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:

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

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

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

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

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

2. The commissioner shall establish a gender-affirming care access program. The program shall provide funding to gender-affirming care providers and non-profit organizations that provide or facilitate access to gender-affirming care. The program shall be designed to provide 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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to increase access to care, fund uncompensated care, and to address the support needs of individuals accessing gender-affirming care. The commissioner shall consult a range of experts including, but not limited to gender expansive individuals, individuals and entities providing gender-affirming care, gender-affirming funds and other organizations work to advance access to gender-affirming care, to ensure the gender-affirming care program structure and expenditures reflect the needs of gender-affirming care providers and patients. Funding used to support this program shall be subject to appropriation.

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

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

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

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

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

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

§ 2. Severability clause. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 3. This act shall take effect immediately.