

TRANSCRIPTION OF AUDIO RECORDING

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Stenographically Transcribed Audio Recording By:
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1 Whereupon, the following proceedings were
2 transcribed from an audio recording:

3 PRESIDENT PASSIDOMO: Before we read the
4 next bill, the sergeant has reopened the gallery,
5 and we have visitors in the gallery. I'm sorry that
6 we had to clear the gallery during a previous debate.
7 And I stand firm in that we are a body of decorum and
8 civility, and if anyone in the gallery shouts out,
9 makes a loud comment, we're going to clear the gallery
10 again for the rest of the day.

11 So for those of you who are in the gallery,
12 please be respectful of others who wish to actually
13 hear the proceedings. And if you do want to shout
14 or make a comment, go out in the rotunda or go out
15 in the courtyard.

16 Read the next bill.

17 THE SECRETARY: Committee substitute for
18 Senate Bill 254, a bill to be entitled "An Act
19 Relating to Treatment for Sex Reassignment."

20 PRESIDENT PASSIDOMO: The senator of the
21 4th District, Senator Yarborough, is recognized
22 to explain the bill.

23 SENATOR YARBOROUGH: Thank you, Madam
24 President. Good afternoon.

25 Good afternoon, Senators.

1 Parents have the right and a responsibility
2 to raise their children as they see fit, and
3 government intervention should be a last resort.
4 I filed this legislation because I believe as
5 lawmakers we do have to draw the line when drastic,
6 life-altering gender dysphoria therapies and
7 surgeries are being prescribed for young children.
8 Our laws should set appropriate boundaries that
9 respect the rights and responsibilities of parents
10 while protecting children from the serious
11 health, safety, and welfare risks.

12 I also believe our laws should firmly
13 respect that both parents have a right to be involved
14 in the upbringing of a child. One parent should not
15 be able to unilaterally attempt to change the sex of
16 their child. With the exception of extreme
17 circumstances, custody arrangements typically honor
18 the rights of both parents to be involved in major
19 decisions and events in a child's life. If one parent
20 is tempting to authorize drastic, life-altering sex
21 reassignment therapies and surgeries, then, by all
22 means, the other parent should have the ability to
23 have a court review the custody agreement.

24 This bill has three goals:

25 The first goal is to protect Florida's

1 children from being subjected to irreversible and
2 life-altering sex reassignment prescriptions and
3 procedures. The bill amends Florida's child custody
4 statutes to protect the rights of parents and ensure
5 a pathway for a parent to petition the Court if the
6 other parent attempts to subject their child to a
7 sex reassignment prescription or procedure.

8 The bill prohibits Florida health care
9 practitioners from providing these treatments for
10 children, but makes an exception for children who
11 were already receiving prescription treatments
12 when this bill becomes law.

13 The bill requires that the continuation of
14 prescription treatment for such children must be
15 administered by a medical doctor or osteopathic
16 physician and must be consistent with emergency rules
17 adopted by the Board of Medicine and the Board of
18 Osteopathic Medicine.

19 The bill creates a third-degree felony for
20 health care practitioners who willfully or actively
21 participate in violating the prohibition against
22 providing these treatments to a child.

23 The bill amends existing law relating to
24 authority for the Department of Health to issue an
25 emergency order suspending the license of a

1 practitioner who is arrested for violating certain
2 crimes.

3 The bill adds the crime of providing these
4 prescriptions or procedures to a child to that list.

5 And the bill provides that any hospital,
6 ambulatory surgical center, or physician's office
7 registered for the provision of office surgery must
8 provide a signed attestation to AHCA or DOH that they
9 do not offer or provide sex reassignment treatments
10 for children, except for those who were already
11 being treated before this bill becomes law, and also
12 do not refer such parents to other providers for the
13 treatments.

14 The second goal is to provide protections
15 for adults. If an adult decides to seek treatment
16 with sex reassignment prescriptions or procedures,
17 the bill ensures that only licensed medical doctors
18 and osteopathic physicians lawfully provide such
19 treatment.

20 The physician providing the treatment must
21 take certain measures to inform the patient of the
22 nature and risks of the treatment while physically
23 in the same room as the patient, using forms approved
24 by the Department of Health. The patient must provide
25 voluntary, written informed consent before treatment

1 can commence.

2 The bill also provides that a health care
3 practitioner other than a physician who provides
4 these treatments or a physician who provides the
5 treatments without obtaining voluntary informed
6 consent commits a first-degree misdemeanor.

7 Third, the bill creates a prohibition
8 against the expenditure of state funds for these
9 treatments by a governmental entity or organizations
10 contracted by the State to manage the provision of
11 Medicaid services or to manage the state's mental
12 health and substance abuse providers.

13 Senators, this bill is very important to me
14 as a parent. This bill is even more important to the
15 children that are led down the path and told that
16 the only option for curing mental health issues
17 is gender-affirming treatments and surgeries which
18 cause permanent disfigurement and may eliminate the
19 ability to have children by subjecting their bodies
20 to devastating long-term damage.

21 I want to tell you a story about a courageous
22 young woman named Chloe. Chloe is currently an
23 18-year-old female who has detransitioned. She has
24 shared her story in several public forums, including
25 here at the Capitol.

1 She began to struggle with her gender as
2 a child. This led her at the tender age of 12 to
3 tell her parents she wanted to be their son. Chloe
4 felt like a misfit. She began to cut her hair, wear
5 boys' clothes, lowered her voice and choose a new
6 name.

7 The family lived in California. Her parents
8 knew very little about what their daughter was
9 experiencing. Like all parents, they wanted to help
10 their child and took her to a therapist. Chloe and
11 her parents hoped that in therapy her feelings would
12 be resolved, but that is not what happened. The
13 therapist suggested the only approach was to affirm
14 her new gender identity. No proper psychological
15 examination was done. The doctors told her parents
16 that Chloe knew what she wanted and it was life as a
17 boy or death. There were no other options. The
18 doctors said, Would you rather have a dead daughter
19 or a living son?

20 Here's some sentiments Chloe has discussed
21 previously. She says: *It was hard to watch what was*
22 *happening to my own body. The hormones put my body*
23 *in artificial menopause. I experienced hot flashes*
24 *and itching all over my body. After going off of*
25 *them, I have continuing joint pain and shooting pains*

1 up my back, more painful and more disruptive. I have
2 other lasting changes to my body, larger shoulders
3 and more defined features than other females.
4 Sometimes I still see a boy when I look in the
5 mirror, and it makes me panic. It is hard to look at
6 what has become of my body.

7 Chloe continues with: All of this was a
8 huge failure on the part of my medical practitioners.
9 My parents did sign off on it, but it was under
10 false pretense that my life depended on it. As a
11 13-year-old kid, I did not know exactly what I needed.
12 The doctors failed to address the comorbidities I had
13 at the time. I am on the autism spectrum. The
14 therapists and the doctors failed to rule out or
15 address that I was previously diagnosed with ADHD.
16 About a year afterward, one of my surgeons said I had
17 autism and should have been screened for the diagnosis
18 by the gender specialist. This was not done.

19 She goes on to say: I'm only 18. My life
20 is just beginning. I want to have children, but it
21 may never be possible. All of this was a huge
22 failure. My mom and dad were told lies. Nothing
23 could prepare me for this experience.

