A bill to be entitled
An act relating to gender clinical interventions; creating s. 381.991, F.S.; prohibiting certain persons and entities from expending funds for reimbursement for specified clinical interventions; amending s. 382.016, F.S.; prohibiting a person's biological sex from being changed on a birth certificate; providing exceptions; creating s. 456.52, F.S.; providing a definition for the term "gender clinical interventions"; prohibiting gender clinical interventions for minors; providing exceptions; authorizing certain persons to refuse to participate in gender clinical interventions; providing liability and penalties; creating s. 647.6411, F.S.; prohibiting a health insurance policy from providing coverage for gender clinical interventions; amending s. 641.31, F.S.; prohibiting a health maintenance contract from including coverage for gender clinical interventions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 381.991, Florida Statutes, is created to read:

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

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

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

(1) CERTIFICATE OF LIVE BIRTH AMENDMENT.—

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

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

456.52 Prohibition on gender clinical interventions for...
For the purposes of this section, "gender clinical interventions" means procedures or therapies that alter internal or external physical traits.

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

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

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

(b) The term does not include:

1. Treatment provided by a physician who, in his or her good faith clinical judgment, performs procedures upon, or provides therapies to, a minor born with a medically verifiable genetic disorder of sexual development, including the following:
   a. External biological sex characteristics that are unresolvably ambiguous.
   b. A disorder of sexual development, in which the physician has determined through genetic or biochemical testing that the minor does not have normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action for a male or female.

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

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

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

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

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

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

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

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

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

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

627.6411 Coverage of certain treatment for minors.—A
health insurance policy may not provide coverage for gender
clinical interventions as defined in s. 456.52(1).
Section 5. Subsection (48) is added to section 641.31, Florida Statutes, to read:

641.31 Health maintenance contracts.—
(48) A health maintenance contract may not include coverage for gender clinical interventions as defined in s. 456.52(1).

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