

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3130

By: West (Kevin)

4

5 AS INTRODUCED

6 An Act relating to gender transition procedures;  
7 prohibiting state funds for use towards all gender  
8 transition procedures; declaring legal protection for  
9 parental rights; providing a severability clause;  
10 providing for judicial review; establishing venue;  
11 amending 59 O.S. 2021, Section 509, as amended by  
12 Section 2, Chapter 150, O.S.L. 2023 (59 O.S. Supp.  
13 2025, Section 509), which relates to unprofessional  
14 conduct within the Oklahoma Allopathic Medical and  
15 Surgical Licensure and Supervision Act; modifying  
16 gender transition procedure misconduct; amending  
17 Section 3, Chapter 150, O.S.L. 2023 (59 O.S. Supp.  
18 2025, Section 519.12), which relates to  
19 unprofessional conduct within the Physician Assistant  
20 Act; modifying gender transition procedure  
21 misconduct; amending 59 O.S. 2021, Section 567.8, as  
22 amended by Section 4, Chapter 150, O.S.L. 2023 (59  
23 O.S. Supp. 2025, Section 567.8), which relates to the  
24 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.

25 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

4 A. No state agency, subdivision, employee, contractor, or  
5 public institution shall:

6 1. Provide, allocate, or reimburse any state funds for any  
7 gender transition procedures;

8 2. Facilitate, refer, or encourage the provision of such  
9 procedures; and

10 3. Contract with any entity that knowingly performs or promotes  
11 such procedures.

12 B. Any violation of this section by a state employee shall  
13 constitute grounds for immediate termination and forfeiture of  
14 public employment benefits.

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

18 A. A parent or guardian's decision to withhold consent for  
19 gender transition procedures or related social transitions shall  
20 not, in itself, constitute abuse, neglect, or grounds for loss of  
21 custody.

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

24

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

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

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

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

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

17 1. Procuring, aiding or abetting a criminal operation;

18 2. The obtaining of any fee or offering to accept any fee,  
19 present or other form of remuneration whatsoever, on the assurance  
20 or promise that a manifestly incurable disease can or will be cured;

21 3. Willfully betraying a professional secret to the detriment  
22 of the patient;

23 4. Habitual intemperance or the habitual use of habit-forming  
24 drugs;

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

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

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

- 10       a. the antinarcotic or prohibition laws and regulations  
11                    of the federal government,
- 12       b. the laws of this state,
- 13       c. State Commissioner of Health rules, or
- 14       d. a determination by a judge or jury;

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

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

24

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

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

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

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

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

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

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

15       16. a. Prescribing, dispensing or administering of controlled  
16                substances or narcotic drugs in excess of the amount  
17                considered good medical practice,

18       b. Prescribing, dispensing or administering controlled  
19                substances or narcotic drugs without medical need in  
20                accordance with pertinent licensing board standards,  
21                or

22       c. Prescribing, dispensing or administering opioid drugs  
23                in excess of the maximum limits authorized in Section  
24                2-309I of Title 63 of the Oklahoma Statutes;

1       17. Engaging in physical conduct with a patient which is sexual  
2 in nature, or in any verbal behavior which is seductive or sexually  
3 demeaning to a patient;

4       18. Failure to maintain an office record for each patient which  
5 accurately reflects the evaluation, treatment, and medical necessity  
6 of treatment of the patient;

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

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

23       21. Failure to provide a proper and safe medical facility  
24 setting and qualified assistive personnel for a recognized medical

1 act, including but not limited to an initial in-person patient  
2 examination, office surgery, diagnostic service or any other medical  
3 procedure or treatment. Adequate medical records to support  
4 diagnosis, procedure, treatment or prescribed medications must be  
5 produced and maintained; or

6 22. Knowingly providing performing, attempting to perform, or  
7 referring a child for a gender transition procedures procedure as  
8 defined in Section 1 2607.1 of ~~this act~~ Title 63 of the Oklahoma  
9 Statutes to a child.

