

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3130 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Kevin West

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

PROPOSED OVERSIGHT
COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3130

By: West (Kevin)

PROPOSED OVERSIGHT COMMITTEE SUBSTITUTE

An Act relating to gender transition procedures; prohibiting state funds for use towards all gender transition procedures; declaring legal protection for parental rights; providing a severability clause; providing for judicial review; establishing venue; amending 59 O.S. 2021, Section 509, as amended by Section 2, Chapter 150, O.S.L. 2023 (59 O.S. Supp. 2025, Section 509), which relates to unprofessional conduct within the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act; modifying gender transition procedure misconduct; amending Section 3, Chapter 150, O.S.L. 2023 (59 O.S. Supp. 2025, Section 519.12), which relates to unprofessional conduct within the Physician Assistant Act; modifying gender transition procedure misconduct; amending 59 O.S. 2021, Section 567.8, as amended by Section 4, Chapter 150, O.S.L. 2023 (59 O.S. Supp. 2025, Section 567.8), which relates to the Oklahoma Nursing Practice Act; modifying gender transition procedure misconduct; amending 59 O.S. 2021, Section 637, as last amended by Section 14, Chapter 168, O.S.L. 2025 (59 O.S. Supp. 2025, Section 637), which relates to the Oklahoma Osteopathic Medicine Act; modifying gender transition procedure misconduct; amending Section 1, Chapter 150, O.S.L. 2023 (63 O.S. Supp. 2025, Section 2607.1), which relates to health services for minors; clarifying definition; providing definition; including referrals and aiding and abetting; providing for codification; and declaring an emergency.

1
2 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

3 SECTION 1. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 2607.2 of Title 63, unless there
5 is created a duplication in numbering, reads as follows:

6 A. No state agency, subdivision, employee, contractor, or
7 public institution shall:

8 1. Provide, allocate, or reimburse any state funds for any
9 gender transition procedures, as defined in Section 2607.1 of this
10 title;

11 2. Facilitate, refer, or encourage the provision of such
12 procedures; and

13 3. Contract with any entity that knowingly performs or promotes
14 such procedures.

15 B. Any violation of this section by a state employee shall
16 constitute grounds for immediate termination and forfeiture of
17 public employment benefits.

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 2607.3 of Title 63, unless there
20 is created a duplication in numbering, reads as follows:

21 A. A parent or guardian's decision to withhold consent for
22 gender transition procedures, as defined in Section 2607.1 of this
23 title or related social transitions shall not, in itself, constitute
24 abuse, neglect, or grounds for loss of custody.

1 B. Any government agency or court that violates this provision
2 shall be subject to civil liability and injunction.

3 SECTION 3. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 2607.4 of Title 63, unless there
5 is created a duplication in numbering, reads as follows:

6 A. If any provision of this act or its application is found
7 invalid by a court, the remaining provisions shall remain in full
8 force and effect.

9 B. Any challenge to this act shall be adjudicated exclusively
10 in the courts of the State of Oklahoma and shall be governed by
11 strict scrutiny standards applicable to state sovereign authority
12 over public health and child welfare.

13 SECTION 4. AMENDATORY 59 O.S. 2021, Section 509, as
14 amended by Section 2, Chapter 150, O.S.L. 2023 (59 O.S. Supp. 2025,
15 Section 509), is amended to read as follows:

16 Section 509. The words "unprofessional conduct" as used in
17 Sections 481 through 518.1 of this title are hereby declared to
18 include, but shall not be limited to, the following:

- 19 1. Procuring, aiding or abetting a criminal operation;
- 20 2. The obtaining of any fee or offering to accept any fee,
21 present or other form of remuneration whatsoever, on the assurance
22 or promise that a manifestly incurable disease can or will be cured;
- 23 3. Willfully betraying a professional secret to the detriment
24 of the patient;

1 4. Habitual intemperance or the habitual use of habit-forming
2 drugs;

3 5. Conviction or confession of, or plea of guilty, nolo
4 contendere, no contest or Alford plea to a felony or any offense
5 involving moral turpitude;

6 6. All advertising of medical business in which statements are
7 made which are grossly untrue or improbable and calculated to
8 mislead the public;

9 7. Conviction or confession of, or plea of guilty, nolo
10 contendere, no contest or Alford plea to a crime involving violation
11 of:

