

119TH CONGRESS
1ST SESSION

H. R. 2387

To prohibit Federal funds from being used for sex-trait altering treatments for minors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2025

Mr. ONDER (for himself, Mr. HARRIS of Maryland, Mrs. MILLER of Illinois, and Mrs. BIGGS of South Carolina) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Education and Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit Federal funds from being used for sex-trait altering treatments for minors, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “No Harm Act”.

5 **SEC. 2. PROHIBITION ON USE OF FEDERAL FUNDS FOR**
6 **CERTAIN TREATMENTS.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, no Federal funds may be made available for

1 purposes of paying for, sponsoring, promoting, assisting,
2 or supporting the furnishing of a sex-trait altering treat-
3 ment to a minor.

4 (b) CIVIL ACTION.—Any person, including a tax-
5 payer, may bring a civil action for violation of subsection
6 (a) for legal damages and equitable relief against the
7 United States, or the appropriate Department or Agency
8 disbursing federal funds in violation of subsection (a), in
9 an appropriate district court of the United States.

10 **SEC. 3. PROHIBITION ON USE OF FEDERAL FUNDS FOR**
11 **CERTAIN ACTIONS.**

12 (a) IN GENERAL.—Notwithstanding any other provi-
13 sion of law, no Federal funds may be made available for
14 purposes of taking any regulatory or subregulatory action
15 to promote sex-trait altering treatments to minors.

16 (b) CIVIL ACTION.—Any person, including a tax-
17 payer, may bring a civil action for violation of subsection
18 (a) for legal damages and equitable relief against the
19 United States, or the appropriate Department or Agency
20 disbursing federal funds in violation of subsection (a), in
21 an appropriate district court of the United States.

1 **SEC. 4. FEMALE GENITAL MUTILATION TO INCLUDE PROVI-**
2 **SION OF SEX-TRAIT ALTERING TREATMENT**
3 **TO MINORS.**

4 Section 116 of title 18, United States Code, is
5 amended by adding at the end the following: “For the pur-
6 pose of subsection (b)(1), the phrase “necessary to the
7 health of the person” shall not include change of gender
8 or sex, or affirmation of gender or sex.”.

9 **SEC. 5. PROHIBITION ON FUNDING CERTAIN INSTITU-**
10 **TIONS.**

11 Notwithstanding any other provision of law, no Fed-
12 eral funds may be made available to a medical institution
13 (including a hospital, medical school, clinic, public health
14 organization, federally qualified health center, rural health
15 center, or medical practice) if such institution provides
16 sex-trait altering treatments to minors.

17 **SEC. 6. RIGHT TO DECLINE TREATMENTS.**

18 (a) IN GENERAL.—The parent of a minor shall have
19 the right to decline any sex-trait altering treatment for
20 such minor. Likewise, no specified Federal funds shall be
21 made available to a State that has in place a policy to
22 provide sex-trait altering treatment for a minor without
23 the consent of both parents.

24 (b) STATE REQUIREMENT.—

25 (1) IN GENERAL.—No specified Federal funds
26 may be made available to a State that has in place

1 a policy to separate a minor from such minor’s par-
2 ent based solely on such parent’s refusal to consent
3 to a sex-trait altering treatment for such minor.

4 (2) SPECIFIED FEDERAL FUNDS DEFINED.—
5 For purposes of this section, the term “specified
6 Federal funds” means Federal funds made available
7 under title XIX of the Social Security Act (42
8 U.S.C. 1396 et seq.) or under part A of title IV of
9 such Act (42 U.S.C. 601 et seq.).

10 (c) CIVIL ACTION.—

11 (1) IN GENERAL.—A minor or a parent of a
12 minor who is harmed by a violation of this section
13 may bring a civil action against the United States
14 and against any State with a policy in place in viola-
15 tion of this section in an appropriate district court
16 of the United States to obtain appropriate relief.

17 (2) STATUTE OF LIMITATIONS.—An action
18 under this subsection may be brought at any time
19 prior to 30 years after the date on which the minor
20 attains the age of majority.