10 SECTION 5. AMENDATORY Section 3, Chapter 150, O.S.L.  
11 2023 (59 O.S. Supp. 2025, Section 519.12), is amended to read as  
12 follows:

13 Section 519.12. Unprofessional conduct by a physician assistant  
14 shall include, but not be limited to, knowingly providing  
15 performing, attempting to perform, or referring a child for a gender  
16 transition procedures procedure as defined in Section 1 2607.1 of  
17 ~~this act~~ Title 63 of the Oklahoma Statutes to a child.

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

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

23 1. To deny, revoke or suspend any:

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- a. licensure to practice as a Licensed Practical Nurse, single-state or multistate,
- b. licensure to practice as a Registered Nurse, single-state or multistate,
- c. multistate privilege to practice in Oklahoma,
- d. licensure to practice as an Advanced Practice Registered Nurse,
- e. certification to practice as an Advanced Unlicensed Assistant,
- f. authorization for prescriptive authority, or
- g. authority to order, select, obtain and administer drugs;

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

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

- a. a license to practice registered nursing, licensed practical nursing, or a license to practice advanced practice registered nursing with or without either

prescriptive authority recognition or authorization to order, select, obtain and administer drugs, or

b. certification as an Advanced Unlicensed Assistant;

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

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

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

5. Exhibits through a pattern of practice or other behavior  
    ual or potential inability to practice nursing with sufficient  
    wledge or reasonable skills and safety due to impairment caused  
    illness, use of alcohol, drugs, chemicals or any other substance

1 or as a result of any mental or physical condition, including  
2 deterioration through the aging process or loss of motor skills,  
3 mental illness, or disability that results in inability to practice  
4 with reasonable judgment, skill or safety; provided, however, the  
5 provisions of this paragraph shall not be utilized in a manner that  
6 conflicts with the provisions of the Americans with Disabilities  
7 Act;

8       6. Has been adjudicated as mentally incompetent, mentally ill,  
9 chemically dependent or dangerous to the public or has been  
10 committed by a court of competent jurisdiction, within or without  
11 this state;

12       7. Is guilty of unprofessional conduct as defined in the rules  
13 of the Board;

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

16       9. Violated a rule promulgated by the Board, an order of the  
17 Board, or a state or federal law relating to the practice of  
18 registered, practical or advanced practice registered nursing or  
19 advanced unlicensed assisting, or a state or federal narcotics or  
20 controlled dangerous substance law including, but not limited to  
21 prescribing, dispensing or administering opioid drugs in excess of  
22 the maximum limits authorized in Section 2-309I of Title 63 of the  
23 Oklahoma Statutes;

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

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

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

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

13       14. Has knowingly provided performed, attempted to perform, or  
14 referred a child for a gender transition procedures procedure as  
15 defined in Section 4 2607.1 of this act Title 63 of the Oklahoma  
16 Statutes to a child.

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

20       D. The Board may cause to be investigated all reported  
21 violations of the Oklahoma Nursing Practice Act. Information  
22 obtained during an investigation into possible violations of the  
23 Oklahoma Nursing Practice Act shall be kept confidential, but may be  
24 introduced by the state in administrative proceedings before the

1 Board, whereupon the information admitted becomes a public record.  
2 Public records maintained by the agency are administrative records,  
3 not public civil or criminal records.

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

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

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

17 G. At a hearing the accused shall have the right to appear  
18 either personally or by counsel, or both, to produce witnesses and  
19 evidence on behalf of the accused, to cross-examine witnesses and to  
20 have subpoenas issued by the designated Board staff. If the accused  
21 is found guilty of the charges the Board may refuse to issue a  
22 renewal of license to the applicant, revoke or suspend a license, or  
23 otherwise discipline a licensee.

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

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

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

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

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

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

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

18       N. The Executive Director shall immediately suspend the license  
19 of any person upon proof that the person has been sentenced to a  
20 period of continuous incarceration serving a penal sentence for  
21 commission of a misdemeanor or felony. The suspension shall remain  
22 in effect until the Board acts upon the licensee's written  
23 application for reinstatement of the license.

24

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

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

1 matter sent to the most recent address on file with the Board shall  
2 be deemed by the court as having been legally served for all  
3 purposes.