12 a. the antinarcotic or prohibition laws and regulations
13 of the federal government,

14 b. the laws of this state,

15 c. State Commissioner of Health rules, or

16 d. a determination by a judge or jury;

17 8. Dishonorable or immoral conduct which is likely to deceive,
18 defraud, or harm the public;

19 9. The commission of any act which is a violation of the
20 criminal laws of any state when such act is connected with the
21 physician's practice of medicine. A complaint, indictment or
22 confession of a criminal violation shall not be necessary for the
23 enforcement of this provision. Proof of the commission of the act
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1 while in the practice of medicine or under the guise of the practice
2 of medicine shall be unprofessional conduct;

3 10. Failure to keep complete and accurate records of purchase
4 and disposal of controlled drugs or of narcotic drugs;

5 11. The writing of false or fictitious prescriptions for any
6 drugs or narcotics declared by the laws of this state to be
7 controlled or narcotic drugs;

8 12. Prescribing or administering a drug or treatment without
9 sufficient examination and the establishment of a valid physician-
10 patient relationship and not prescribing in a safe, medically
11 accepted manner;

12 13. The violation, or attempted violation, direct or indirect,
13 of any of the provisions of the Oklahoma Allopathic Medical and
14 Surgical Licensure and Supervision Act, either as a principal,
15 accessory or accomplice;

16 14. Aiding or abetting, directly or indirectly, the practice of
17 medicine by any person not duly authorized under the laws of this
18 state;

19 15. The inability to practice medicine with reasonable skill
20 and safety to patients by reason of age, illness, drunkenness,
21 excessive use of drugs, narcotics, chemicals, or any other type of
22 material or as a result of any mental or physical condition. In
23 enforcing this section the State Board of Medical Licensure and
24 Supervision may, upon probable cause, request a physician to submit

1 to a mental or physical examination by physicians designated by it.
2 If the physician refuses to submit to the examination, the Board
3 shall issue an order requiring the physician to show cause why the
4 physician will not submit to the examination and shall schedule a
5 hearing on the order within thirty (30) days after notice is served
6 on the physician, exclusive of the day of service. The physician
7 shall be notified by either personal service or by certified mail
8 with return receipt requested. At the hearing, the physician and
9 the physician's attorney are entitled to present any testimony and
10 other evidence to show why the physician should not be required to
11 submit to the examination. After a complete hearing, the Board
12 shall issue an order either requiring the physician to submit to the
13 examination or withdrawing the request for examination. The medical
14 license of a physician ordered to submit for examination may be
15 suspended until the results of the examination are received and
16 reviewed by the Board;

- 17 16. a. Prescribing, dispensing or administering of controlled
18 substances or narcotic drugs in excess of the amount
19 considered good medical practice,
20 b. Prescribing, dispensing or administering controlled
21 substances or narcotic drugs without medical need in
22 accordance with pertinent licensing board standards,
23 or
24

1 c. Prescribing, dispensing or administering opioid drugs
2 in excess of the maximum limits authorized in Section
3 2-309I of Title 63 of the Oklahoma Statutes;

4 17. Engaging in physical conduct with a patient which is sexual
5 in nature, or in any verbal behavior which is seductive or sexually
6 demeaning to a patient;

7 18. Failure to maintain an office record for each patient which
8 accurately reflects the evaluation, treatment, and medical necessity
9 of treatment of the patient;

10 19. Failure to provide necessary ongoing medical treatment when
11 a doctor-patient relationship has been established, which
12 relationship can be severed by either party providing a reasonable
13 period of time is granted;

14 20. Performance of an abortion as defined by Section 1-730 of
15 Title 63 of the Oklahoma Statutes, except for an abortion necessary
16 to prevent the death of the mother or to prevent substantial or
17 irreversible physical impairment of the mother that substantially
18 increases the risk of death. The performance of an abortion on the
19 basis of the mental or emotional health of the mother shall be a
20 violation of this paragraph, notwithstanding a claim or diagnosis
21 that the woman may engage in conduct which she intends to result in
22 her death. The Board shall impose a penalty as provided in Section
23 509.1 of this title on a licensee who violates this paragraph. The
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1 penalty shall include, but not be limited to, suspension of the
2 license for a period not less than one (1) year;

3 21. Failure to provide a proper and safe medical facility
4 setting and qualified assistive personnel for a recognized medical
5 act, including but not limited to an initial in-person patient
6 examination, office surgery, diagnostic service or any other medical
7 procedure or treatment. Adequate medical records to support
8 diagnosis, procedure, treatment or prescribed medications must be
9 produced and maintained; or

10 22. Knowingly ~~providing~~ performing, attempting to perform, or
11 referring a child for a gender transition procedures procedure as
12 defined in Section ~~±~~ 2607.1 of ~~this act~~ Title 63 of the Oklahoma
13 Statutes to a child.

