

**AMENDMENT TO THE  
SENATE AMENDMENT TO H.R. 1  
OFFERED BY M\_\_.**

Add at the end of subchapter B of chapter 1 of sub-  
title B of title VII the following:

**1 SEC. \_\_. PROHIBITING FEDERAL MEDICAID AND CHIP  
2 FUNDING FOR GENDER TRANSITION PROCE-  
3 DURES.**

4 (a) MEDICAID.—Section 1903(i) of the Social Secu-  
5 rity Act (42 U.S.C. 1396b(i)) is amended—

6 (1) in paragraph (26), by striking “; or” and  
7 inserting a semicolon;

8 (2) in paragraph (27), by striking the period at  
9 the end and inserting “; or”;

10 (3) by inserting after paragraph (27) the fol-  
11 lowing new paragraph:

12 “(28) with respect to any amount expended for  
13 specified gender transition procedures (as defined in  
14 section 1905(kk)) furnished to an individual enrolled  
15 in a State plan (or waiver of such plan).”; and

16 (4) in the flush left matter at the end, by strik-  
17 ing “and (18),” and inserting “(18), and (28)”.

1 (b) CHIP.—Section 2107(e)(1)(N) of the Social Se-  
2 curity Act (42 U.S.C. 1397gg(e)(1)(N)) is amended by  
3 striking “and (17)” and inserting “(17), and (28)”.

4 (c) SPECIFIED GENDER TRANSITION PROCEDURES  
5 DEFINED.—Section 1905 of the Social Security Act (42  
6 U.S.C. 1396d) is amended by adding at the end the fol-  
7 lowing new subsection:

8 “(kk) SPECIFIED GENDER TRANSITION PROCE-  
9 DURES.—

10 “(1) IN GENERAL.—For purposes of section  
11 1903(i)(28), except as provided in paragraph (2),  
12 the term ‘specified gender transition procedure’  
13 means, with respect to an individual, any of the fol-  
14 lowing when performed for the purpose of inten-  
15 tionally changing the body of such individual (in-  
16 cluding by disrupting the body’s development, inhib-  
17 iting its natural functions, or modifying its appear-  
18 ance) to no longer correspond to the individual’s sex:

19 “(A) Performing any surgery, including—

20 “(i) castration;

21 “(ii) sterilization;

22 “(iii) orchiectomy;

23 “(iv) scrotoplasty;

24 “(v) vasectomy;

25 “(vi) tubal ligation;

- 1 “(vii) hysterectomy;  
2 “(viii) oophorectomy;  
3 “(ix) ovariectomy;  
4 “(x) metoidioplasty;  
5 “(xi) clitoroplasty;  
6 “(xii) reconstruction of the fixed part  
7 of the urethra with or without a  
8 metoidioplasty or a phalloplasty;  
9 “(xiii) penectomy;  
10 “(xiv) phalloplasty;  
11 “(xv) vaginoplasty;  
12 “(xvi) vaginectomy;  
13 “(xvii) vulvoplasty;  
14 “(xviii) reduction thyrochondroplasty;  
15 “(xix) chondrolaryngoplasty;  
16 “(xx) mastectomy; and  
17 “(xxi) any plastic, cosmetic, or aes-  
18 thetic surgery that feminizes or  
19 masculinizes the facial or other body fea-  
20 tures of an individual.  
21 “(B) Any placement of chest implants to  
22 create feminine breasts or any placement of  
23 erection or testicular prostheses.  
24 “(C) Any placement of fat or artificial im-  
25 plants in the gluteal region.

1           “(D) Administering, prescribing, or dis-  
2           pensing to an individual medications, includ-  
3           ing—

4                   “(i) gonadotropin-releasing hormone  
5                   (GnRH) analogues or other puberty-block-  
6                   ing drugs to stop or delay normal puberty;  
7                   and

8                   “(ii) testosterone, estrogen, or other  
9                   androgens to an individual at doses that  
10                  are supraphysiologic than would normally  
11                  be produced endogenously in a healthy in-  
12                  dividual of the same age and sex.

13           “(2) EXCEPTION.—Paragraph (1) shall not  
14           apply to the following when furnished to an indi-  
15           vidual by a health care provider with the consent of  
16           such individual’s parent or legal guardian:

17                   “(A) Puberty suppression or blocking pre-  
18                   scription drugs for the purpose of normalizing  
19                   puberty for an individual experiencing pre-  
20                   cocious puberty.

21                   “(B) Medically necessary procedures or  
22                   treatments to correct for—

23                           “(i) a medically verifiable disorder of  
24                           sex development, including—

1                   “(I) 46,XX chromosomes with  
2                   virilization;

3                   “(II) 46,XY chromosomes with  
4                   undervirilization; and

5                   “(III) both ovarian and testicular  
6                   tissue;

7                   “(ii) sex chromosome structure, sex  
8                   steroid hormone production, or sex hor-  
9                   mone action, if determined to be abnormal  
10                  by a physician through genetic or bio-  
11                  chemical testing;

12                  “(iii) infection, disease, injury, or dis-  
13                  order caused or exacerbated by a previous  
14                  procedure described in paragraph (1), or a  
15                  physical disorder, physical injury, or phys-  
16                  ical illness that would, as certified by a  
17                  physician, place the individual in imminent  
18                  danger of death or impairment of a major  
19                  bodily function unless the procedure is per-  
20                  formed, not including procedures per-  
21                  formed for the alleviation of mental dis-  
22                  tress; or

23                  “(iv) procedures to restore or recon-  
24                  struct the body of the individual in order  
25                  to correspond to the individual’s sex after

1                   one or more previous procedures described  
2                   in paragraph (1), which may include the  
3                   removal of a pseudo phallus or breast aug-  
4                   mentation.

5                   “(3) SEX.—For purposes of paragraph (1), the  
6                   term ‘sex’ means either male or female, as bio-  
7                   logically determined and defined in paragraphs (4)  
8                   and (5), respectively.

9                   “(4) FEMALE.—For purposes of paragraph (3),  
10                  the term ‘female’ means an individual who naturally  
11                  has, had, will have, or would have, but for a develop-  
12                  mental or genetic anomaly or historical accident, the  
13                  reproductive system that at some point produces,  
14                  transports, and utilizes eggs for fertilization.

15                  “(5) MALE.—For purposes of paragraph (3),  
16                  the term ‘male’ means an individual who naturally  
17                  has, had, will have, or would have, but for a develop-  
18                  mental or genetic anomaly or historical accident, the  
19                  reproductive system that at some point produces,  
20                  transports, and utilizes sperm for fertilization.”.