24 Senators, every single one of us was an
25 adolescent at one point in our lives.

1 Adolescents are impulsive. We know this. We can all
2 look back to decisions we made during that time that
3 we would perhaps not make with more life experience,
4 more reflection, or more understanding of the
5 implications as adults.

6 Chloe and her parents needed the medical
7 team to recommend hitting the pause button. Chloe
8 needed intensive psychotherapy and counseling to
9 explore exactly what was happening with her emotions,
10 feelings, outlook for her future. Instead, she was
11 immediately placed in the gender dysphoria
12 pre-established fast track for puberty blockers,
13 damaging hormone treatments, and devastating surgeries.

14 The State of California failed her, and we
15 have a responsibility to all the children in Florida
16 not to allow this to happen in our state. A decision
17 of this magnitude absolutely cannot be made by a
18 child in mental distress. This bill will allow
19 children to be children.

20 Madam President, Members, that is the bill.

21 PRESIDENT PASSIDOMO: Thank you.

22 Before we take up amendments, Senator Pizzo
23 has been waiting patiently for his recognition.

24 SENATOR PIZZO: Thank you, Madam President.

25 Joining us today is Mayor Larisa Svechin

1 who's standing right now in the West Gallery. Mayor
2 Svechin came to the United States I believe when she
3 was 6 years old with her two other sisters and
4 parents. She's a Jewish immigrant from the former
5 USSR and a true manifestation of the American dream.
6 She's also the mayor of the city I live in, and
7 so all politics being local, it becomes very local.

8 Thank you very much, and welcome to the
9 Florida Senate.

10 PRESIDENT PASSIDOMO: Welcome to the Florida
11 Senate.

12 Are there any other introductions while we're
13 introducing?

14 Okay. We're back on CS for SB 254. Are
15 there amendments?

16 THE SECRETARY: On the desk, Madam President.

17 PRESIDENT PASSIDOMO: Read the first
18 amendment.

19 THE SECRETARY: Amendment barcode 218794
20 by Senator Yarborough, delete lines 59 to 68 and
21 insert amendment.

22 PRESIDENT PASSIDOMO: You're recognized to
23 explain the amendment.

24 SENATOR YARBOROUGH: Thank you, Madam
25 President.

1 Senators, I believe it's important that our
2 laws respect the rights of both parents to be involved
3 in their child's upbringing. This amendment removes
4 the bill's custody language relating to court
5 jurisdiction over child custody determinations and
6 instead provides the following:

7 No. 1, in addition to other conditions in
8 current law that result in a court in Florida having
9 temporary emergency jurisdiction if a child is present
10 in this state, the amendment authorizes such
11 jurisdiction if it is necessary in an emergency to
12 protect a child who has been subjected to or is
13 threatened with being subjected to sex reassignment
14 treatments.

15 And No. 2 amends current law relating to
16 authorization for a petitioner to file an
17 application with the court for a warrant to take
18 physical custody of a child if the child is likely
19 to imminently suffer serious physical harm or
20 removal from the state. The amendment provides that
21 serious physical harm includes, but is not limited to,
22 being subjected to sex reassignment treatments.

23 That's the amendment, Madam President.

24 PRESIDENT PASSIDOMO: Are there any questions
25 on the amendment?

1 Senator Polsky.

2 SENATOR POLSKY: Thank you, Madam President.

3 I did not get to see this bill in any
4 committees, so can you kind of walk me through this
5 process of how someone in another state can be
6 affected by the Florida courts?

7 PRESIDENT PASSIDOMO: You're recognized.

8 SENATOR YARBOROUGH: Thank you, Madam
9 President.

10 Thank you, Senator Polsky, for the question.

11 So if you had the situation, Senator, where
12 you have a custody arrangement and you have one parent
13 of a child who's here in Florida and then you have
14 another parent in a different state that may allow
15 these kinds of treatments and procedures moving
16 forward, then the Florida parent would have the
17 opportunity to approach the Court and file a petition
18 to say they're concerned and they would like the
19 Court to consider a modification to that custody
20 order.

21 It in no way gives the parent in Florida the
22 right or ability to kidnap a child, to hold a child
23 in violation of an approved custody order. They
24 cannot do anything outside of the Court saying that
25 the change has been granted so that there could be,

1 you know, some consideration given in that custody
2 arrangement.

3 And so it basically gives that Florida
4 parent the opportunity to go to the Court, but it does
5 not mandate that the Court has to act in a certain
6 way; just that that is considered when they look at
7 it.

8 PRESIDENT PASSIDOMO: Senator Polsky.

9 SENATOR POLSKY: Thank you, Madam President.

10 So we have a lot of New Yorkers who live
11 in -- snowbirds that have a home in New York and have
12 a home in Florida. If New York allows it, Florida
13 doesn't, why does Florida law trump New York law?
14 No pun intended.

15 PRESIDENT PASSIDOMO: Senator Yarborough.

16 SENATOR POLSKY: Especially today.

17 PRESIDENT PASSIDOMO: It took so long, I just
18 got that.

19 Senator Yarborough.

20 SENATOR YARBOROUGH: Thank you, Madam
21 President.

22 Thank you, Senator Polsky.

23 And no pun intended, just, again, go back to
24 the situation that I've described to you. Because
25 we're taking this very seriously is the short answer,

1 Senator. We want to make sure that we protect
2 children in Florida. It doesn't matter which other
3 state it is out there. We're saying that in Florida
4 this is the law of our land, and we believe it is
5 very important. If you have a child that at
6 different times is present in our state under whatever
7 custody arrangement that that may be that governs
8 that arrangement, then that parent who's in Florida
9 would have the opportunity to approach a Florida
10 court, and the Florida court could consider this and
11 take action if it deems that that is best.

12 PRESIDENT PASSIDOMO: Senator Polsky.

13 SENATOR POLSKY: Thank you, Madam President.

14 I didn't practice in this area of law, so
15 forgive my ignorance. If the New York judge, as an
16 example, says this is okay because, you know, New
17 York allows these kind of procedures, and the Florida
18 judge says it's not okay, who decides? How do they
19 win in this particular situation?

20 PRESIDENT PASSIDOMO: Senator Yarborough.

21 SENATOR YARBOROUGH: Thank you, Madam
22 President.

23 Just as an element of background, so Florida,
24 along with 48 other states, has what's called the
25 Uniform Child Custody Arrangement, and in 2002, that

1 was something that was adopted to basically provide
2 respect between the states. There are 49 states
3 total who do it. And this is important because it was
4 designed to create uniformity among states if there
5 were dueling child custody statutes.

6 The act recognizes unique circumstances
7 under which a state, other than the home state, may
8 also establish jurisdiction. Under Florida's current
9 temporary emergency jurisdiction statute, it provides
10 the authority for a court in our state to take
11 temporary emergency jurisdiction in order to protect
12 a child even when it is not the home state and does
13 not have significant connection jurisdiction.

14 So, again, Senator Polsky, very valid
15 question, but in Florida we are saying this is the
16 law, and if that is a concern to the parent to where
17 they approach the Court and say this is a concern
18 to them, then that would be something the Court
19 can consider.

