# SENATE
## STATE OF MINNESOTA
## NINETY-FOURTH SESSION

# S.F. No. 5043

**(SENATE AUTHORS: GREEN)**

| DATE | D-PG | OFFICIAL STATUS |
|---|---|---|
| 04/09/2026 | | Introduction and first reading<br>Referred to Judiciary and Public Safety |

A bill for an act

relating to civil actions; eliminating the statute of limitations for causes of action on gender-affirming care for minor children; amending Minnesota Statutes 2024, section 541.076.

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

Section 1. Minnesota Statutes 2024, section 541.076, is amended to read:

**541.076 HEALTH CARE PROVIDER ACTIONS.**

Subdivision 1. **Statute of limitations.** (a) For purposes of this section, "health care provider" means a physician, surgeon, dentist, occupational therapist, other health care professionals as defined in section 145.61, hospital, or treatment facility.

(b) An action by a patient or former patient against a health care provider alleging malpractice, error, mistake, or failure to cure, whether based on a contract or tort, must be commenced within four years from the date the cause of action accrued.

(c) A counterclaim may be pleaded as a defense to any action for services brought by a health care provider after the limitations described in this section, notwithstanding it is barred by the provisions of this chapter, if the counterclaim belonged to the party pleading it at the time it became barred and was not barred at the time the claim sued on originated, but no judgment on the counterclaim except for costs can be rendered in favor of the party so pleading it.

Subd. 2. **Exception; gender-affirming care; minor child.** Notwithstanding subdivision 1, a cause of action involving gender-affirming care for a minor child is not subject to the statute of limitations in subdivision 1, paragraph (b). For purposes of this subdivision,

"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 the individual's biological sex as determined at birth.