

FIRST REGULAR SESSION

HOUSE BILL NO. 1157

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HUDSON.

2490H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to the right to refuse to participate in certain medical treatments.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be
2 known as section 191.1705, to read as follows:

3 **191.1705. 1. (1) No physician, surgeon, registered nurse, practical nurse,**
4 **midwife, or other individual or any public or private hospital shall be required to**
5 **perform, assist, or participate in medical procedures, treatments, counseling,**
6 **prescriptions, or surgeries related to sex reassignment or gender identity transitioning**
7 **if such procedures, treatments, counseling, prescriptions, or surgeries are contrary to**
8 **the established policy of, or the moral, ethical, or religious beliefs of, such physician,**
9 **surgeon, registered nurse, practical nurse, midwife, other individual, or hospital.**

10 **(2) No cause of action shall accrue against any such physician, surgeon,**
11 **registered nurse, practical nurse, midwife, other individual, or hospital on account of**
12 **such refusal to perform, assist, or participate in medical procedures, treatments,**
13 **counseling, prescriptions, or surgeries related to sex reassignment or gender identity**
14 **transitioning.**

15 **2. No person or institution shall be denied or discriminated against in the receipt**
16 **of any public benefit, assistance, or privilege whatsoever or in any public or private**
17 **employment on the grounds that the person or institution refuses to perform, assist, or**
18 **participate in medical procedures, treatments, counseling, prescriptions, or surgeries**
19 **related to sex reassignment or gender identity transitioning.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18 **3. Any person who shall deny or discriminate against another for refusal to**
19 **perform, assist, or participate in medical procedures, treatments, counseling,**
20 **prescriptions, or surgeries related to sex reassignment or gender identity transitioning**
21 **shall be liable to the party injured in an action at law, suit in equity, or other form of**
22 **redress.**

23 **4. Nothing in this section shall be construed to allow any person to deny**
24 **visitation, recognition of a designated representative for health care decision-making, or**
25 **emergency medical treatment necessary to cure an illness or injury as required by law in**
26 **accordance with the Emergency Medical Treatment and Labor Act, 42 U.S.C. Section**
27 **1395dd, in effect on January 1, 2023.**

28 **5. Any provision of this section held to be invalid or unenforceable by its terms,**
29 **or as applied to any person or circumstance, shall be construed so as to give it the**
30 **maximum effect permitted by law, unless such holding shall be one of utter invalidity or**
31 **unenforceability, in which event such provision shall be deemed severable herefrom and**
32 **shall not affect the remainder hereof or the application of such provision to other**
33 **persons not similarly situated or to other, dissimilar circumstances.**

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