20 As one other point to mention, California has
21 actually adopted within the past year the opposite of
22 what we have and says that if there's a parent in
23 California that wishes for their child to have the
24 treatments, then they have the advantage in their
25 state and can cause that order to be -- that custody

1 arrangement to be modified and basically subject the
2 child to that in California.

3 We are offering protection for our children
4 in Florida in saying that will not be the case here.

5 PRESIDENT PASSIDOMO: Senator Polsky.

6 SENATOR POLSKY: Sorry.

7 PRESIDENT PASSIDOMO: Well, you're done.

8 Right?

9 SENATOR POLSKY: I think so.

10 PRESIDENT PASSIDOMO: Senator Book.

11 SENATOR BOOK: Thank you, Madam President.

12 And thank you to the sponsor. I have seen
13 this bill a few times, so I just want to clarify a
14 couple of things.

15 Is it true that the Department of Health has
16 made it so that minors cannot get this type of care
17 in our state currently?

18 PRESIDENT PASSIDOMO: Senator Yarborough.

19 SENATOR YARBOROUGH: Thank you to Leader
20 Book.

21 Thank you, Madam President.

22 So there were rules passed by the Board of
23 Medicine and the Board of Osteopathic Medicine,
24 Senator, that are now in effect as of March 16 for
25 the Board of Medicine and March 28 for the Board of

1 Osteopathic Medicine that have said that it will
2 no longer be allowed for minors in Florida unless
3 they were already on those treatments, and then they
4 could continue, which we also contemplate some of
5 that in our bill that's before you today.

6 PRESIDENT PASSIDOMO: Senator Book.

7 SENATOR BOOK: Are any of these legal
8 accommodations made for any other types of medical
9 procedures or any other medications?

10 PRESIDENT PASSIDOMO: Senator Yarborough.

11 Senator Yarborough.

12 SENATOR YARBOROUGH: Thank you, Madam
13 President.

14 Leader Book, I don't know that that's
15 germane to our amendment, probably on the regular
16 bill, but not on the amendment.

17 PRESIDENT PASSIDOMO: Senator Book.

18 SENATOR BOOK: Thank you.

19 I would argue that, for example, if I lived
20 in Florida and my spouse from whom I was divorced
21 lived in another state felt some kind of way about
22 blood transfusions and that was different than my
23 view and didn't want our child to have a blood
24 transfusion, that is semi-contemplated here. These
25 are custody issues dealing with medical procedures

1 and custody and asking the Court to engage on behalf
2 of one side over the other. And so I would suggest
3 that there is a place where you can have some of
4 those conversations --

5 PRESIDENT PASSIDOMO: Senator Pizzo --

6 SENATOR BOOK: Uh-oh. Then we're in real
7 trouble.

8 PRESIDENT PASSIDOMO: So ask a question,
9 please.

10 SENATOR BOOK: So is there any other
11 medical procedure where custody could potentially
12 play a role?

13 PRESIDENT PASSIDOMO: Senator Yarborough.

14 SENATOR YARBOROUGH: Thank you, Madam
15 President.

16 Thank you, Leader Book, for the clarification.

17 Not to my knowledge.

18 PRESIDENT PASSIDOMO: Senator Pizzo, going
19 to what Senator Book just said, ask some questions.

20 SENATOR PIZZO: Certainly not.

21 Senator Yarborough, if a mother in New
22 York wants to get an abortion for her 16-year-old
23 daughter and the father is in Florida with the bill
24 that just passed, can they petition the Court and
25 say that the mother is condoning the termination of

1 her pregnancy which is unlawful in Florida? I mean,
2 we're talking about life, not a puberty blocker, not
3 a surgery, or anything like that. We're talking about
4 what you just voted on about termination of pregnancy.
5 Can they petition the Court for that?

6 PRESIDENT PASSIDOMO: Senator Yarborough.

7 SENATOR YARBOROUGH: Thank you.

8 Senator, that's not contemplated in this
9 amendment.

10 PRESIDENT PASSIDOMO: Senator Pizzo.

11 SENATOR PIZZO: Thank you.

12 Senator Yarborough, this is sort of a
13 rhetorical question, I think. But if you were
14 weighing the severity of a decision, in your belief
15 in carrying this bill in this body with the
16 collection of bills that we've had, would you consider
17 an abortion far more severe than a sexual reassignment
18 surgery?

19 PRESIDENT PASSIDOMO: Senator Yarborough.

20 SENATOR YARBOROUGH: Thank you, Madam
21 President. Through the president to Senator Pizzo.

22 Again, Senator Pizzo, this relates to sex
23 reassignment surgeries and procedures. Abortion is
24 not contemplated in the amendment or the bill this
25 morning.

1 PRESIDENT PASSIDOMO: Senator Pizzo.

2 SENATOR PIZZO: Thank you, Madam President.

3 Are you comfortable giving me an answer,
4 though, as to whether or not termination of her
5 pregnancy is more severe or of greater significance
6 than hormones?

7 PRESIDENT PASSIDOMO: Senator Yarborough.

8 SENATOR YARBOROUGH: Thank you, Madam
9 President.

10 Yes, I'm happy to give you an answer, but
11 not while we're discussing this amendment or bill
12 because it's not germane to the bill.

13 PRESIDENT PASSIDOMO: Senator Pizzo, one
14 more shot.

15 SENATOR PIZZO: Okay. Thank you.

16 I'm just trying to see with what latitude a
17 parent who is not -- likely not the custodial parent,
18 but how the noncustodial parent -- how far and how
19 reaching they get to lay a claim to delay anything
20 in another state. And to your point about the
21 agreement between 48 states, I get it.

22 So here's my question. This only applies
23 to anything classified as sexual reassignment, but
24 would not apply to a 15-year-old whose mother is
25 okay with her getting an abortion in New York.

1 Correct?

2 PRESIDENT PASSIDOMO: Senator Yarborough.

3 SENATOR YARBOROUGH: I think a two-part
4 answer to your question, Senator. I heard kind
5 of two questions in there.

6 So, one, this only applies to the sex
7 reassignment prescriptions and procedures. The
8 amendment nor the bill speak to abortion.

9 And then also you mentioned the noncustodial
10 parent. We're talking about a custody arrangement
11 where both parents would have custody of the child.
12 At some point the child must be present in our state
13 in order for that parent to then -- you know the
14 legalese better than I do -- but have standing for
15 them to petition the Court so that there can be a
16 modification, yes, sir.

17 PRESIDENT PASSIDOMO: Any other questions on
18 the amendment?

19 Is there any debate on the amendment?

20 Senator Yarborough, you're recognized to
21 close on the amendment.

22 SENATOR YARBOROUGH: Thank you. Thank you,
23 Madam President.

24 And I ask for your favorable support of
25 the amendment.

1 Thank you.

2 PRESIDENT PASSIDOMO: All those in favor of
3 the amendment, say yea.

4 Opposed, say nay.

5 The amendment is adopted.

6 Read the next amendment.

7 THE SECRETARY: Amendment barcode 442004
8 by Senator Berman, delete lines 62 to 301 and insert
9 amendment.

10 PRESIDENT PASSIDOMO: Senator Berman, you're
11 recognized.

12 SENATOR BERMAN: Thank you, Madam President.

13 This amendment removes from the restrictions
14 puberty blockers and hormones. The use of puberty
15 blockers and hormones are categorically different from
16 surgical interventions, and they should not be lumped
17 together in a broad band like this bill proposes.

