
DIGEST

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HB 648 Engrossed

2023 Regular Session

Firmment

Abstract: Establishes the "Stop Harming Our Kids Act" in Louisiana and prohibits procedures that alter the gender of minors.

Proposed law defines "minor" as any person under the age of 18.

Proposed law defines "sex" as the biological indication of male and female, as evidenced by sex chromosomes, naturally occurring sex hormones, gonads, and nonambiguous internal and external genitalia present at birth.

Proposed law retains the definition of "healthcare professional" in present law.

Proposed law prohibits healthcare professionals from knowingly committing any act that attempts to alter a minor's appearance or to validate a minor's perception of his sex if the minor's perception is inconsistent with his biological sex.

The prohibited acts provided in proposed law include but are not limited to the following:

- (1) The prescription or administration of gonadotropin-releasing hormone analogues or other synthetic drugs.
- (2) The prescription or administration of testosterone, estrogen, or progesterone, in amounts greater than would naturally be produced.
- (3) The performance of any sterilizing surgery.
- (4) The performance of any surgery that artificially constructs tissue having the appearance of genitalia differing from the minor's biological sex.
- (5) The removal of any healthy or non-diseased body part or tissue.
- (6) The performance of any aesthetic surgical procedure.

Proposed law provides that if a healthcare professional has initiated a course of treatment for a minor that violates the provisions of proposed law prior to July 1, 2023, the healthcare professional may institute a period during which the minor's use of the drug or hormone is systematically reduced and discontinued. Proposed law further provides that the period may not extend beyond December 31,

2023.

Proposed law provides that if a professional or occupational licensing board finds that a healthcare professional licensed or certified by the board has violated the provisions of proposed law, the board shall revoke any professional or occupational license or certificate held by the healthcare professional for a minimum of two years.

Proposed law provides that a person may bring a civil action for any injury suffered as a result of a violation of proposed law. Proposed law further provides that the civil action shall be commenced before the later of either of the following:

- (1) The date on which the person reaches the age of 40.
- (2) Within three years from the time the person discovered or reasonably should have discovered that the injury or damages were caused by the violation.

Proposed law provides that the attorney general may bring an action to enforce compliance with proposed law.

(Adds R.S. 40:1098.1-1098.4)