HOUSE BILL No. 1121

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2; IC 16-35-9.5.

Synopsis: Gender transition therapies report. Requires health care professionals to report certain information concerning gender transition to the state department of health (state department). Requires the state department to compile the reported data and annually submit the compiled data to the general assembly.

Effective: July 1, 2022.

Davis, Ellington

January 4, 2022, read first time and referred to Committee on Public Health.

Introduced

Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1121

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 16-18-2-144.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: **Sec. 144.5. "Gender transition", for purposes of IC 16-35-9.5, has the meaning set forth in IC 16-35-9.5-1.**

SECTION 2. IC 16-18-2-162, AS AMENDED BY P.L.212-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 162. (a) "Health care professional", for purposes of IC 16-27-1 and IC 16-27-4, has the meaning set forth in IC 16-27-1-1.

(b) "Health care professional", for purposes of IC 16-27-2, has the meaning set forth in IC 16-27-2-1.

(c) "Health care professional", for purposes of IC 16-35-9.5, has the meaning set forth in IC 16-35-9.5-2.

SECTION 3. IC 16-18-2-235 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 235. "Minor", for purposes of **IC 16-35-9.5 and** IC 16-36, means an individual who is

less than eighteen (18) years of age.

SECTION 4. IC 16-35-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]:

Chapter 9.5. Gender Transition of Minors Annual Report

Sec. 1. As used in this chapter, "gender transition" means the process an individual undergoes to change the individual's bodily appearances or sex characteristics to a different gender from the gender of the individual at birth.

Sec. 2. As used in this chapter, "health care professional" refers to the following:

(1) A physician licensed under IC 25-22.5.

(2) A nurse, including an advanced practice registered nurse, licensed under IC 25-23.

(3) Any of the behavioral health or human services professionals licensed under IC 25-23.6.

(4) A physician assistant licensed under IC 25-27.5.

(5) A psychologist licensed under IC 25-33.

Sec. 3. As used in this chapter, "minor" means an individual who is less than eighteen (18) years of age.

Sec. 4. (a) Before January 31 of each year, a health care professional shall report the following information for the previous calendar year to the state department:

(1) The number of gender transition surgeries performed on a minor, including the following:

(A) The type of surgery.

(B) The location where the surgery was performed.

(C) The type of health care professional described in section 2 of this chapter who performed the surgery and any specialty or certification held by the health care professional.

(2) The number of prescriptions prescribed for a minor related to gender transition.

(3) The number of minors the health care professional has as patients who have at least initiated gender transition therapies and the type of therapy prescribed or provided by the health care professional.

(4) The following information concerning each minor patient who has at least initiated health care for gender transition:

(A) The age of the minor.

(B) The race and ethnicity of the minor.

(C) The level of education of the minor.

(D) The county of residence of the minor.

(5) Any behavioral health assessment concerning the minor during the minor's treatment by the health care professional for gender transition.

(b) The information submitted under this section by a health care professional may not include any identifying information concerning the patient.

Sec. 5. Before April 1 of each year, the state department shall do the following:

(1) Compile the data reported under section 4 of this chapter.

(2) Prepare and submit a report containing the compiled data to the general assembly in an electronic format under IC 5-14-6.