14 SECTION 5. AMENDATORY Section 3, Chapter 150, O.S.L.
15 2023 (59 O.S. Supp. 2025, Section 519.12), is amended to read as
16 follows:

17 Section 519.12. Unprofessional conduct by a physician assistant
18 shall include, but not be limited to, knowingly ~~providing~~
19 performing, attempting to perform, or referring a child for a gender
20 transition procedures procedure as defined in Section ~~±~~ 2607.1 of
21 ~~this act~~ Title 63 of the Oklahoma Statutes to a child.

22 SECTION 6. AMENDATORY 59 O.S. 2021, Section 567.8, as
23 amended by Section 4, Chapter 150, O.S.L. 2023 (59 O.S. Supp. 2025,
24 Section 567.8), is amended to read as follows:

1 Section 567.8. A. The Oklahoma Board of Nursing shall have the
2 power to take any or all of the following actions:

3 1. To deny, revoke or suspend any:

4 a. licensure to practice as a Licensed Practical Nurse,
5 single-state or multistate,

6 b. licensure to practice as a Registered Nurse, single-
7 state or multistate,

8 c. multistate privilege to practice in Oklahoma,

9 d. licensure to practice as an Advanced Practice
10 Registered Nurse,

11 e. certification to practice as an Advanced Unlicensed
12 Assistant,

13 f. authorization for prescriptive authority, or

14 g. authority to order, select, obtain and administer
15 drugs;

16 2. To assess administrative penalties; and

17 3. To otherwise discipline applicants, licensees or Advanced
18 Unlicensed Assistants.

19 B. The Board shall impose a disciplinary action against the
20 person pursuant to the provisions of subsection A of this section
21 upon proof that the person:

22 1. Is guilty of deceit or material misrepresentation in
23 procuring or attempting to procure:
24

1 a. a license to practice registered nursing, licensed
2 practical nursing, or a license to practice advanced
3 practice registered nursing with or without either
4 prescriptive authority recognition or authorization to
5 order, select, obtain and administer drugs, or

6 b. certification as an Advanced Unlicensed Assistant;

7 2. Is guilty of a felony, or any offense substantially related
8 to the qualifications, functions or duties of any licensee or
9 Advanced Unlicensed Assistant, or any offense an essential element
10 of which is fraud, dishonesty, or an act of violence, whether or not
11 sentence is imposed, or any conduct resulting in the revocation of a
12 deferred or suspended sentence or probation imposed pursuant to such
13 conviction. For the purposes of this paragraph, "substantially
14 related" means the nature of criminal conduct for which the person
15 was convicted has a direct bearing on the fitness or ability to
16 perform one or more of the duties or responsibilities necessarily
17 related to the occupation;

18 3. Fails to adequately care for patients or to conform to the
19 minimum standards of acceptable nursing or Advanced Unlicensed
20 Assistant practice that, in the opinion of the Board, unnecessarily
21 exposes a patient or other person to risk of harm;

22 4. Is intemperate in the use of alcohol or drugs, which use the
23 Board determines endangers or could endanger patients;

1 5. Exhibits through a pattern of practice or other behavior
2 actual or potential inability to practice nursing with sufficient
3 knowledge or reasonable skills and safety due to impairment caused
4 by illness, use of alcohol, drugs, chemicals or any other substance,
5 or as a result of any mental or physical condition, including
6 deterioration through the aging process or loss of motor skills,
7 mental illness, or disability that results in inability to practice
8 with reasonable judgment, skill or safety; provided, however, the
9 provisions of this paragraph shall not be utilized in a manner that
10 conflicts with the provisions of the Americans with Disabilities
11 Act;

12 6. Has been adjudicated as mentally incompetent, mentally ill,
13 chemically dependent or dangerous to the public or has been
14 committed by a court of competent jurisdiction, within or without
15 this state;

