

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4356

By Delegate Burkhammer

[Introduced January 15, 2026; referred to the

Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated as §16-5EE-1, relating to prohibiting the requiring of the performance or
3 assistance of an irreversible gender reassignment surgery.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 5EE. PERFORMANCE OR ASSISTANCE OF PERFORMANCE OF
IRREVERSIBLE GENDER REASSIGNMENT SURGERY.**

§16-5EE-1. Prohibition of the requiring of the performance or assistance of performance of

an irreversible gender reassignment surgery.

1 (a) As used in this article:

2 (1) "Irreversible gender reassignment surgery" has the same meaning as defined in §30-3-

3 20 of this code; and

4 (2) "Physician" means an individual who is licensed to practice allopathic medicine by the

5 Board of Medicine or licensed to practice osteopathic medicine by the Board of Osteopathic

6 Medicine.

7 (b) Nothing in this code, nor in any order issued pursuant thereto, shall require that a

8 physician perform an irreversible gender reassignment surgery or that any person be required to

9 assist in the performance of an irreversible gender reassignment surgery if such physician or

10 person, for any reason, medical or otherwise, does not wish to perform or assist in such surgery.

NOTE: The purpose of this bill is to prohibit the requiring of the performance or assistance of an irreversible gender reassignment surgery.

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