

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 4495

| (SENATE AUTHORS: MAYE QUADE, McEwen, Boldon and Morrison) | | |
|---|-------|---|
| DATE | D-PG | OFFICIAL STATUS |
| 03/04/2024 | 11900 | Introduction and first reading Referred to Health and Human Services |
| 03/07/2024 | 12068 | Author added McEwen |
| 03/13/2024 | 12198 | Authors added Boldon; Morrison |

1.1

A bill for an act

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relating to health; prohibiting certain surgical procedures from being performed

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on patients under age 12 with certain exceptions; authorizing disciplinary action

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by health-related licensing boards; proposing coding for new law in Minnesota

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Statutes, chapter 214.

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

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Section 1. **[214.41] PROTECTION OF YOUTH WITH VARIATIONS IN THEIR**

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PHYSICAL SEX CHARACTERISTICS.

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Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have

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the meanings given.

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(b) "Individual born with variations in their physical sex characteristics" means an

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individual born with physical traits, including genitals, gonads, hormone function, or

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chromosomal patterns, that vary from clinical norms of male and female regarding the

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development, appearance, or function of sex characteristics.

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(c) "Prohibited surgical procedure" means clitoroplasty, clitoral reduction, or clitoral

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recession, including corporal sparing procedures; gonadectomy; any procedure that lengthens

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or reroutes a urethra from its native orifice; vaginoplasty; urogenital sinus mobilization;

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vaginal exteriorization; phalloplasty; hysterectomy; oophorectomy; or introitoplasty.

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(d) "Surgical procedure required to address an immediate risk of physical harm" means:

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(1) a surgical procedure to remove tissue that poses a significantly heightened clinical

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risk of malignancy relative to that of the general population;

2.1 (2) a surgical procedure: (i) to allow urine to exit the body; (ii) to treat urinary
2.2 incontinence; or (iii) to make a minimally invasive adjustment to urinary function in order
2.3 to decrease a risk of infection or renal complication in an individual whose current urinary
2.4 function puts the individual at a demonstrated clinical risk of infection or renal complication;

2.5 (3) a surgical procedure that is required to treat complications of a previous surgery and
2.6 that, if delayed, would cause increased physical health risks to the individual; or

2.7 (4) any other surgical procedure necessary to preserve an individual's life in the event
2.8 of a medical emergency.

2.9 Subd. 2. **Certain surgical procedures prohibited.** A health care professional licensed
2.10 by a health-related licensing board is prohibited from performing, or assisting in the
2.11 performance of, a prohibited surgical procedure on an individual born with variations in
2.12 their physical sex characteristics who is under 12 years of age, unless the surgical procedure
2.13 is a surgical procedure required to address an immediate risk of physical harm.

2.14 Subd. 3. **Enforcement.** A violation of subdivision 2 is grounds for disciplinary action
2.15 by the health-related licensing board that licensed the health care professional who violated
2.16 subdivision 2.

2.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.