

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3798

By: Sneed

AS INTRODUCED

An Act relating to state health insurance coverage; amending Section 1, Chapter 150, O.S.L. 2023 (63 O.S. Supp. 2025, Section 2607.1), which relates to prohibition against providing gender transition procedures; prohibiting health insurance coverage by the state to cover certain procedures; and providing an effective date.

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

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

Section 2607.1. A. As used in this section:

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

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

- (1) surgical procedures that alter or remove physical or anatomical characteristics or features that are typical for the individual's biological sex, or
- (2) puberty-blocking drugs, cross-sex hormones, or other drugs to suppress or delay normal puberty 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,

- 1 (c) sex chromosomes DSDs,  
2 (d) XX or XY sex reversal, and  
3 (e) ovotesticular disorder,  
4 (5) the treatment of any infection, injury, disease,  
5 or disorder that has been caused by or  
6 exacerbated by the performance of gender  
7 transition procedures, whether or not the gender  
8 transition procedure was performed in accordance  
9 with state and federal law,  
10 (6) the treatment of any physical injury or illness  
11 that would, as certified by a physician, place  
12 the individual in imminent danger of death or  
13 impairment of a major bodily function unless such  
14 treatment is performed, or  
15 (7) the provision of puberty-blocking drugs or cross-  
16 sex hormones to a minor currently receiving such  
17 drugs or hormones as of ~~the effective date of~~  
18 ~~this act~~ May 1, 2023, for a period of not more  
19 than six (6) months solely for the purpose of  
20 assisting the minor with gradually decreasing and  
21 discontinuing use of the drugs or hormones.

22 3. "Health care provider" means a physician, physician  
23 assistant, Advanced Practice Registered Nurse, or any other person  
24 who is licensed, certified, or otherwise authorized by the laws of

1 this state to administer health care in the ordinary course of the  
2 practice of his or her profession.

3 B. A health care provider shall not knowingly provide gender  
4 transition procedures to any child.

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

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

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

22 2. A child to whom a health care provider has provided one or  
23 more gender transition procedures may bring an action throughout his  
24 or her minority through a parent, legal guardian, or next friend,

1 and may bring an action in his or her own name upon reaching  
2 majority at any time until the date on which the child attains the  
3 age of forty-five (45) years.

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

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

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

19 G. Insurance coverage issued by the State of Oklahoma,  
20 including but not limited to, Medicaid, SoonerCare, or a group  
21 health insurance plan provided through the state, for the first  
22 time, on or after the effective date of this act, for the services  
23 described in subparagraph a of paragraph 2 of subsection A of this  
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1 section performed within this state on any minor or adult shall be  
2 prohibited.

3 1. A health benefit plan under an insurance policy or other  
4 plan providing health care coverage provided through the state,  
5 issued for the first time, on or after the effective date of this  
6 act, shall not include reimbursement for the services described in  
7 subparagraph a of paragraph 2 of subsection A of this section  
8 performed on a minor or adult.

9 2. A health benefit plan under an insurance policy or other  
10 plan providing health care coverage provided through the state,  
11 issued for the first time, on or after the effective date of this  
12 act, shall not provide coverage for the services described in  
13 subparagraph a of paragraph 2 of subsection A of this section  
14 whether performed on a minor or adult.

15 SECTION 2. This act shall become effective November 1, 2026.

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