16 7. Is guilty of unprofessional conduct as defined in the rules
17 of the Board;

18 8. Is guilty of any act that jeopardizes a patient's life,
19 health or safety as defined in the rules of the Board;

20 9. Violated a rule promulgated by the Board, an order of the
21 Board, or a state or federal law relating to the practice of
22 registered, practical or advanced practice registered nursing or
23 advanced unlicensed assisting, or a state or federal narcotics or
24 controlled dangerous substance law including, but not limited to

1 prescribing, dispensing or administering opioid drugs in excess of
2 the maximum limits authorized in Section 2-309I of Title 63 of the
3 Oklahoma Statutes;

4 10. Has had disciplinary actions taken against the individual's
5 registered or practical nursing license, advanced unlicensed
6 assistive certification, or any professional or occupational
7 license, registration or certification in this or any state,
8 territory or country;

9 11. Has defaulted or been terminated from the peer assistance
10 program for any reason;

11 12. Fails to maintain professional boundaries with patients, as
12 defined in the Board rules;

13 13. Engages in sexual misconduct, as defined in Board rules,
14 with a current or former patient or key party, inside or outside the
15 health care setting; or

16 14. Has knowingly ~~provided~~ performed, attempted to perform, or
17 referred a child for a gender transition procedure as
18 defined in Section ~~±~~ 2607.1 of ~~this act~~ Title 63 of the Oklahoma
19 Statutes to a child.

20 C. Any person who supplies the Board information in good faith
21 shall not be liable in any way for damages with respect to giving
22 such information.

23 D. The Board may cause to be investigated all reported
24 violations of the Oklahoma Nursing Practice Act. Information

1 obtained during an investigation into possible violations of the
2 Oklahoma Nursing Practice Act shall be kept confidential, but may be
3 introduced by the state in administrative proceedings before the
4 Board, whereupon the information admitted becomes a public record.
5 Public records maintained by the agency are administrative records,
6 not public civil or criminal records.

7 Confidential investigative records shall not be subject to
8 discovery or subpoena in any civil or criminal proceeding, except
9 that the Board may give such information to law enforcement and
10 other state agencies as necessary and appropriate in the discharge
11 of the duties of that agency and only under circumstances that
12 ensure against unauthorized access to the information.

13 E. The Board may authorize the Executive Director to issue a
14 confidential letter of concern to a licensee when evidence does not
15 warrant formal proceedings, but the Executive Director has noted
16 indications of possible errant conduct that could lead to serious
17 consequences and formal action.

18 F. All individual proceedings before the Board shall be
19 conducted in accordance with the Administrative Procedures Act.

20 G. At a hearing the accused shall have the right to appear
21 either personally or by counsel, or both, to produce witnesses and
22 evidence on behalf of the accused, to cross-examine witnesses and to
23 have subpoenas issued by the designated Board staff. If the accused
24 is found guilty of the charges the Board may refuse to issue a

1 renewal of license to the applicant, revoke or suspend a license, or
2 otherwise discipline a licensee.

3 H. A person whose license is revoked may not apply for
4 reinstatement during the time period set by the Board. The Board on
5 its own motion may at any time reconsider its action.

6 I. Any person whose license is revoked or who applies for
7 renewal of registration and who is rejected by the Board shall have
8 the right to appeal from such action pursuant to the Administrative
9 Procedures Act.

10 J. 1. Any person who has been determined by the Board to have
11 violated any provisions of the Oklahoma Nursing Practice Act or any
12 rule or order issued pursuant thereto shall be liable for an
13 administrative penalty not to exceed Five Hundred Dollars (\$500.00)
14 for each count for which any holder of a certificate or license has
15 been determined to be in violation of the Oklahoma Nursing Practice
16 Act or any rule promulgated or order issued pursuant thereto.

17 2. The amount of the penalty shall be assessed by the Board
18 pursuant to the provisions of this section, after notice and an
19 opportunity for hearing is given to the accused. In determining the
20 amount of the penalty, the Board shall include, but not be limited
21 to, consideration of the nature, circumstances, and gravity of the
22 violation and, with respect to the person found to have committed
23 the violation, the degree of culpability, the effect on ability of
24 the person to continue to practice, and any show of good faith in

1 attempting to achieve compliance with the provisions of the Oklahoma
2 Nursing Practice Act.