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

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

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

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

22 a. obtaining or attempting to obtain any fee, charge,  
23 tuition or other compensation by fraud, deception or  
24 misrepresentation; willfully and continually

overcharging or overtreating patients; or charging for visits to the physician's office which did not occur or for services which were not rendered,

- b. using intimidation, coercion or deception to obtain or retain a patient or discourage the use of a second opinion or consultation,
- c. willfully performing inappropriate or unnecessary treatment, diagnostic tests or osteopathic medical or surgical services,
- d. delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform them, noting that delegation may only occur within an appropriate physician-patient relationship, wherein a proper patient record is maintained including, but not limited to, at the minimum, a current history and physical,
- e. misrepresenting that any disease, ailment, or infirmity can be cured by a method, procedure, treatment, medicine or device,
- f. acting in a manner which results in final disciplinary action by any professional society or association or hospital or medical staff of such hospital in this or any other state, whether agreed to voluntarily or not,

if the action was in any way related to professional conduct, professional competence, malpractice or any other violation of the Oklahoma Osteopathic Medicine Act,

- g. signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination or the establishment of a physician-patient relationship, or for other than medically accepted therapeutic or experimental or investigational purpose duly authorized by a state or federal agency, or not in good faith to relieve pain and suffering, or not to treat an ailment, physical infirmity or disease, or violating any state or federal law on controlled dangerous substances including, but not limited to, prescribing, dispensing or administering opioid drugs in excess of the maximum limits authorized in Section 2-309I of Title 63 of the Oklahoma Statutes,
- h. engaging in any sexual activity within a physician-patient relationship,
- i. terminating the care of a patient without adequate notice or without making other arrangements for the continued care of the patient,

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

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

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

m. failing to keep complete and accurate records of purchase and disposal of controlled drugs or narcotics;

3. Has engaged in gross negligence, gross malpractice or gross

14 | incompetence;

4. Has engaged in repeated acts of negligence, malpractice or

16 | incompetence;

5. Has been finally adjudicated and found guilty, or entered a  
plea of guilty or nolo contendere in a criminal prosecution, for any  
offense reasonably related to the qualifications, functions or  
duties of an osteopathic physician, whether or not a sentence is  
imposed, and regardless of the pendency of an appeal;

22       6. Has had the authority to engage in the activities regulated  
23 by the Board revoked, suspended, restricted, modified or limited, or  
24 has been reprimanded, warned or censured, probated or otherwise

1 | disciplined by any other state or federal agency whether or not  
2 | voluntarily agreed to by the physician including, but not limited  
3 | to, the denial of licensure, surrender of the license, permit or  
4 | authority, allowing the license, permit or authority to expire or  
5 | lapse, or discontinuing or limiting the practice of osteopathic  
6 | medicine pending disposition of a complaint or completion of an  
7 | investigation;

8 |       7. Has violated or failed to comply with provisions of any act  
9 | or regulation administered by the Board;

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

13 |       9. Has been guilty of advertising by means of knowingly false  
14 | or deceptive statements;

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

17 |       11. Has violated or refused to comply with a lawful order of  
18 | the Board;

19 |       12. Has been guilty of habitual drunkenness, or habitual  
20 | addiction to the use of morphine, cocaine or other habit-forming  
21 | drugs;

22 |       13. Has been guilty of personal offensive behavior, which would  
23 | include, but not be limited to, obscenity, lewdness, and  
24 | molestation;

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

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

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

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

24

1       18. Has breached the American Osteopathic Association Code of  
2       Ethics or the Osteopathic Oath.

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

13           C. In any administrative action against a physician that does  
14      not involve revocation or suspension of a license, the Board shall  
15      have the burden, by the greater weight of the evidence, to establish  
16      the existence of grounds for disciplinary action. The Board shall  
17      establish grounds for revocation or suspension of a license by clear  
18      and convincing evidence.

19           D. The Board shall not reinstate the license or certificate of  
20      an osteopathic physician, or cause a license or certificate to be  
21      issued to a person it has deemed unqualified, until such time as it  
22      is satisfied that he or she has complied with all the terms and  
23      conditions set forth in the final order and that such person is  
24      capable of safely engaging in the practice of osteopathic medicine.

