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HOUSE BILL No. 1569

Proposed Changes to introduced printing by AM156902

DIGEST OF PROPOSED AMENDMENT

DOC provision of gender therapy. Removes language prohibiting the department of correction from authorizing the payment of any money, the use of any state resources, or the payment of any federal money administered by the state to provide or facilitate the provision of hormonal therapy. Provides a new definition of "sexual reassignment surgery."

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 11-10-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. ~~As used in The following definitions apply throughout this chapter:~~

~~(1) "Hormonal therapy" means the use of hormones to stimulate the development or alteration of an individual's sexual characteristics for the purpose of altering the individual's physical appearance or bodily functions so that the individual appears, resembles, or functions more like an individual of the opposite gender or sex.~~

~~> [1] (<2>[1]) "Offender patient" means an individual incarcerated at a facility operated by the department< who:~~

~~— (A) was not receiving hormonal therapy from a medical doctor before the date on which the individual committed the crime for which the individual is incarcerated; or~~

~~— (B) was not receiving hormonal therapy while incarcerated before July 1, 2023>.~~

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1 [1] (~~<3>~~[2])~~<>~~[1]"Physician" means an individual holding a
 2 license to practice medicine in Indiana, issued by the
 3 medical licensing board of Indiana, or a medical officer of
 4 the United States government who is in Indiana performing
 5 his official duties.

6 [1] (~~<4>~~[3])~~<>~~[1]"Psychiatrist" means a physician who is
 7 certified or board qualified by the American Board of
 8 Psychiatry and Neurology, or a board with equivalent
 9 standards approved by the American Osteopathic
 10 Association.

11 [1] (~~<5>~~[4]) "Psychologist" means an individual holding a valid
 12 certificate to practice psychology in Indiana, issued by the
 13 state psychology board.

14 [1] (~~<6>~~[5]) "Qualified medical personnel" means individuals
 15 engaged in the delivery of a medical or health care service
 16 who have been licensed, certified, or otherwise properly
 17 qualified under the laws of Indiana applicable to that
 18 particular service.

19 (~~<7>~~[6]) "Sexual reassignment surgery" means ~~<one (1) or~~
 20 ~~more>~~[performing any of the following] surgical procedures
 21 ~~<performed on an individual to alter the individual's~~
 22 ~~physical appearance or the functions of the individual's~~
 23 ~~sexual characteristics so that the individual appears,~~
 24 ~~resembles, or functions more like an individual of the~~
 25 ~~opposite gender or sex>~~[for the purpose of attempting to
 26 alter the appearance of, or affirm the offender patient's
 27 perception of, his or her gender or sex, if that appearance or
 28 perception is inconsistent with the offender patient's sex:

29 (A) Surgeries that sterilize, including castration,
 30 vasectomy, hysterectomy, oophorectomy, orchiectomy,
 31 and penectomy.

32 (B) Surgeries that artificially construct tissue with the
 33 appearance of genitalia that differs from the offender
 34 patient's sex, including metoidioplasty, phalloplasty, and
 35 vaginoplasty.

36 (C) Removing any healthy or non-diseased body part or
 37 tissue].

38 SECTION 2. IC 11-10-3-3.5 IS ADDED TO THE INDIANA
 39 CODE AS A NEW SECTION TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2023]: Sec. 3.5. [a] The department may not
 41 authorize the payment of any money, the use of any state resources,
 42 or the payment of any federal money administered by the state to

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1 provide or facilitate ~~the provision of hormonal therapy or~~ sexual
2 reassignment surgery to an offender patient. [

3 (b) This section does not apply to offender patients approved
4 by the department for sexual reassignment surgery prior to July 1,
5 2023.

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