3 K. The Board shall retain jurisdiction over any person issued a
4 license, certificate or temporary license pursuant to the Oklahoma
5 Nursing Practice Act, regardless of whether the license, certificate
6 or temporary license has expired, lapsed or been relinquished during
7 or after the alleged occurrence or conduct prescribed by the
8 Oklahoma Nursing Practice Act.

9 L. In the event disciplinary action is imposed, any person so
10 disciplined shall be responsible for any and all costs associated
11 with satisfaction of the discipline imposed.

12 M. In the event disciplinary action is imposed in an
13 administrative proceeding, the Board shall have the authority to
14 recover the monies expended by the Board in pursuing any
15 disciplinary action, including but not limited to costs of
16 investigation, probation or monitoring fees, administrative costs,
17 witness fees, attorney fees and court costs. This authority shall
18 be in addition to the Board's authority to impose discipline as set
19 out in subsection A of this section.

20 N. The Executive Director shall immediately suspend the license
21 of any person upon proof that the person has been sentenced to a
22 period of continuous incarceration serving a penal sentence for
23 commission of a misdemeanor or felony. The suspension shall remain
24

1 in effect until the Board acts upon the licensee's written
2 application for reinstatement of the license.

3 O. When a majority of the officers of the Board, which
4 constitutes the President, Vice President and Secretary/Treasurer,
5 find that preservation of the public health, safety or welfare
6 requires immediate action, summary suspension of licensure or
7 certification may be ordered before the filing of a sworn complaint
8 or at any other time before the outcome of an individual proceeding.
9 The summary suspension of licensure or certification may be ordered
10 without compliance with the requirements of the Oklahoma Open
11 Meeting Act. Within seven (7) days after the summary suspension,
12 the licensee shall be notified by letter that summary suspension has
13 occurred. The summary suspension letter shall include notice of the
14 date of the proposed hearing to be held in accordance with Section
15 485:10-11-2 of the Oklahoma Administrative Code and the
16 Administrative Procedures Act, within ninety (90) days of the date
17 of the summary suspension letter, and shall be signed by one of the
18 Board officers.

19 P. In any proceeding in which the Board is required to serve an
20 order on an individual, the Board may send such material to the
21 individual's address of record with the Board. If the order is
22 returned with a notation by the United States Postal Service
23 indicating that it is undeliverable for any reason, and the records
24 of the Board indicate that the Board has not received any change of

1 address since the order was sent, as required by the rules of the
2 Board, the order and any subsequent material relating to the same
3 matter sent to the most recent address on file with the Board shall
4 be deemed by the court as having been legally served for all
5 purposes.

6 SECTION 7. AMENDATORY 59 O.S. 2021, Section 637, as
7 amended by Section 14, Chapter 168, O.S.L. 2025 (59 O.S. Supp. 2025,
8 Section 637), is amended to read as follows:

9 Section 637. A. The State Board of Osteopathic Examiners may
10 institute disciplinary action, enforce sanctions, or refuse to admit
11 a person to an examination or may refuse to issue or reinstate or
12 may suspend or revoke any license issued or reinstated by the Board
13 upon proof that the applicant or holder of such a license:

14 1. Has obtained a license, license renewal or authorization to
15 sit for an examination, as the case may be, through fraud,
16 deception, misrepresentation or bribery; or has been granted a
17 license, license renewal or authorization to sit for an examination
18 based upon a material mistake of fact;

19 2. Has engaged in the use or employment of dishonesty, fraud,
20 misrepresentation, false promise, false pretense, unethical conduct
21 or unprofessional conduct, as may be determined by the Board, in the
22 performance of the functions or duties of an osteopathic physician
23 including, but not limited to, the following:

24

- 1 a. obtaining or attempting to obtain any fee, charge,
2 tuition or other compensation by fraud, deception or
3 misrepresentation; willfully and continually
4 overcharging or overtreating patients; or charging for
5 visits to the physician's office which did not occur
6 or for services which were not rendered,
- 7 b. using intimidation, coercion or deception to obtain or
8 retain a patient or discourage the use of a second
9 opinion or consultation,
- 10 c. willfully performing inappropriate or unnecessary
11 treatment, diagnostic tests or osteopathic medical or
12 surgical services,
- 13 d. delegating professional responsibilities to a person
14 who is not qualified by training, skill, competency,
15 age, experience or licensure to perform them, noting
16 that delegation may only occur within an appropriate
17 physician-patient relationship, wherein a proper
18 patient record is maintained including, but not
19 limited to, at the minimum, a current history and
20 physical,
- 21 e. misrepresenting that any disease, ailment, or
22 infirmity can be cured by a method, procedure,
23 treatment, medicine or device,
- 24