18 Puberty blockers and hormone therapies are
19 frequently used to help minors outside the scope of
20 transition. They're used to address conditions like
21 precocious puberty or to delay puberty so that a
22 child has more time to develop and grow.

23 These sort of applications have existed for
24 years. And especially in the case of puberty
25 blockers, this is about giving young people and their

1 families more time to learn about these therapies
2 and make well-informed decisions.

3 And that is the amendment, Madam President.

4 PRESIDENT PASSIDOMO: Are there any questions
5 on the amendment?

6 Is there any debate on the amendment?

7 Senator Burton, you're recognized.

8 SENATOR BURTON: Thank you, Madam President.

9 Unfortunately, there is no long-term study
10 to demonstrate the safety or efficacy of puberty
11 blockers, cross-sex hormones, or surgeries for
12 transgender youth. As we know, the Florida Board of
13 Medicine and Board of Osteopathic Medicine have spent
14 the past eight months extensively reviewing research,
15 hearing from medical experts, and listening to the
16 public on this very issue and deemed sex reassignment
17 treatment for minors to be harmful and has since
18 banned the treatment for minors.

19 The use of puberty blockers and other
20 prescriptions is deemed experimental and can cause
21 irreversible damage to our children.

22 For these reasons I would ask us to vote
23 down this amendment.

24 PRESIDENT PASSIDOMO: Is there debate?

25 Senator Yarborough.

1 SENATOR YARBOROUGH: Thank you, Madam
2 President.

3 Thank you, Senator Berman, for this amendment
4 for our consideration.

5 Senators, I can't think of a more compelling
6 reason for this legislation that we have in front of
7 us than the fact that youth sex reassignment
8 treatment, including prescriptions, is experimental,
9 as Senator Burton has pointed out, and can cause
10 irreversible damage to our children.

11 And for these reasons I ask that you vote the
12 amendment down.

13 Thank you.

14 PRESIDENT PASSIDOMO: Senator Berman, you're
15 recognized for close on your amendment.

16 SENATOR BERMAN: Thank you, Madam President.

17 I know with my daughter we discussed using
18 puberty blockers over 20 years ago. So if they were
19 so harmful, I'm sure there would be a lot of
20 literature out about that. And I think puberty
21 blockers are still used to this day on children, so
22 I don't that there is a problem with using them.

23 And I ask you to support this amendment.

24 PRESIDENT PASSIDOMO: All those in favor
25 of the amendment, say yea.

1 Opposed, say nay.

2 The amendment is not adopted.

3 Read the next amendment.

4 THE SECRETARY: Amendment barcode 712462
5 by Senator Torres, delete lines 69 through 83.

6 PRESIDENT PASSIDOMO: I'll show the
7 amendment temporarily postponed.

8 Read the next amendment.

9 THE SECRETARY: Amendment barcode 756102
10 by Senator Yarborough, delete line 78 and insert
11 amendment.

12 PRESIDENT PASSIDOMO: Senator Yarborough,
13 you're recognized.

14 SENATOR YARBOROUGH: Thank you, Madam
15 President.

16 This amendment adds public post-secondary
17 educational institutions to the list of entities
18 prohibited under the bill from expending state funds
19 for sex reassignment treatments.

20 As I mentioned in the previous amendment,
21 AHCA spent months considering whether these services
22 should be deemed medically necessary and ultimately
23 determined the treatments are experimental.
24 Therefore, I do not believe that taxpayer dollars
25 should be spent on sex reassignment treatments at our

1 public post-secondary institutions. If an adult wants
2 to pursue treatment under the supervision of their
3 physician, then they are still permitted to do so
4 with private insurance or private funds.

5 And that's the amendment, Madam President.

6 PRESIDENT PASSIDOMO: Are there any questions
7 on the amendment?

8 Senator Jones, you're recognized.

9 SENATOR JONES: Thank you so much, Madam
10 President.

11 Senator Yarborough, I just want to get
12 clarity, because I know there was a request by
13 the Governor's budget office, and I know the University
14 of South Florida, University of Florida, Florida
15 State, the University of Central Florida -- I think
16 this was kind of intertwined with their services
17 through the trans care team.

18 Does that also include receiving counseling
19 services when we're talking about treatment?

20 PRESIDENT PASSIDOMO: Senator Yarborough,
21 you're recognized.

22 You're recognized.

23 SENATOR YARBOROUGH: Thank you. Through
24 the president to Senator Jones.

25 No.

1 PRESIDENT PASSIDOMO: Senator Jones.

2 SENATOR JONES: Thank you so much, Madam
3 President.

4 And, Senator Yarborough, I just want to make
5 sure that we clarify -- because we're not talking
6 about a medical procedure with these individuals.
7 I just want to make sure, just for clarity, that --
8 based on the language and how it reads right now, I
9 just want to make sure that we're not taking students
10 who might be receiving counseling services -- that
11 we're not taking that opportunity away from them
12 within the universities.

13 PRESIDENT PASSIDOMO: Is there a question
14 mark at the end of that?

15 SENATOR JONES: Question mark.

16 PRESIDENT PASSIDOMO: You are recognized.

17 SENATOR YARBOROUGH: Thank you, Madam
18 President.

19 I just doubled-checked. The answer is still
20 no, Mr. Jones.

21 PRESIDENT PASSIDOMO: Are there any other
22 questions on the amendment?

23 Is there any debate on the amendment?

24 Senator Yarborough, you're recognized to
25 close.

1 SENATOR YARBOROUGH: Waive close, Madam
2 President.

3 PRESIDENT PASSIDOMO: All those in favor
4 of the amendment, say yea.

5 Opposed, say nay.

6 The amendment is adopted.

7 Read the next amendment.

8 THE SECRETARY: Amendment barcode 299002
9 by Senator Jones, between lines 175 and 176 insert
10 amendment.

11 PRESIDENT PASSIDOMO: Senator Jones, you're
12 recognized to explain the amendment.

13 SENATOR JONES: Thank you so much, Madam
14 President.

15 Members, I presented this amendment in
16 committee. And this basic amendment here with the
17 current language offers minimal access to health
18 care for trans youth at risk for suicide. This
19 amendment just adds a suicide prevention provision
20 mirrored after language that was originally adopted
21 by Republicans in West Virginia.

22 Under this amendment, that term would not
23 include treatment provided to a minor who had entered
24 puberty if these conditions are met: The minor has
25 been diagnosed with severe gender dysphoria by at

1 least two medical or mental health practitioners with
2 certain qualifications; the diagnosing practitioners
3 express in writing that treatment with sex
4 reassignment prescriptions or procedures is medically
5 necessary to treat the minor and limit self-harm or
6 the possibility of self-harm; the minor, the minor's
7 parents, other persons charged to make decisions
8 about the minor's care, and the minor's primary
9 physician agree in writing with that treatment; and
10 the use of the sex reassignment prescriptions or
11 procedures is limited to the lowest dosage necessary
12 to treat the minor's psychiatric condition and not
13 for the purpose of sex reassignment.

