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State of Minnesota

# HOUSE OF REPRESENTATIVES

**NINETY-FOURTH SESSION**

**H. F. No. 3151**

04/07/2025 Authored by Mekeland, Hudson, Warwas, Knudsen, Dotseth and others
The bill was read for the first time and referred to the Committee on Health Finance and Policy

A bill for an act

relating to health; prohibiting gender-affirming medical care and certain counseling for minors in the state of Minnesota; establishing penalties for violations; proposing coding for new law in Minnesota Statutes, chapter 144.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[144.041] PROHIBITING GENDER-AFFIRMING MEDICAL CARE AND CERTAIN COUNSELING.**

Subdivision 1. **Short title.** This section may be cited as the "Zywiec Act."

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Minor" means an individual under 18 years of age.

(c) "Gender-affirming care" means any medical or surgical intervention, including but not limited to hormone therapy, puberty blockers, or gender reassignment surgery, intended to affirm an individual's perceived gender identity when it differs from their biological sex as determined at birth.

(d) "Health care provider" means any licensed physician, surgeon, nurse practitioner, or other individual authorized to provide medical care under the laws of Minnesota.

(e) "Biological sex" means the sex assigned at birth based on chromosomes, gonads, and genitalia.

(f) "Intersex condition" means a congenital condition in which an individual is born with the reproductive or sexual anatomy that does not fit typical definitions of male or female,

including but not limited to ambiguous genitalia, as diagnosed by a licensed health care provider.

Subd. 3. **Prohibition of gender-affirming care and certain counseling for minors.** (a) No health care provider shall knowingly provide gender-affirming care to a minor within the state of Minnesota.

(b) No public funds, including medical assistance or other Minnesota health care programs, shall be used to provide gender-affirming care to a minor.

(c) This prohibition does not apply to:

(1) treatment of a minor for a diagnosed medical condition unrelated to gender identity, such as precocious puberty, when such treatment is deemed medically necessary by a licensed health care provider and approved by the minor's legal guardian;

(2) mental health counseling or therapy that does not involve medical or surgical intervention, provided that such counseling does not suggest, encourage, or affirm that the minor is any gender other than their biological sex as determined at birth; or

(3) surgical or medical interventions for a minor with an intersex condition, when such interventions are deemed medically necessary by a licensed health care provider to correct ambiguous genitalia or other physical anomalies directly related to the intersex condition, and are approved by the minor's legal guardian, provided that the intervention is not intended to affirm a gender identity differing from the minor's biological sex as determined by genetic or anatomical evidence.

Subd. 4. **Penalties.** (a) Any health care provider found in violation of subdivision 3, paragraph (a) or (c), clause (2), shall:

(1) be subject to a civil fine of not less than $500,000 per violation;

(2) have their professional license revoked by the Board of Medical Practice or relevant licensing authority; and

(3) be subject to imprisonment for a term of up to ten years.

(b) In addition to the penalties in paragraph (a), a health care provider shall be liable for civil action brought by the minor's legal guardian for damages, including emotional distress.

Subd. 5. **Enforcement.** (a) The Department of Health shall investigate alleged violations of this section.

(b) Citizens may report suspected violations to the Department of Health, which shall maintain a confidential reporting mechanism.

Subd. 6. **Severability.** If any provision of this section or its application to any person or circumstance is held invalid, the remainder of this section and the application of its provisions to other persons or circumstances shall not be affected.

**EFFECTIVE DATE.** This section is effective July 1, 2025.