

STATE OF NEW YORK

8841--A

2025-2026 Regular Sessions

IN ASSEMBLY

June 9, 2025

Introduced by M. of A. GONZALEZ-ROJAS, KELLES, GALLAGHER, DINOWITZ, HEVESI, SIMONE, WRIGHT, SIMON, VALDEZ, LEE -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to the gender-affirming care access program

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

1 Section 1. Title 2-F of article 2 of the public health law is amended
2 by adding a new section 244-a to read as follows:

3 § 244-a. Gender-affirming care access program. 1. As used in this
4 section, the following terms shall have the following meanings:

5 (a) "Gender expansive" shall mean a transgender, non-binary, gender
6 non-conforming, intersex individuals, or other individuals who have a
7 gender identity or expression that is different from the sex assigned to
8 them at birth.

9 (b) "Gender-affirming care" shall mean and include any type of care
10 provided to an individual to affirm their gender identity or gender
11 expression including, but not limited to, care an individual provides to
12 themselves; provided that surgical interventions on minors with variations
13 in their sex characteristics that are not sought and initiated by the
14 individual patient are not gender-affirming care.

15 (c) "Program" shall mean the gender-affirming care access program
16 established pursuant to subdivision two of this section.

17 2. The commissioner shall establish a gender-affirming care access
18 program. The program shall provide funding to gender-affirming care
19 providers and non-profit organizations that provide or facilitate access
20 to gender-affirming care. The program shall be designed to provide
21 support to gender-affirming care providers and non-profit organizations

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

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1 to increase access to care, fund uncompensated care, and to address the
2 support needs of individuals accessing gender-affirming care. The
3 commissioner shall consult a range of experts including, but not limited
4 to gender expansive individuals, individuals and entities providing
5 gender-affirming care, gender-affirming funds and other organizations
6 work to advance access to gender-affirming care, to ensure the gender-
7 affirming care program structure and expenditures reflect the needs of
8 gender-affirming care providers and patients. Funding used to support
9 this program shall be subject to appropriation.

10 3. The commissioner shall distribute grant funds made available for
11 expenditure under this section. In determining funding for applicants
12 under the grant program, the commissioner shall consider the following
13 criteria and goals:

14 (a) Increasing access to care by growing the capacity of gender-af-
15 firming care providers to meet present and future care needs. Grant
16 funds may be awarded to support the recruitment and retention of staff,
17 staff training, the establishment of new or renovation of existing
18 health centers, investments in technology to facilitate care, security
19 enhancements, cover the costs of medical malpractice liability and
20 general liability insurance for health care providers involved in the
21 provision of gender-affirming health care services, and other opera-
22 tional or capital needs that increase access to gender-affirming care.

23 (b) Funding uncompensated health care services associated with
24 gender-affirming care, to ensure the affordability of and access to care
25 for individuals who lack ability to pay for care, for individuals who
26 lack insurance coverage, are underinsured, or whose insurance is deemed
27 unusable by the rendering provider.

28 (c) Addressing practical support needs of individuals accessing
29 gender-affirming care for individuals who lack ability to pay for such
30 support.

31 4. The commissioner shall not request, or otherwise require, any
32 gender-affirming care provider or organization receiving moneys from the
33 program to divulge the name, address, photograph, license number, email
34 address, phone number, or any other individual identifying information
35 of any patient, or individual who sought or received health care
36 services or practical support from a gender-affirming care provider or
37 organization under the program.

38 5. Any organization or gender-affirming care provider receiving funds
39 from the program shall take all necessary steps to ensure the confiden-
40 tiality of the individuals receiving services pursuant to state and
41 federal laws.

42 § 2. Severability clause. If any clause, sentence, paragraph, section
43 or part of this act shall be adjudged by any court of competent juris-
44 diction to be invalid and after exhaustion of all further judicial
45 review, such judgment shall not affect, impair or invalidate the remain-
46 der thereof, but shall be confined in its operation to the clause,
47 sentence, paragraph, section or part thereof directly involved in the
48 controversy in which such judgment shall have been rendered.

49 § 3. This act shall take effect immediately.