
DIGEST

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HB 575 Original

2021 Regular Session

Firment

Abstract: Prohibits the prescribing and dispensing of drugs to a minor which may alter his puberty.

Proposed law creates the "Vulnerable Child Protection Act".

Proposed law provides definitions that shall be used throughout proposed law.

Proposed law provides that no person shall engage in, counsel, refer, or cause any practice to be performed upon a minor if the practice is performed for the purpose of altering the appearance or affirm a minor's gender or sex because perception is inconsistent with the minor's sex. The practices not to be performed shall include the following:

- (1) Prescribing, dispensing, administering, or otherwise supplying a puberty blocker medication to stop or delay normal puberty.
- (2) Prescribing, dispensing, administering, or otherwise supplying supraphysiologic doses of testosterone or other androgens to females.
- (3) Prescribing, dispensing, administering, or otherwise supplying supraphysiologic doses of estrogen to males.
- (4) Performing a surgery that sterilizes an individual by performing either castration, vasectomy, hysterectomy, oophorectomy, orchiectomy, or penectomy.
- (5) Performing a surgery that artificially constructs tissue with the appearance of genitalia that differs from the individual's sex to include metoidioplasty, phalioplasty, or vaginoplasty.
- (6) Removing any healthy or non-diseased body part or tissue.

Proposed law stipulates that the provisions of proposed law shall not apply to a procedure to treat a minor who is born with a medically verifiable disorder of sexual development which shall include the following instances:

- (1) A minor who is born with external biological sex characteristics that are ambiguous and the ambiguity is not resolvable.
- (2) A minor who is born with either forty-six XX chromosomes with virilization, forty-six XY

chromosomes with undervirilization, or having both ovarian and testicular tissue.

- (3) A minor who has been diagnosed by a physician as having a disorder of sexual development which the physician has determined through genetic or biochemical testing that the person does not have either a normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action for a male or female.

Proposed law prohibits a nurse, counselor, teacher, principal, or other administrative personnel at a public or private school from doing any of the following to a minor:

- (1) Encouraging or coercing a minor to withhold from his parent or legal guardian any information that suggest the minor's perception of the minor's gender or sex is inconsistent with the minor's sex.
- (2) Withholding from a minor's parent or legal guardian information related to a minor's gender or sex that is inconsistent with the minor's sex.

Nothing in proposed law should alter the standard of care as provided for in present law for a healthcare provider who provides care to his patient.

Proposed law provides that any person who violates proposed law may, upon criminal conviction, be imprisoned, with or without hard labor, for not more than two years, and may be fined not more than \$10,000.

(Adds R.S. 40:1091.1-1091.5)