14 And that is the amendment, Madam President.

15 PRESIDENT PASSIDOMO: Are there any questions
16 on the amendment?

17 Is there any debate on the amendment?

18 Senator Calatayud, you're recognized in
19 debate.

20 SENATOR CALATAYUD: Thank you, Madam
21 President.

22 I feel quite strongly that this amendment
23 undermines the intent of this bill, which is to
24 protect children from experimental sex reassignment
25 procedures and prescriptions. Sex reassignment

1 prescriptions on children are experimental and can
2 cause irreversible damage. There is zero long-term
3 studies to demonstrate physical safety or mental
4 hygiene efficacy of puberty blockers, cross-sex
5 hormones for youth that identify as transgender.

6 This amendment that sex reassignment
7 prescriptions or procedures are medically necessary
8 to treat the minor or limit self-harm or the
9 possibility of self-harm, limited to the lowest
10 dosage necessary to treat minor psychiatric conditions
11 and not for the purpose of sex reassignment -- we need
12 to treat the child's psychiatric condition and not
13 with experimental exposure to hormone blockers or
14 cross-sex hormones.

15 To be clear, the children of Florida deserve
16 effective and high-quality treatment for the
17 psychiatric condition of body dysphoria and all
18 comorbidities: depression, anxiety, low self-esteem,
19 self-hatred. None of that will be found at the
20 lowest dosage of Lupron, estrogen, or testosterone.

21 We are making massive commitments to mental
22 health and primarily historic investments in mental
23 health access for children. Today when we were
24 discussing the budget, our chairs of Health and
25 Education spent a great deal of time describing rate

1 increases for children's mental health care, huge
2 increases on school-based mental health funding, an
3 enormous increase on our behavioral intervention
4 service and support structures. Some of that was in
5 Senate Bill 150.

6 I believe very strongly that children that
7 identify as transgender deserve life-preserving and
8 effective mental health care. I will fight and
9 advocate for that care for each precious child.

10 I support the right of fully informed adults
11 who identify as transgender to pursue sex reassignment
12 prescriptions or procedures.

13 Similarly, I believe it is the responsibility
14 of this body to protect children from life-altering
15 and irreversible choices of which they cannot consent.

16 Thank you, Madam President.

17 PRESIDENT PASSIDOMO: Is there any other
18 debate on the amendment?

19 Senator Pizzo.

20 SENATOR PIZZO: Briefly, Madam President.

21 And I have not seen this bill either, so what
22 I'm learning today from a physician's perspective
23 is that per se the position of one side of the
24 aisle is that anyone that is transgender is
25 suffering from a mental health condition, not that

1 it's something that someone innately feels, either
2 nurture or nature, but that everyone who's part of
3 the trans community is mentally disturbed.

4 That's what I'm hearing.

5 It's a good amendment.

6 PRESIDENT PASSIDOMO: Any other debate?

7 Senator Yarborough.

8 SENATOR YARBOROUGH: Thank you, Madam
9 President.

10 Senators, I believe we have a duty to
11 protect children from experimental medical treatments
12 and ask that you would vote this amendment down.

13 Thank you.

14 PRESIDENT PASSIDOMO: Senator Jones, you're
15 recognized first on your amendment.

16 SENATOR JONES: Thank you so much, Madam
17 President.

18 And, Members, again, this is the amendment.
19 It was passed, the same deal that was posed in
20 West Virginia, Republican-led legislature. Their
21 majority leader who brought forth the amendment
22 actually agreed that gender dysphoria is real, it
23 exists, and bringing this type of treatment to
24 individuals who really desperately need it should
25 be left with them and their parents.

1 And that's all the amendment is saying. So
2 hopefully we could vote up on this amendment.

3 Thank you, Madam President.

4 PRESIDENT PASSIDOMO: All those in favor of
5 the amendment, say yea.

6 Opposed, say nay.

7 The amendment is not adopted.

8 Read the next amendment.

9 THE SECRETARY: Amendment barcode 654418
10 by Senator Yarborough, delete lines 184 through 235
11 and insert amendment.

12 PRESIDENT PASSIDOMO: Senator Yarborough,
13 you're recognized to explain the amendment.

14 SENATOR YARBOROUGH: Thank you, Madam
15 President.

16 This amendment directs the Board of Medicine
17 and Board of Osteopathic Medicine, rather than the
18 Department of Health, to adopt emergency rules to
19 implement section 5 of the bill.

20 The amendment also requires that within 60
21 days the boards must adopt emergency rules pertaining
22 to the standards of practice under which minors may
23 continue to be treated with a prescription provided
24 by a physician if such treatments were commenced
25 before and are still active on the bill's effective

1 date.

2 That's the amendment.

3 PRESIDENT PASSIDOMO: Any questions on the
4 amendment?

5 Senator Polsky.

6 SENATOR POLSKY: Thank you, Madam Chair.

7 In listening a little bit to some of the
8 committee on this, I think there was some
9 back-and-forth about what we think the Department of
10 Health might do with their interpretation.

11 So how do we know that someone who is
12 currently undergoing treatment will be able to
13 continue that under the Department of Health's rules?

14 PRESIDENT PASSIDOMO: Senator Yarborough.

15 SENATOR YARBOROUGH: Thank you, Madam
16 President.

17 Through the president to Senator Polsky and
18 the Senate, very good question, Senator Polsky.

19 So the amendment would seek to change the
20 rulemaking authority over to the Board of Medicine
21 and the Board of Osteopathic Medicine rather than
22 to the Department of Health. And then our boards are
23 made up of medical professionals and others who
24 serve, so it would be a bigger body that would have
25 an opportunity to take a bite at the apple and talk

1 through what is the best way to proceed with regard
2 to continued use of the treatments by minors if they
3 were on them before the effective date of the bill.

4 PRESIDENT PASSIDOMO: Senator Polsky.

5 SENATOR POLSKY: Thank you.

6 So to clarify, the Board of Medicine and
7 Board of Osteopathic Medicine will make the
8 decision, not the Florida Department of Health?

9 PRESIDENT PASSIDOMO: Senator Yarborough.

10 SENATOR YARBOROUGH: If the amendment passes,
11 then yes, ma'am.

12 PRESIDENT PASSIDOMO: Senator Polsky, you're
13 recognized.

14 SENATOR POLSKY: Thank you.

15 I do think that's an improvement. However,
16 haven't there been some recent appointments to the
17 Board of Medicine who have made it their point of
18 view that they don't believe in gender-affirming care
19 at all?

20 PRESIDENT PASSIDOMO: Senator Yarborough.

21 SENATOR YARBOROUGH: Thank you, Madam
22 President.

23 We don't speak to that in the substance of
24 the amendment, Senator Polsky. I have the makeup of
25 the board as far as how it's structured and what

1 occupations the members must hold, but I haven't
2 heard that same information that you've just
3 mentioned.