1 f. acting in a manner which results in final disciplinary
2 action by any professional society or association or
3 hospital or medical staff of such hospital in this or
4 any other state, whether agreed to voluntarily or not,
5 if the action was in any way related to professional
6 conduct, professional competence, malpractice or any
7 other violation of the Oklahoma Osteopathic Medicine
8 Act,

9 g. signing a blank prescription form; or dispensing,
10 prescribing, administering or otherwise distributing
11 any drug, controlled substance or other treatment
12 without sufficient examination or the establishment of
13 a physician-patient relationship, or for other than
14 medically accepted therapeutic or experimental or
15 investigational purpose duly authorized by a state or
16 federal agency, or not in good faith to relieve pain
17 and suffering, or not to treat an ailment, physical
18 infirmity or disease, or violating any state or
19 federal law on controlled dangerous substances
20 including, but not limited to, prescribing, dispensing
21 or administering opioid drugs in excess of the maximum
22 limits authorized in Section 2-309I of Title 63 of the
23 Oklahoma Statutes,
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1 h. engaging in any sexual activity within a physician-
2 patient relationship,

3 i. terminating the care of a patient without adequate
4 notice or without making other arrangements for the
5 continued care of the patient,

6 j. failing to furnish a copy of a patient's medical
7 records upon a proper request from the patient or
8 legal agent of the patient or another physician; or
9 failing to comply with any other law relating to
10 medical records,

11 k. failing to comply with any subpoena issued by the
12 Board,

13 l. violating a probation agreement with or order from
14 this Board or any other agency, and

15 m. failing to keep complete and accurate records of
16 purchase and disposal of controlled drugs or narcotic
17 drugs;

18 3. Has engaged in gross negligence, gross malpractice or gross
19 incompetence;

20 4. Has engaged in repeated acts of negligence, malpractice or
21 incompetence;

22 5. Has been finally adjudicated and found guilty, or entered a
23 plea of guilty or nolo contendere in a criminal prosecution, for any
24 offense reasonably related to the qualifications, functions or

1 duties of an osteopathic physician, whether or not a sentence is
2 imposed, and regardless of the pendency of an appeal;

3 6. Has had the authority to engage in the activities regulated
4 by the Board revoked, suspended, restricted, modified or limited, or
5 has been reprimanded, warned or censured, probated or otherwise
6 disciplined by any other state or federal agency whether or not
7 voluntarily agreed to by the physician including, but not limited
8 to, the denial of licensure, surrender of the license, permit or
9 authority, allowing the license, permit or authority to expire or
10 lapse, or discontinuing or limiting the practice of osteopathic
11 medicine pending disposition of a complaint or completion of an
12 investigation;

13 7. Has violated or failed to comply with provisions of any act
14 or regulation administered by the Board;

15 8. Is incapable, for medical or psychiatric or any other good
16 cause, of discharging the functions of an osteopathic physician in a
17 manner consistent with the public's health, safety and welfare;

18 9. Has been guilty of advertising by means of knowingly false
19 or deceptive statements;

20 10. Has been guilty of advertising, practicing, or attempting
21 to practice under a name other than one's own;

22 11. Has violated or refused to comply with a lawful order of
23 the Board;

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1 12. Has been guilty of habitual drunkenness, or habitual
2 addiction to the use of morphine, cocaine or other habit-forming
3 drugs;

4 13. Has been guilty of personal offensive behavior, which would
5 include, but not be limited to, obscenity, lewdness, and
6 molestation;

7 14. Has performed an abortion as defined by Section 1-730 of
8 Title 63 of the Oklahoma Statutes, except for an abortion necessary
9 to prevent the death of the mother or to prevent substantial or
10 irreversible physical impairment of the mother that substantially
11 increases the risk of death. The performance of an abortion on the
12 basis of the mental or emotional health of the mother shall be a
13 violation of this paragraph, notwithstanding a claim or diagnosis
14 that the woman may engage in conduct which she intends to result in
15 her death. The Board shall impose a penalty as provided in this
16 section and in Section 637.1 of this title on a licensee who
17 violates this paragraph. The penalty shall include, but not be
18 limited to, suspension of the license for a period not less than one
19 (1) year;