21 **SEC. 7. REQUIREMENT TO RECEIVE INFORMED CONSENT.**

22 (a) IN GENERAL.—No health care provider may fur-
23 nish any sex-trait altering treatment to a minor unless,
24 at least 72 hours prior to furnishing such treatment, such
25 provider—

1 (1) holds a consultation appointment with the
2 parents of such minor to discuss such treatment;

3 (2) provides to the parents of such minor a
4 complete, printed list of potential side effects of such
5 treatment, including any permanent risks relating to
6 fertility and sexual function; and

7 (3) received the written, informed consent of
8 the parents of such minor for such treatment.

9 (b) CIVIL ACTION.—

10 (1) IN GENERAL.—A minor or a parent of a
11 minor who is harmed by a violation of this section
12 may bring a civil action against the health care pro-
13 vider in an appropriate district court of the United
14 States to obtain appropriate relief.

15 (2) STATUTE OF LIMITATIONS.—An action
16 under this subsection may be brought at any time
17 prior to 30 years after the date on which the minor
18 attains the age of majority.

19 **SEC. 8. MEDICAL MALPRACTICE LIABILITY.**

20 (a) IN GENERAL.—An individual may bring a civil
21 action in an appropriate district court of the United States
22 to obtain appropriate relief for any physical, psychological,
23 or physiological harm caused by a sex-trait altering treat-
24 ment performed on the individual when the individual was
25 a minor against a medical practitioner, hospital, clinic,

1 surgery center or other provider that performed or pre-
 2 scribed such treatment. If said civil action is successful,
 3 the individual will be awarded attorney's fees and litiga-
 4 tion costs, and treble damages.

5 (b) STATUTE OF LIMITATIONS.—An action under
 6 this subsection may be brought at any time prior to 30
 7 years after the date on which the minor attains the age
 8 of majority.

9 **SEC. 9. RIGHT OF CONSCIENCE FOR HEALTH CARE PRO-**
 10 **VIDERS.**

11 (a) IN GENERAL.—A health care provider may not
 12 be penalized, retaliated against, or otherwise discriminated
 13 against on the basis that the provider does not or declines
 14 to—

15 (1) perform, refer for, pay for, or otherwise
 16 participate in sex-trait altering treatment;

17 (2) provide or sponsor sex-trait altering treat-
 18 ment coverage; or

19 (3) facilitate or make arrangements for sex-
 20 trait altering treatment.

21 (b) STATE REQUIREMENT.—

22 (1) IN GENERAL.—No specified Federal funds
 23 (as defined in paragraph (2)) may be made available
 24 to a State that requires a health care provider to
 25 provide sex-trait altering treatments.

1 (2) SPECIFIED FEDERAL FUNDS DEFINED.—

2 For purposes of this subsection, the term “specified
3 Federal funds” means any Federal funds made
4 available under a program administered by the De-
5 partment of Health and Human Services.

6 (c) CIVIL ACTION.—A health care provider who is
7 harmed by a violation of subsection (a) may, in a civil ac-
8 tion, obtain all appropriate relief, including injunctive re-
9 lief, declaratory relief, and compensatory damages to pre-
10 vent the occurrence, continuance, or repetition of such vio-
11 lation and to compensate for losses resulting from the vio-
12 lation.

13 (d) DEFINITION.— The term “health care provider”
14 includes—

15 (1) an individual physician, health care assist-
16 ant, nurse, pharmacist, health researcher, or other
17 health care personnel;

18 (2) a hospital, laboratory, pharmacy, health sys-
19 tem, or other health care or medical research facility
20 or organization (including a party to a proposed
21 merger or other collaborative arrangement relating
22 to health services, and an entity resulting there-
23 from);

1 (3) a provider-sponsored organization, an ac-
 2 countable care organization, or a health maintenance
 3 organization;

4 (4) a social services provider that provides or
 5 authorizes referrals for health care services;

6 (5) a program of training or education in the
 7 health professions or medical research, a participant
 8 in such a program, or any individual applying or
 9 otherwise aspiring to participate in such a program;

10 (6) an issuer of health insurance coverage or of
 11 a health plan;

12 (7) a health care sharing ministry;

13 (8) a health insurance plan, including group, in-
 14 dividual, or student health plans, or a sponsor or ad-
 15 ministrator thereof; and

16 (9) any other health care organization, pro-
 17 gram, facility, or plan.

