

Session of 2025

## HOUSE BILL No. 2071

By Committee on Health and Human Services

Requested by Representative Bryce

1-23

AN ACT concerning children and minors; relating to healthcare of minors; enacting the help not harm act; prohibiting healthcare providers from treating a child whose gender identity is inconsistent with the child's sex; authorizing a civil cause of action against healthcare providers for providing such treatments; restricting use of state funds to promote gender transitioning; prohibiting professional liability insurance from covering damages for healthcare providers that provide gender transition treatment to children; requiring professional discipline against a healthcare provider who performs such treatments; adding violation of the act to the definition of unprofessional conduct for physicians; amending K.S.A. 65-2837 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

New Section 1. (a) The provisions of sections 1 through 6, and amendments thereto, shall be known and may be cited as the help not harm act.

(b) As used in this act:

(1) "Child" means an individual less than 18 years of age.

(2) "Female" means an individual who is a member of the female sex.

(3) "Gender" means the psychological, behavioral, social and cultural aspects of being male or female.

(4) "Gender dysphoria" is the diagnosis of gender dysphoria in the fifth edition of the diagnostic and statistical manual of mental disorders.

(5) "Healthcare provider" means an individual who is licensed, certified or otherwise authorized by the laws of this state to administer healthcare services in the ordinary course of the practice of such individual's profession.

(6) "Male" means an individual who is a member of the male sex.

(7) "Perceived sex" is an individual's internal sense of such individual's sex.

(8) "Perceived gender" is an individual's internal sense of such individual's gender.

(9) "Sex" means the biological indication of male and female in the context of reproductive potential or capacity, including sex chromosomes,

1 naturally occurring sex hormones, gonads and nonambiguous internal and  
2 external genitalia present at birth, without regard to an individual's  
3 psychological, chosen or subjective experience of gender.

4 (10) "Social transitioning" means acts other than medical or surgical  
5 interventions that are undertaken for the purpose of presenting as a  
6 member of the opposite sex, including the changing of an individual's  
7 preferred pronouns or manner of dress.

8 New Sec. 2. (a) A recipient of state funds shall not use such funds to  
9 provide or subsidize medication or surgery as provided in section 3, and  
10 amendments thereto, as a treatment for a child's perception of gender or  
11 sex that is inconsistent with such child's sex.

12 (b) An individual or entity that receives state funds to pay for or  
13 subsidize the treatment of children for psychological conditions, including  
14 gender dysphoria, shall not prescribe, dispense or administer medication or  
15 perform surgery as provided in section 3, and amendments thereto, or  
16 provide a referral to another healthcare provider for such medication or  
17 surgery for a child whose perceived gender or perceived sex is inconsistent  
18 with such child's sex.

19 (c) The Kansas program of medical assistance and its managed care  
20 organizations shall not reimburse or provide coverage for medication or  
21 surgery as provided in section 3, and amendments thereto, as a treatment  
22 for a child whose perceived gender or perceived sex is inconsistent with  
23 such child's sex.

24 (d) Except to the extent required by the first amendment to the United  
25 States constitution, a state property, facility or building shall not be used to  
26 promote or advocate the use of social transitioning, medication or surgery  
27 as provided in section 3, and amendments thereto, as a treatment for a  
28 child whose perceived gender or perceived sex is inconsistent with such  
29 child's sex.

30 (e) A state property, facility or building shall not be used to prescribe,  
31 dispense or administer medication or perform surgery as provided in  
32 section 3, and amendments thereto, as a treatment for a child whose  
33 perceived gender or perceived sex is inconsistent with such child's sex.

34 (f) A state employee whose official duties include the care of children  
35 shall not, while engaged in those official duties, promote the use of social  
36 transitioning or provide or promote medication or surgery as provided in  
37 section 3, and amendments thereto, as a treatment for a child whose  
38 perceived gender or perceived sex is inconsistent with such child's sex.

39 New Sec. 3. (a) Except as provided in subsection (c) or (d), a  
40 healthcare provider shall not knowingly perform the following surgical  
41 procedures or prescribe, dispense or administer the following medications  
42 to a female child for the purpose of treatment for distress arising from such  
43 female child's perception that such child's gender or sex is not female:

(1)

(2) As used in this subsection, "state property" does not include a "school building" as defined in K.S.A. 72-1431, and amendments thereto