20 15. Has been adjudicated to be insane, or incompetent, or
21 admitted to an institution for the treatment of psychiatric
22 disorders;

23 16. Has knowingly ~~provided~~ performed, attempted to perform, or
24 referred a child for a gender transition ~~procedures~~ procedure as

1 defined in Section 2607.1 of Title 63 of the Oklahoma Statutes to a
2 child;

3 17. Has violated any of the provisions of the Oklahoma Pharmacy
4 Act, which shall be punishable by appropriate actions established in
5 rules promulgated by the Board; or

6 18. Has breached the American Osteopathic Association Code of
7 Ethics or the Osteopathic Oath.

8 B. The Board may enter an order denying licensure or imposing
9 any of the penalties as prescribed by rule against any applicant for
10 licensure or licensee who is found guilty of violating any provision
11 of subsection A of this section. In determining what action is
12 appropriate, the Board shall first consider what sanctions are
13 necessary to protect the public or to compensate the patient. Only
14 after those sanctions have been imposed may the Board consider and
15 include in the order requirements designed to rehabilitate the
16 physician. All costs associated with compliance with orders issued
17 under this subsection shall be the obligation of the physician.

18 C. In any administrative action against a physician that does
19 not involve revocation or suspension of a license, the Board shall
20 have the burden, by the greater weight of the evidence, to establish
21 the existence of grounds for disciplinary action. The Board shall
22 establish grounds for revocation or suspension of a license by clear
23 and convincing evidence.

24

1 D. The Board shall not reinstate the license or certificate of
2 an osteopathic physician, or cause a license or certificate to be
3 issued to a person it has deemed unqualified, until such time as it
4 is satisfied that he or she has complied with all the terms and
5 conditions set forth in the final order and that such person is
6 capable of safely engaging in the practice of osteopathic medicine.
7 However, the Board shall not issue a license to, or reinstate the
8 license of, any osteopathic physician found by the Board to have
9 committed repeated medical malpractice, regardless of the extent to
10 which the licensee or prospective licensee has complied with all
11 terms and conditions set forth in the final order or is capable of
12 safely engaging in the practice of osteopathic medicine.

13 E. The State Board of Osteopathic Examiners shall neither
14 refuse to renew, nor suspend, nor revoke any license, however, for
15 any of these causes, unless the person accused has been given at
16 least twenty (20) days' notice in writing of the charge against him
17 or her and a public hearing by the Board; provided, three-fourths
18 (3/4) of a quorum present at a meeting may vote to suspend a license
19 in an emergency situation if the licensee affected is provided a
20 public hearing within thirty (30) days of the emergency suspension.

21 F. The State Board of Osteopathic Examiners shall have the
22 power to order or subpoena the attendance of witnesses, the
23 inspection of records and premises and the production of relevant
24 books and papers for the investigation of matters that may come

1 before it. The presiding officer of the Board or his or her
2 designee shall have the authority to compel the giving of testimony
3 as is conferred on courts of justice.

4 G. Any osteopathic physician in this state whose license to
5 practice osteopathic medicine is revoked or suspended under this
6 section shall have the right to seek judicial review of a ruling of
7 the Board pursuant to the Administrative Procedures Act.

8 H. The Board may enact rules necessary or appropriate to the
9 performance, enforcement, or carrying out of any of the purposes,
10 objectives, or provisions of this section.

11 SECTION 8. AMENDATORY Section 1, Chapter 150, O.S.L.
12 2023 (63 O.S. Supp. 2025, Section 2607.1), is amended to read as
13 follows:

14 Section 2607.1. A. As used in this section:

15 1. "Child" or minor means any person under eighteen (18) years
16 of age;

17 2. a. "Gender transition procedures" means the following
18 medical or surgical services performed for the purpose
19 of attempting to affirm the minor's perception of his
20 or her gender or biological sex, if that perception is
21 inconsistent with the minor's biological sex:

22 (1) surgical procedures that alter or remove physical
23 or anatomical characteristics or features that
24 are typical for the individual's biological sex,

1 including, but not limited to, genital or chest
2 surgeries, or

3 (2) puberty-blocking drugs, cross-sex hormones, or
4 other drugs to suppress or delay normal puberty
5 or to promote the development of feminizing or
6 masculinizing features consistent with the
7 opposite biological sex.