4 PRESIDENT PASSIDOMO: Any other questions on
5 the amendment?

6 Senator Book, you're recognized.

7 SENATOR BOOK: Thank you.

8 You piqued my interest. To the sponsor, who
9 are those individuals and what are their occupations?

10 PRESIDENT PASSIDOMO: Senator Yarborough.

11 SENATOR YARBOROUGH: Thank you.

12 Through the president to Leader Book.

13 And it is a little lengthy, Leader Book.

14 I'm happy to read it if you would like. Page 6 of
15 our bill analysis does an excellent job talking about
16 the composition of both the Board of Medicine and
17 the Board of Osteopathic Medicine, so I'll defer.
18 If you'd like me to read, I certainly can, but it's
19 encapsulated -- I was going to read straight from
20 page 6 of our analysis that was prepared by our very
21 good and professional staff, but happy to read it,
22 whatever you'd like.

23 PRESIDENT PASSIDOMO: Senator Book.

24 SENATOR BOOK: Well, you have a
25 beautiful voice. We can read it.

1 Thank you.

2 PRESIDENT PASSIDOMO: Senator Yarborough.

3 SENATOR YARBOROUGH: If you insist.

4 Thank you.

5 *The Board of Medicine is the state's*
6 *regulatory board for licensed medical doctors, also*
7 *known as allopathic physicians. The BOM is composed*
8 *of 15 members appointed by the Governor and confirmed*
9 *by the Senate for four-year terms who serve until*
10 *their successors are appointed. Twelve members of the*
11 *BOM must be licensed physicians in good standing who*
12 *are state residents and who have been engaged in the*
13 *active practice or teaching of medicine for at least*
14 *four years immediately preceding their appointment.*
15 *One of the physicians must be on the full-time faculty*
16 *of a medical school in Florida. One physician must*
17 *be in private practice and a full-time staff member*
18 *of a statutory teaching hospital in Florida. One*
19 *physician must be a graduate of a foreign medical*
20 *school. One member must be a health care risk*
21 *manager. One member must be age 60 or older. The*
22 *remaining three members must be residents of Florida*
23 *who are not and never have been licensed health care*
24 *practitioners.*

25 That's the Board of Medicine.

1 And then briefly about the Board of
2 Osteopathic Medicine, that is the state's regulatory
3 board for osteopathic physicians. *The BOOM is*
4 *composed of seven members appointed by the Governor*
5 *and confirmed by the Senate. Five members of the*
6 *board must be licensed osteopathic physicians in good*
7 *standing who are Florida residents and who have been*
8 *engaged in the practice of osteopathic medicine for*
9 *at least four years immediately prior to their*
10 *appointment. At least one member must be 60 or older,*
11 *and the two members must be citizens of the state who*
12 *were not and have never been licensed health care*
13 *practitioners.*

14 PRESIDENT PASSIDOMO: Any other questions
15 on the amendment?

16 Is there debate on the amendment?

17 Senator Yarborough, you're recognized to
18 close on your amendment.

19 SENATOR YARBOROUGH: Waive close, Madam
20 President.

21 PRESIDENT PASSIDOMO: All those in favor of
22 the amendment, say yea.

23 Opposed, say nay.

24 The amendment is adopted.

25 Read the next amendment.

1 THE SECRETARY: Amendment barcode 616390
2 by Senator Davis, delete lines 193 to 253 and insert
3 amendment.

4 PRESIDENT PASSIDOMO: Senator Davis, you're
5 recognized to explain the amendment.

6 SENATOR DAVIS: Thank you, Madam President.

7 The amendment removes the limitation on care
8 for transgender Floridians only being provided by
9 certain licensed physicians and allows registered
10 nurses, RNs, and advanced practice rehabilitative
11 nurses to administer care. It also removes the
12 definition of physician in the bill.

13 And that is the amendment.

14 PRESIDENT PASSIDOMO: Are there any questions
15 on the amendment?

16 Is there any debate on the amendment?

17 Senator Burton.

18 SENATOR BURTON: Thank you, Madam President.

19 Senator Davis, I would suggest that since the
20 treatment that we're discussing today is potentially
21 life-altering and permanent, that it is favored best
22 administered and the care is best delivered by a
23 licensed physician in Florida.

24 Therefore, Members, I'd ask you to vote no
25 on this amendment.

1 PRESIDENT PASSIDOMO: Any other debate?

2 Senator Yarborough.

3 SENATOR YARBOROUGH: Thank you, Madam

4 President.

5 And thank you, Senator Davis.

6 Always great to consider what is brought
7 forward, especially from a friendly colleague from
8 Jacksonville, from the same area. But it is an
9 unfriendly amendment, so I would ask that we vote
10 this down.

11 Thank you.

12 PRESIDENT PASSIDOMO: Senator Davis, you're
13 recognized to close on the amendment.

14 SENATOR DAVIS: Thank you, Madam President.

15 Florida is not free if we are restricting
16 access to widely supported health care. The
17 provisions at issue ban numerous qualified health
18 care professionals like advanced practice registered
19 nurses from administering what is often lifesaving
20 care.

21 This amendment would simply retain
22 transgender adults access to many of those qualified
23 health care professionals who are not licensed
24 physicians for their health care.

25 One major provider of gender-affirming care

1 is in Florida. It's called -- the organization is
2 called Spektrum. And Spektrum has multiple locations
3 in Central Florida, and they opened in 1998. Spektrum
4 today uses nurses clinical treatment model, and the
5 care is provided solely by autonomous nurse
6 practitioners. There are more than 3,800 patients.
7 The vast majority of them are adults who rely on
8 the care provided by their nurse practitioner at
9 Spektrum today. They risk being immediately displaced
10 by this proposed legislation.

11 So we have highly trained nurses who are
12 critical components of our state's health care
13 infrastructure for transgender Floridians and
14 professionals that estimate those nurses provide 80
15 percent of the gender-affirming care in this state
16 today, either directly or in conjunction with a
17 licensed physician.

18 So if we are trying to ensure that this is
19 happening, all I'm asking is that we don't penalize
20 our transgender adults; we allow them access to
21 professionals other than physicians.

22 And that is the amendment.

23 PRESIDENT PASSIDOMO: All those in favor
24 of the amendment, say yea.

25 Opposed, say nay.

1 The amendment is not adopted.

2 Read the next amendment.

3 THE SECRETARY: Amendment barcode 818468 by
4 Senator Polsky, delete line 201 and insert amendment.

5 PRESIDENT PASSIDOMO: Senator Polsky, you're
6 recognized to explain the amendment.

7 SENATOR POLSKY: Thank you, Madam President.

8 Medical freedom and access to health care is
9 an issue this legislature has discussed at length.

10 This bill drastically reduces health care for
11 transgender adults, a dangerous precedent about
12 government interference in personal decisionmaking.

13 The provisions at issue effectively ban
14 telehealth for what is often lifesaving care, and
15 this amendment would reverse that.

16 The transgender community already faces
17 significant barriers and disparities in accessing
18 health care. The State should not be making that
19 worse. We are talking about health care for informed,
20 consenting adults. The process for transitioning can
21 be unique for every individual. Some transgender
22 people only engage in social transition, which is
23 about clothing, hairstyle, the name one uses, and
24 may not seek medical care for their transition at all.
25 But some do seek medical care in an ongoing process

1 of many years. These are not snap decisions. And for
2 those who have been accessing care through telehealth,
3 there is no compelling reason to now force them back
4 to a doctor's office.