18 **SEC. 10. PROHIBITION ON FEDERAL FUNDS FOR PRO-**
 19 **VIDING SEX-TRAIT ALTERING TREATMENT TO**
 20 **STUDENTS WITHOUT PARENTAL CONSENT.**

21 (a) IN GENERAL.—Notwithstanding any other provi-
 22 sion of law, no Federal funds may be provided to an ele-
 23 mentary school or secondary school that allows school per-
 24 sonnel to provide, assist in providing, or otherwise support
 25 the provision of sex-trait altering treatment to a student

1 without notifying the parents of the student and receiving
2 written approval from such parents.

3 (b) DEFINITIONS.—In this section:

4 (1) ESEA TERMS.—The terms “elementary
5 school”, “paraprofessional”, “parent”, “school lead-
6 er”, “secondary school”, and “specialized instruc-
7 tional support personnel” have the meanings given
8 the terms in section 8101 of the Elementary and
9 Secondary Education Act of 1965 (20 U.S.C. 7801).

10 (2) SCHOOL PERSONNEL.—The term “school
11 personnel” includes—

12 (A) teachers;

13 (B) paraprofessionals;

14 (C) school leaders;

15 (D) specialized instructional support per-
16 sonnel;

17 (E) volunteers performing services for a
18 school; and

19 (F) other support staff who are employed
20 by a school or who perform services for a school
21 on a contractual basis.

22 **SEC. 11. DEFINITIONS.**

23 In this Act:

24 (1) SEX-TRAIT ALTERING TREATMENT.—The
25 term “sex-trait altering treatment” means any med-

1 ical or surgical service, including physician’s serv-
2 ices, practitioner’s services, inpatient and outpatient
3 hospital services, or prescribed drugs related to gen-
4 der transition, other than an excepted service, that
5 seeks to:

6 (A) Alter or remove physical or anatomical
7 characteristics or features that are typical for
8 the individual’s sex; or

9 (B) Instill or create physiological or ana-
10 tomical characteristics that resemble a sex dif-
11 ferent from the individual’s sex, including med-
12 ical services that provide puberty blocking
13 drugs, gender transition hormone therapy, or
14 genital gender reassignment surgery or nongen-
15 ital gender reassignment surgery knowingly per-
16 formed for the purpose of assisting an indi-
17 vidual with a gender transition.

18 (2) SEX.—The term “sex” means the biological
19 indication of being male or female, including sex
20 chromosomes, and naturally occurring sex hormones,
21 gonads, and nonambiguous internal and external
22 genitalia present at birth.

23 (3) GENDER TRANSITION HORMONE THER-
24 APY.—The term “gender transition hormone ther-
25 apy” means testosterone, estrogen, or progesterone

1 given to an individual in an amount greater than
2 would normally be produced endogenously in a
3 healthy individual of that individual's age and sex.

4 (4) GENDER.—The term “gender” means the
5 psychological, behavioral, social, and cultural aspects
6 of being male or female.

7 (5) GENDER REASSIGNMENT SURGERY.—The
8 term “gender reassignment surgery” means any
9 medical or surgical service that seeks to surgically
10 alter or remove healthy physical or anatomical char-
11 acteristics or features that are typical for the indi-
12 vidual's sex, in order to instill or create physiological
13 or anatomical characteristics that resemble a sex dif-
14 ferent from the individual's sex, including genital
15 gender reassignment surgery or nongenital gender
16 reassignment surgery knowingly performed for the
17 purpose of assisting an individual with a gender
18 transition.

