the medical record. The patient must  
87 sign the informed consent acknowledging that the physician has  
88 sufficiently explained its content. The physician must use an  
89 informed consent form adopted in rule by the Board of Medicine  
90 and the Board of Osteopathic Medicine, which must include, at a  
91 minimum, information related to the current state of research

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92 of:

93 1. The long-term and short-term effects of gender clinical  
94 interventions.

95 2. The impact of gender clinical interventions on physical  
96 and mental health.

97 (b) The Board of Medicine and the Board of Osteopathic  
98 Medicine, as applicable, shall adopt emergency rules to  
99 implement this section.

100 (c) Any emergency rules adopted under this section are  
101 exempt from s. 120.54(4)(c) and shall remain in effect until  
102 replaced by rules adopted under the nonemergency rulemaking  
103 procedures of the Administrative Procedure Act.

104 (5) This section does not require a person to participate  
105 in a gender clinical intervention. A person is not liable for  
106 the refusal to participate in a gender clinical intervention. A  
107 person who is a member of or associated with the staff of a  
108 hospital, or an employee of a hospital or physician in which or  
109 by whom gender clinical interventions are authorized, performed,  
110 or provided, and states an objection to such intervention on  
111 clinical, moral, or religious grounds is not required to  
112 participate in such intervention. The refusal of any such person  
113 may not form the basis for any disciplinary or other  
114 recriminatory action against such person.