5 When it comes to prescriptions or medical
6 advice and guidance, the exact same information can
7 be delivered through telehealth as in person. Of
8 course, surgery is not. Transgender adults can thrive
9 when they have access to care.

10 And that is the amendment.

11 PRESIDENT PASSIDOMO: Are there any questions
12 on the amendment?

13 Is there any debate on the amendment?

14 Senator Yarborough, on the amendment --
15 wait. There's debate? Oh, sorry.

16 Senator Calatayud, you're recognized.

17 SENATOR CALATAYUD: Thank you, Madam
18 President.

19 Currently in the language of this bill we
20 prohibit telehealth, but that is simply for new
21 procedures or new prescriptions. It is not for the
22 continuation of individuals that identify as
23 transgender to receive their current services. That
24 is not what this bill does.

25 So this raises the quality in which

1 individuals who are pursuing additional or a change
2 or an increase in their prescriptions to have an
3 in-person conversation with a doctor on exactly how
4 that would affect them and to be fully and completely
5 informed on the consent of that.

6 And that standard is important because each
7 of these changes is significant into that person's
8 health.

9 Thank you, Madam President.

10 PRESIDENT PASSIDOMO: Is there any other
11 debate?

12 Senator Yarborough.

13 SENATOR YARBOROUGH: Thank you, Madam
14 President.

15 Senator Calatayud has made some very
16 good points. And for these reasons I would ask
17 that we vote the amendment down as it is unfriendly.

18 Thank you.

19 PRESIDENT PASSIDOMO: Senator Polsky,
20 you're recognized to close on the amendment.

21 SENATOR POLSKY: Thank you.

22 In response to Senator Calatayud's point,
23 it's saying that telehealth isn't a valid doctor's
24 visit. And that is just not accurate, and that's
25 not what this body has legislated in the past. I

1 don't think that's right.

2 We're both from urban areas where we might
3 be able to find care, but there's a lot of us in
4 Florida who would never be able to get to some of
5 these regular appointments. It's very challenging.
6 We've talked about kind of the doctor desert that we
7 have that we're only increasing by bills like this
8 and the bill that we passed before.

9 These provisions on adult care in this bill
10 are nothing more than targeting regulation of
11 gender-affirming care providers with the sole purpose
12 of making it harder for transgender adults to access
13 lifesaving care. Maintaining access to telehealth
14 can help avoid this undue hardship.

15 And I ask you to vote up on this important
16 amendment.

17 PRESIDENT PASSIDOMO: All those in favor
18 of the amendment, say yea.

19 Opposed, say nay.

20 The amendment is not adopted.

21 Read the next amendment.

22 THE SECRETARY: Amendment barcode 450510
23 by Senator Yarborough, between lines 307 and 308
24 insert amendment.

25 PRESIDENT PASSIDOMO: Senator Yarborough,

1 you're recognized to explain the amendment.

2 SENATOR YARBOROUGH: Thank you, Madam
3 President.

4 This amendment authorizes a person to bring
5 a medical negligence action under Chapter 766 to
6 recover damages for personal injuries or death as a
7 result of the provision of a prohibited sex
8 reassignment prescription or procedure to a person
9 younger than 18 years of age.

10 The action may be commenced within 20 years
11 after the cessation or completion of the sex
12 reassignment prescription or procedure. If the action
13 is successful, any award for punitive damages is
14 exempt from the existing statutory limits on punitive
15 damages which generally limit awards for punitive
16 damages to the greater of three times the amount of
17 the award for compensatory damages or \$500,000.

18 The amendment does not allow a person to
19 bring a lawsuit based on lawful conduct occurring
20 before the effective date of the bill or lawful
21 conduct that began before the effective date of the
22 bill and lawfully continued after the effective date
23 of the bill.

24 That's the amendment.

25 PRESIDENT PASSIDOMO: Are there any questions

1 on the amendment?

2 Senator Polsky.

3 SENATOR POLSKY: Thank you, Madam President.

4 I did read the amendment, but I didn't
5 understand. Who would one be suing?

6 PRESIDENT PASSIDOMO: Senator Yarborough.

7 SENATOR YARBOROUGH: Thank you, Madam
8 President.

9 For clarification, did you say who would
10 want to be or who would they be?

11 PRESIDENT PASSIDOMO: Senator Polsky.

12 Senator Yarborough.

13 SENATOR YARBOROUGH: Thank you. Thank
14 you, Madam President.

15 It would be towards the medical provider,
16 even though -- and I can sense where you're going,
17 Senator Polsky -- it would already be illegal to
18 do this on minors under our bill, and there could
19 already be license suspension if someone did this,
20 in addition to the third-degree felony. But this is
21 another mechanism that I believe is important for us
22 to say we are taking it very seriously in Florida;
23 that if you are found to have done this, then this
24 option would be available to an individual once they
25 passed the age of majority. If they then cease to

1 use those treatments, then they have 20 years then to
2 bring an action if they would choose to do so.

3 PRESIDENT PASSIDOMO: Senator Polsky.

4 SENATOR POLSKY: Thank you.

5 I'm sorry. I just want to be very clear.
6 So this is only for care that's given to a minor,
7 then up to 20 years later decides it was a mistake --
8 first of all, giving the care is illegal, to
9 begin with. So now there's a civil action on top
10 of it if they change their mind? I'm confused.

11 PRESIDENT PASSIDOMO: Senator Yarborough.

12 SENATOR YARBOROUGH: Thank you. Thank
13 you, Madam President. Through the president to
14 Senator Polsky.

15 So it would say that if there was a minor
16 who started the -- after the effective date of
17 our bill, because it's not retroactive. So after
18 the effective date of our bill, you are correct in
19 that if treatments were started, then they get to the
20 age of, let's just use 25 as an example, and then
21 they stop, then they would have a 20-year window to
22 then file an action toward the health care provider
23 if they chose to do so.

24 PRESIDENT PASSIDOMO: Senator Polsky.

25 SENATOR POLSKY: And the action is based on

1 the fact that they were given treatment when they
2 were a minor, not when they were an adult. Is that
3 correct?

4 PRESIDENT PASSIDOMO: Senator Yarborough.

5 SENATOR YARBOROUGH: That's correct, Senator.

6 PRESIDENT PASSIDOMO: Senator Polsky.

7 SENATOR POLSKY: Thank you.

8 So this is just the civil side of -- and
9 there's no criminal issue under this bill, and
10 this is just the civil side that they can sue after
11 because they changed their mind. Is that correct?

12 PRESIDENT PASSIDOMO: Senator Yarborough.

13 SENATOR YARBOROUGH: Thank you, Madam
14 President.

15 That's correct, Senator.

16 PRESIDENT PASSIDOMO: Any other questions
17 on the amendment?

18 Senator Yarborough -- or any debate on
19 the amendment?

20 Oh, I'm sorry. All right. You're recognized.

21 SENATOR DAVIS: Thank you, Madam President.

22 Just for clarity, going on what Senator
23 Polsky was asking, so in your opening I know you
24 were talking about Chloe, I think her name was. And
25 so would this be a Chloe situation? She had the

1 puberty blockers, and then I think she's feeling
2 like, you know, I've gotten older and maybe that
3 wasn't something I wanted to do?