19 (6) GENDER TRANSITION.—The term “gender
20 transition” means the process in which an individual
21 shifts from identifying with and living as a gender
22 that corresponds to his or her sex to identifying with
23 and living as a gender different from his or her sex,
24 and may involve social, legal, or physical changes.

1 (7) GENITAL GENDER REASSIGNMENT SUR-
2 GERY.—The term “genital gender reassignment sur-
3 gery” means a medical procedure knowingly per-
4 formed for the purpose of assisting an individual
5 with a gender transition, including the following:

6 (A) Surgical procedures, including a
7 penectomy, orchiectomy, vaginoplasty,
8 clitoroplasty, or vulvoplasty for a male sex pa-
9 tient or hysterectomy or ovariectomy for a fe-
10 male sex patient.

11 (B) Reconstruction of the fixed part of the
12 urethra with or without a metoidioplasty.

13 (C) Phalloplasty, vaginectomy,
14 scrotoplasty, or implantation of erection or tes-
15 ticular prostheses for a female sex patient.

16 (8) NONGENITAL GENDER REASSIGNMENT SUR-
17 GERY.—The term “nongenital gender reassignment
18 surgery” means medical procedures knowingly per-
19 formed for the purpose of assisting an individual
20 with a gender transition, including the following:

21 (A) Surgical procedures for a male sex pa-
22 tient, including augmentation mammoplasty, fa-
23 cial feminization surgery, liposuction, lipofilling,
24 voice surgery, thyroid cartilage reduction, glu-

1 teal augmentation, hair reconstruction, or asso-
2 ciated aesthetic procedures.

3 (B) Surgical procedures for a female sex
4 patient, including subcutaneous mastectomy,
5 voice surgery, liposuction, lipofilling, pectoral
6 implants, or associated aesthetic procedures.

7 (9) PUBERTY BLOCKING DRUGS.—The term
8 “puberty blocking drugs” means the following when
9 used for the purpose of assisting an individual with
10 a gender transition.

11 (A) Gonadotropin releasing hormone ana-
12 logues or other synthetic drugs used to stop
13 luteinizing hormone and follicle stimulating hor-
14 mone secretion; or

15 (B) Synthetic antiandrogen drugs used to
16 block the androgen receptor.

17 (10) EXCEPTED SERVICE.—The term “excepted
18 service” means any of the following:

19 (A) Medical or surgical services furnished
20 to an individual born with a medically verifiable
21 disorder of sex development, including an indi-
22 vidual with:

23 (i) External sex characteristics that
24 are irresolvably ambiguous;

- 1 (ii) Forty-six XX chromosomes with
2 virilization;
3 (iii) Forty-six XY chromosomes with
4 undervirilization; or
5 (iv) Both ovarian and testicular tis-
6 sue.

7 (B) Medical or surgical services provided
8 when a physician or practitioner has diagnosed
9 a disorder or condition of sexual development
10 that the physician or practitioner has deter-
11 mined through genetic or biochemical testing
12 that the individual does not have normal sex
13 chromosome structure, sex steroid hormone pro-
14 duction, or sex steroid hormone action.

15 (C) The treatment of any infection, injury,
16 disease, or disorder that has been caused by or
17 exacerbated by the performance of sex-trait al-
18 tering treatments.

19 (D) Any medical or surgical service under-
20 taken because the individual suffers from a
21 physical disorder, physical injury, or physical
22 illness that would, as certified by a physician or
23 practitioner, place the individual in imminent
24 danger of death or impairment of major bodily

1 function unless the medical or surgical service
2 is performed.

3 (E) Mental health or social services, other
4 than sex-trait altering treatments.

5 (F) Services for a disorder or condition of
6 sexual development that is unrelated to a diag-
7 nosis of gender dysphoria or gender identity
8 disorder.

9 (11) MINOR.—The term “minor” means an in-
10 dividual under 18 years of age.

○