

SENATE BILL 2215

By Bowling

AN ACT to amend Tennessee Code Annotated, Title 8; Title 36; Title 37; Title 39; Title 49; Title 53; Title 56; Title 63; Title 68 and Title 71, relative to courses of treatment for children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 15, Part 4, is amended by adding the following section:

(a) As used in this section:

(1) "Biological female" means a person who was born with female anatomy and two (2) x chromosomes in the person's cells;

(2) "Biological male" means a person who was born with male anatomy and x and y chromosomes in the person's cells;

(3) "Healthcare professional" means a physician or other healthcare practitioner licensed, registered, accredited, or certified to perform specified healthcare services pursuant to title 63 or title 68 and regulated under the authority of the department of health or any agency, board, council, or committee attached to the department;

(4) "Puberty" has the same meaning as defined in § 49-6-1301;

(5) "Sexual identity" means an individual's self-recognition and self-expression as either a biological female or biological male; and

(6) "Sexual identity change therapy" means a course of treatment that involves the use of hormone replacement, puberty blockers, or other medical intervention to change the sexual identity or physical appearance of a patient to a

sexual identity or physical appearance that does not correspond to the anatomy and chromosomal makeup with which the patient was born.

(b)

(1) A person shall not provide or facilitate the provision of sexual identity change therapy to a minor who has not yet entered puberty.

(2) A person shall not provide or facilitate the provision of sexual identity change therapy to a minor who has entered puberty unless the parent or legal guardian of the minor provides a signed, written statement recommending sexual identity change therapy for the minor from:

(A) Two (2) or more physicians licensed under title 63, chapter 6 or 9; and

(B) One (1) or more physicians licensed under title 63, chapter 6 or 9, who is board-certified in child and adolescent psychiatry, and who is not the same person as any physician whose written recommendation is used to satisfy subdivision (b)(2)(A).

(c)

(1) A violation of this section is punishable as child abuse pursuant to § 39-15-401.

(2) In addition to any criminal liability under subdivision (c)(1), a violation of this section by a healthcare professional constitutes professional misconduct and is subject to discipline by the healthcare professional's licensing authority.

SECTION 2. Tennessee Code Annotated, Section 39-15-401(g), is amended by deleting the language "dehydration or acts of female genital mutilation as defined in § 39-13-110" and substituting instead the language "dehydration, acts of female genital mutilation as defined in § 39-13-110, or the provision of sexual identity change therapy to a child in violation of Section 1".

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it, and applies to prohibited conduct occurring on or after that date.