1 However, the Board shall not issue a license to, or reinstate the  
2 license of, any osteopathic physician found by the Board to have  
3 committed repeated medical malpractice, regardless of the extent to  
4 which the licensee or prospective licensee has complied with all  
5 terms and conditions set forth in the final order or is capable of  
6 safely engaging in the practice of osteopathic medicine.

7       E. The State Board of Osteopathic Examiners shall neither  
8 refuse to renew, nor suspend, nor revoke any license, however, for  
9 any of these causes, unless the person accused has been given at  
10 least twenty (20) days' notice in writing of the charge against him  
11 or her and a public hearing by the Board; provided, three-fourths  
12 (3/4) of a quorum present at a meeting may vote to suspend a license  
13 in an emergency situation if the licensee affected is provided a  
14 public hearing within thirty (30) days of the emergency suspension.

15       F. The State Board of Osteopathic Examiners shall have the  
16 power to order or subpoena the attendance of witnesses, the  
17 inspection of records and premises and the production of relevant  
18 books and papers for the investigation of matters that may come  
19 before it. The presiding officer of the Board or his or her  
20 designee shall have the authority to compel the giving of testimony  
21 as is conferred on courts of justice.

22       G. Any osteopathic physician in this state whose license to  
23 practice osteopathic medicine is revoked or suspended under this  
24

1 section shall have the right to seek judicial review of a ruling of  
2 the Board pursuant to the Administrative Procedures Act.

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

6 SECTION 8. AMENDATORY Section 1, Chapter 150, O.S.L.

7 2023 (63 O.S. Supp. 2025, Section 2607.1), is amended to read as  
8 follows:

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

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

12 2. a. "Gender transition procedures" means the following  
13 medical or surgical services performed for the purpose  
14 of attempting to affirm the minor's perception of his  
15 or her gender or biological sex, if that perception is  
16 inconsistent with the minor's biological sex:

17 (1) surgical procedures that alter or remove physical  
18 or anatomical characteristics or features that  
19 are typical for the individual's biological sex,  
20 including, but not limited to, genital or chest  
21 surgeries, or

22 (2) puberty-blocking drugs, cross-sex hormones, or  
23 other drugs to suppress or delay normal puberty  
24 or to promote the development of feminizing or

masculinizing features consistent with the opposite biological sex.

b. Gender transition procedures do not include:

- (1) behavioral health care services or mental health counseling,
- (2) medications to treat depression and anxiety,
- (3) medications prescribed, dispensed, or administered specifically for the purpose of treating precocious puberty or delayed puberty in that patient,
- (4) services provided to individuals born with ambiguous genitalia, incomplete genitalia, or both male and female anatomy, or biochemically verifiable disorder of sex development (DSD), including but not limited to:

(a) 46, XX DSD,

(b) 46, XY DSD,

(c) sex chromosomes DSDs,

(d) XX or XY sex reversal, and

(e) ovotesticular disorder,

(5) the treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of gender transition procedures, whether or not the gender

transition procedure was performed in accordance with state and federal law,

- (6) the treatment of any physical injury or illness that would, as certified by a physician, place the individual in imminent danger of death or impairment of a major bodily function unless such treatment is performed, or
- (7) the provision of puberty-blocking drugs or cross-sex hormones to a minor currently receiving such drugs or hormones as of the effective date of this act for a period of not more than six (6) months solely for the purpose of assisting the minor with gradually decreasing and discontinuing use of the drugs or hormones.;

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

20       4. "State funds" includes funds appropriated by the Legislature  
21       or derived from any Oklahoma government agency or political  
22       subdivision.

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

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

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

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

17           E. F. 1. The parent, legal guardian, or next friend of a child  
18 to whom a health care provider has provided one or more gender  
19 transition procedures in violation of subsection B of this section  
20 may bring a civil action against the health care provider. The  
21 parent, legal guardian, or next friend shall bring a claim for the  
22 violation no later than the date on which the child attains the age  
23 of majority.

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

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

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

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

22       SECTION 9. It being immediately necessary for the preservation  
23 of the public peace, health or safety, an emergency is hereby  
24

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.  
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