

# STATE OF NEW YORK

7527

2021-2022 Regular Sessions

## IN ASSEMBLY

May 13, 2021

Introduced by M. of A. SEAWRIGHT -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring the department of health to conduct a public information and outreach campaign on medically unnecessary treatments on persons born with intersex traits or variations in sex characteristics

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article 25 of the public health law is amended by adding a new title 7-A to read as follows:

### TITLE VII-A

#### PUBLIC INFORMATION AND OUTREACH CAMPAIGN ON MEDICALLY UNNECESSARY TREATMENTS ON PERSONS BORN WITH INTERSEX TRAITS OR VARIATIONS IN SEX CHARACTERISTICS

#### Section 2597. Definitions.

#### 2598. Public information and outreach campaign.

#### § 2597. Definitions. For the purposes of this title, the term:

1. "Intersex traits or variations in sex characteristics" means the umbrella term for differences in reproductive or sex anatomy that may appear in an individual's chromosomes, genitals, secondary sex characteristics, or internal organs such as testes or ovaries, and may be identified at birth, or may not be discovered until puberty or later in life.

2. "Medically unnecessary" means a treatment or intervention on the sex characteristics of an individual born with intersex traits or variations in sex characteristics that may be safely deferred until that individual can provide informed consent. Furthermore, psychological factors do not constitute medical necessity for a treatment or intervention on the sex characteristics of an individual born with intersex traits or variations in sex characteristics until and unless the indi-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 vidual has themselves identified psychological factors as relevant to  
2 decision-making.

3 § 2598. Public information and outreach campaign. 1. The department  
4 shall conduct a public information and outreach campaign designed to  
5 address the provision of medically unnecessary treatments and inter-  
6 ventions performed on individuals born with intersex traits or vari-  
7 ations in sex characteristics. Such outreach shall at a minimum include:

8 (a) creating educational materials for parents and guardians of indi-  
9 viduals born with intersex traits or variations in sex characteristics;

10 (b) creating resources for medical practitioners;

11 (c) identifying community outreach partners, stakeholders and opportu-  
12 nities; and

13 (d) distributing materials and resources.

14 2. The department shall consult with individuals and organizations  
15 with expertise in intersex traits or variations in sex characteristics,  
16 including individuals who are intersex or have variations in sex charac-  
17 teristics, in the development of such public information and outreach  
18 campaign.

19 § 2. This act shall take effect immediately; provided, however, that  
20 the department of health shall begin implementation of the public infor-  
21 mation and outreach campaign within one year of the effective date of  
22 this act.