

26 interventions; prohibition.—A state agency, political
 27 subdivision, public postsecondary institution as defined in
 28 1000.04, or person providing services to or on behalf of any
 29 such agency, subdivision, or institution by contract or other
 30 agreement or relationship, may not expend funds to provide or
 31 reimburse for gender clinical interventions as defined in s.
 32 456.52(1).

33 Section 2. Paragraph (f) of subsection (1) of section
 34 382.016, Florida Statutes, is created to read:

35 382.016 Amendment of records.—The department, upon receipt
 36 of the fee prescribed in s. 382.0255; documentary evidence, as
 37 specified by rule, of any misstatement, error, or omission
 38 occurring in any birth, death, or fetal death record; and an
 39 affidavit setting forth the changes to be made, shall amend or
 40 replace the original certificate as necessary.

41 (1) CERTIFICATE OF LIVE BIRTH AMENDMENT.—

42 (f) The sex recorded on a birth certificate must be the
 43 person's biological sex at birth and may only be changed in the
 44 case of a scrivener's error. Upon request, the department may
 45 change the sex on a birth certificate of person born with
 46 external biological sex characteristics that were unresolvably
 47 ambiguous at the time of birth.

48 Section 3. Section 456.52, Florida Statutes, is created to
 49 read:

50 456.52 Prohibition on gender clinical interventions for

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51 minors; physician requirements.-

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

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

56 1. Sex reassignment surgeries or any other surgical
57 procedures that alter primary or secondary sexual
58 characteristics.

59 2. Puberty blocking, hormone, and hormone antagonistic
60 therapies.

61 (b) The term does not include:

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

66 a. External biological sex characteristics that are
67 unresolvably ambiguous.

68 b. A disorder of sexual development, in which the
69 physician has determined through genetic or biochemical testing
70 that the minor does not have normal sex chromosome structure,
71 sex steroid hormone production, or sex steroid hormone action
72 for a male or female.

73 2. Treatment of any infection, injury, disease, or
74 disorder caused or exacerbated by the performance of gender
75 clinical interventions regardless of whether such interventions

76 | were performed in accordance with state or federal law.

77 | (2) Gender clinical interventions may only be provided by
 78 | a physician licensed under chapter 458 or chapter 459. A
 79 | physician may not perform or provide gender clinical
 80 | interventions to a minor.

81 | (3) Notwithstanding ss. 458.320(5) and 459.0085(5), a
 82 | physician who provides gender clinical interventions for adults
 83 | must obtain and maintain professional liability coverage in the
 84 | amounts established in ss. 458.320(2)(b) and 459.0085(2)(b), as
 85 | applicable.

86 | (4) A physician must obtain informed written consent from
 87 | the patient each time the physician provides gender clinical
 88 | interventions for an adult, sign the consent, and maintain the
 89 | consent in the medical record. The patient must sign the
 90 | informed consent acknowledging that the physician has
 91 | sufficiently explained its content. The physician must use an
 92 | informed consent form adopted in rule by the Board of Medicine
 93 | and the Board of Osteopathic Medicine, which must include, at a
 94 | minimum, information related to the current state of research
 95 | of:

96 | (a) The long-term and short-term effects of gender
 97 | clinical interventions.

98 | (b) The impact of gender clinical interventions on
 99 | physical and mental health.

100 | (5) This section does require a person to participate in a

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101 gender clinical intervention or be liable for such refusal. A
102 person who is a member of or associated with the staff of a
103 hospital, or an employee of a hospital or physician in which or
104 by whom gender clinical interventions are authorized, performed,
105 or provided, and states an objection to such intervention on
106 clinical, moral, or religious grounds is not required to
107 participate in such intervention. The refusal of any such person
108 may not form the basis for any disciplinary or other
109 recriminatory action against such person.

110 (6) An action for recovery of damages based on death or
111 personal injury in which it is alleged that such death or injury
112 resulted from the negligence of a physician related to gender
113 clinical interventions for a minor is not a claim for medical
114 malpractice and chapter 766 does not apply. Notwithstanding s.
115 95.11, any such action must be commenced within 30 years after
116 the incident giving rise to the action.

117 (7) A board, or the department if there is no board, must
118 revoke a physician's license if the board, or the department if
119 there is no board, determines that the physician violated this
120 section.

121 Section 4. Section 627.6410, Florida Statutes, is created
122 to read:

123 627.6411 Coverage of certain treatment for minors.—A
124 health insurance policy may not provide coverage for gender
125 clinical interventions as defined in s. 456.52(1).

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126 Section 5. Subsection (48) is added to section 641.31,
127 Florida Statutes, to read:

128 641.31 Health maintenance contracts.—

129 (48) A health maintenance contract may not include
130 coverage for gender clinical interventions as defined in s.
131 456.52(1).

132 Section 6. This act shall take effect July 1, 2023.