

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4609

BY DELEGATES WILSON, BIBBY, HARDY, FOSTER, C.

MARTIN, P. MARTIN, J. JEFFRIES, KESSINGER, PHILLIPS,

D. JEFFRIES AND DEAN

[Introduced January 30, 2020; Referred to the
Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §16-11A-1 and §16-11A-2, all relating to limiting minors' access to gender
 3 reassignment surgery or hormone replacement therapy; providing that a parent, guardian,
 4 or other legal custodian of a child seeking hormone replacement therapy or gender
 5 reassignment surgery may not substitute his or her consent for that of the child; providing
 6 restrictions on physicians using telehealth services in this state; and providing that upon
 7 reaching 18 years of age a person may be eligible for gender reassignment surgery or
 8 hormone replacement therapy.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 11A. GENDER REASSIGNMENT SURGERY AND HORMONE
 REPLACEMENT THERAPY.**

§16-11A-1. Gender reassignment surgery limited to consenting adults.

1 Any minor seeking gender reassignment surgery before reaching 18 years of age shall be
 2 denied any such request, on the basis that the minor cannot provide consent for gender
 3 reassignment surgery, by any licensed healthcare provider that provides services in this state. No
 4 parent, guardian, or other legal custodian of a minor child seeking gender reassignment surgery
 5 may substitute his or her consent for that of the minor child for purposes of circumventing this
 6 section. A person may be eligible for a licensed healthcare provider to consider as a candidate
 7 for gender reassignment surgery upon reaching 18 years of age in this state.

§16-11A-2. Hormone replacement therapy limited to consenting adults.

1 Any minor seeking hormone replacement therapy before reaching 18 years of age shall
 2 be denied any such request, on the basis that the minor cannot provide consent for hormone
 3 replacement therapy, by any licensed healthcare provider that provides services in this state,
 4 including telehealth services. No parent, guardian, or other legal custodian of a minor child
 5 seeking hormone replacement therapy may substitute his or her consent for that of the minor child

6 for purposes of circumventing this section. A person may be eligible for a licensed healthcare
7 provider to consider as a candidate for hormone replacement therapy upon reaching 18 years of
8 age in this state.

NOTE: The purpose of this bill is to limit gender reassignment surgeries and hormone replacement therapies to consenting adults in this state.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.