8 b. Gender transition procedures do not include:

9 (1) behavioral health care services or mental health
10 counseling,

11 (2) medications to treat depression and anxiety,

12 (3) medications prescribed, dispensed, or

13 administered specifically for the purpose of
14 treating precocious puberty or delayed puberty in
15 that patient,

16 (4) services provided to individuals born with

17 ambiguous genitalia, incomplete genitalia, or
18 both male and female anatomy, or biochemically
19 verifiable disorder of sex development (DSD),
20 including but not limited to:

21 (a) 46,XX DSD,

22 (b) 46,XY DSD,

23 (c) sex chromosomes DSDs,

24 (d) XX or XY sex reversal, and

1 (e) ovotesticular disorder,

2 (5) the treatment of any infection, injury, disease,
3 or disorder that has been caused by or
4 exacerbated by the performance of gender
5 transition procedures, whether or not the gender
6 transition procedure was performed in accordance
7 with state and federal law,

8 (6) the treatment of any physical injury or illness
9 that would, as certified by a physician, place
10 the individual in imminent danger of death or
11 impairment of a major bodily function unless such
12 treatment is performed, or

13 (7) the provision of puberty-blocking drugs or cross-
14 sex hormones to a minor currently receiving such
15 drugs or hormones as of the effective date of
16 this act for a period of not more than six (6)
17 months solely for the purpose of assisting the
18 minor with gradually decreasing and discontinuing
19 use of the drugs or hormones~~;~~;

20 3. "Health care provider" means a physician, physician
21 assistant, Advanced Practice Registered Nurse, or any other person
22 who is licensed, certified, or otherwise authorized by the laws of
23 this state to administer health care in the ordinary course of the
24 practice of his or her profession; and

1 4. "State funds" includes funds appropriated by the Legislature
2 or derived from any Oklahoma government agency or political
3 subdivision.

4 B. A health care provider shall not knowingly ~~provide~~ perform,
5 attempt to perform, or refer a child for a gender transition
6 ~~procedures to any child~~ procedure.

7 C. No person shall knowingly aid or abet the performance or
8 referral of a gender transition procedure on a child, whether in-
9 state or out-of-state.

10 ~~C.~~ D. A health care provider found in violation of subsection B
11 of this section shall, upon an adverse ruling by the provider's
12 respective licensing board, be guilty of unprofessional conduct.
13 Disciplinary proceedings against the health care provider may be
14 commenced at any time after the commission of such offense.

15 ~~D.~~ E. A health care provider who violates subsection B of this
16 section shall, upon conviction, be guilty of a felony. Prosecution
17 for a criminal violation of subsection B of this section shall be
18 commenced not later than the date on which the child attains the age
19 of forty-five (45) years.

20 ~~E.~~ F. 1. The parent, legal guardian, or next friend of a child
21 to whom a health care provider has provided one or more gender
22 transition procedures in violation of subsection B of this section
23 may bring a civil action against the health care provider. The
24 parent, legal guardian, or next friend shall bring a claim for the

1 violation no later than the date on which the child attains the age
2 of majority.

3 2. A child to whom a health care provider has provided one or
4 more gender transition procedures may bring an action throughout his
5 or her minority through a parent, legal guardian, or next friend,
6 and may bring an action in his or her own name upon reaching
7 majority at any time until the date on which the child attains the
8 age of forty-five (45) years.

9 3. The court in such action may award compensatory damages,
10 punitive damages, injunctive relief, or any other appropriate
11 relief. Additionally, the court shall award court costs and
12 reasonable attorney fees to a prevailing party who establishes a
13 violation of this section.

14 4. Notwithstanding any other provision of law, an action under
15 this subsection may be commenced, and relief may be granted, in a
16 judicial proceeding without regard to whether the person commencing
17 the action has sought or exhausted available administrative
18 remedies.

19 ~~F.~~ G. The Attorney General may bring an action to enforce
20 compliance with this act. Nothing in this act shall be construed to
21 deny, impair, or otherwise affect any right or authority of the
22 Attorney General, the state, or an agency, officer, or employee of
23 the state to institute or intervene in any action or proceeding.

24

1 SECTION 9. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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