4 I'm just trying to clarify the meaning of
5 that.

6 PRESIDENT PASSIDOMO: Senator Yarborough.

7 SENATOR YARBOROUGH: Thank you, Madam
8 President.

9 It would not because that started before
10 the effective date of when this bill would become
11 law. So it won't go retroactive. That has happened
12 in the past with Chloe. This is moving forward, from
13 the day this bill becomes law forward.

14 PRESIDENT PASSIDOMO: Senator Davis.

15 SENATOR DAVIS: Thank you, Madam President.

16 But is that the situation? Yes, I know
17 we're moving forward, but you described it -- is that
18 the type of situation that we're talking about here?

19 PRESIDENT PASSIDOMO: Senator Yarborough.

20 SENATOR YARBOROUGH: Thank you, Madam
21 President.

22 I'll do my best to thread the needle, Senator
23 Davis. It's akin to that, but also to Senator
24 Polsky's question, there would have already been a
25 couple of violations that take place because the

1 bill outright says it's prohibited for minors once
2 the bill becomes law for the treatments and the
3 procedures unless they were already having -- unless
4 they were already taking those or on those before the
5 effective date. And we have some exceptions that
6 are in the base bill that we can discuss. But it
7 would be akin to that situation, but not for anyone
8 who started that before the effective date of the
9 bill because we didn't have any law prohibiting
10 that before this bill would become law.

11 PRESIDENT PASSIDOMO: Okay. Any other
12 questions on the amendment?

13 Any debate on the amendment?

14 Senator Yarborough, you're recognized to
15 close on your amendment.

16 SENATOR YARBOROUGH: Waive close, Madam
17 President.

18 PRESIDENT PASSIDOMO: All those in favor of
19 the amendment, say yea.

20 Opposed, say nay.

21 The amendment is adopted.

22 Let's go back to amendment barcode 712462.

23 Read the amendment.

24 THE SECRETARY: Amendment barcode 712462
25 by Senator Torres, delete lines 69 through 83.

1 PRESIDENT PASSIDOMO: Senator Pizzo is
2 going to stand in for Senator Torres.

3 You are recognized to explain the amendment.

4 SENATOR PIZZO: Thank you, Madam President.

5 This amendment erodes the home rule
6 preemption to allow cities, counties, and local
7 districts to offer their employees health insurance
8 benefits. That could include coverage for any
9 number of things.

10 That is the amendment.

11 PRESIDENT PASSIDOMO: Are there any questions
12 on the amendment?

13 Is there any debate on the amendment?

14 Senator Yarborough.

15 SENATOR YARBOROUGH: Thank you, Madam
16 President.

17 Thank you, Senator Pizzo. And I note
18 Senator Torres had filed this amendment.

19 Last summer the Agency for Health Care
20 Administration spent months extensively reviewing
21 medical research and listening to medical experts and
22 the public on this very issue to determine whether
23 the Medicaid program should continue covering
24 treatment for individuals.

25 On June 2, 2022, AHCA published a report

1 finding that, quote: *Due to a lack of high quality*
2 *evidence, services provided for the treatment of*
3 *gender dysphoria do not conform to generally*
4 *accepted professional medical standards and are*
5 *experimental and investigational,* close quote.

6 Therefore, such services were deemed not
7 medically necessary, and the agency determined that
8 Florida Medicaid should not cover them.

9 The state-funding prohibition in the bill
10 conforms to AHCA's findings that sex reassignment
11 treatments are not medically necessary. And,
12 therefore, I do not believe that Florida should
13 use taxpayer dollars for any sex reassignment
14 prescriptions or procedures.

15 So I would ask that we vote down the
16 amendment.

17 Thank you.

18 PRESIDENT PASSIDOMO: Senator Pizzo, you're
19 recognized to close on the Torres amendment.

20 SENATOR PIZZO: Thank you, Madam President.

21 And I wish somebody did ask me a question
22 about this amendment, and I -- it's kind of cool to
23 observe how everyone is assigned to other members
24 across the aisle to respond to different things on
25 the bill. It's kind of cool.

1 But let me go fast-forward. Cities can go
2 ahead and reimburse employees for their health
3 insurance costs, which is a way to bypass it. And I
4 wish somebody had asked me what's the nexus between
5 state taxpayer funding and a city that chooses to
6 have a health care plan, because I know some cities
7 that would be okay without any state funding or the
8 power of the purse and where that nexus is drawn.

9 So if I have a small city of a couple
10 thousand people that want to offer health insurance
11 to their employees that allow for these things, that
12 are really okay with -- listen, I have a lot of cities
13 that would like just to keep the taxes they generate
14 and not send anything up because they get so little
15 back.

16 So I really wish somebody would ask me a
17 question and engage on it and not just sort of claim
18 it's unfriendly and create a treatise. So what we're
19 saying is not to preempt cities and counties who
20 locally wish to allow this to happen. If this was
21 really something that we thought we were on solid
22 footing, there would be an amendment in this bill,
23 something along the lines of *any admitted*
24 *insurance company doing business in the state of*
25 *Florida shall not allow and cover these procedures.*

1 But that's nowhere in the bill because it's not
2 constitutional.

3 That's my amendment.

4 PRESIDENT PASSIDOMO: All those in favor
5 of the amendment, say yea.

6 Opposed, say nay.

7 The amendment is not adopted.

8 Okay. We are now back on the bill.

9 Are there any questions on the bill?

10 Senator Polsky, you're recognized.

11 SENATOR POLSKY: Thank you, Madam President.

12 Senator Yarborough, you talked about Chloe
13 a little bit. Did you get a chance to speak to any
14 other transgender youth who successfully transitioned?

15 PRESIDENT PASSIDOMO: Senator Yarborough.

16 SENATOR YARBOROUGH: Thank you, Madam
17 President.

18 There have been a number of communications
19 especially since the time of our Health Policy
20 meeting last month related to this topic with
21 individuals you had mentioned.

22 PRESIDENT PASSIDOMO: Senator Polsky.

23 SENATOR POLSKY: Thank you, Madam President.

24 Is there any reason why you didn't talk
25 about some success stories in your opening?

1 PRESIDENT PASSIDOMO: Senator Yarborough.

2 SENATOR YARBOROUGH: Thank you, Madam
3 President.

4 The purpose of our bill is to prevent these
5 procedures and treatments from happening on minors in
6 our state moving forward, Senator Polsky. There were
7 actually many more like Chloe that I had done some
8 research on, but for time's sake and for purposes of
9 the example, I thought Chloe's story would fit well
10 with the bill that's before us today for your
11 consideration.

12 PRESIDENT PASSIDOMO: Senator Polsky.

13 SENATOR POLSKY: Thank you, Madam President.

14 Moving on in the bill, with respect to
15 adults, either through the section that prevents
16 Medicare or state health insurance plans from paying
17 for any of these services for adults, is there any
18 prohibition on paying for a breast augmentation or
19 a breast reduction?

20 PRESIDENT PASSIDOMO: Senator Yarborough.

21 SENATOR YARBOROUGH: Thank you, Madam
22 President.

23 No.

24 PRESIDENT PASSIDOMO: Senator Polsky.

25 SENATOR POLSKY: Thank you, Madam President.

1 And that's not life-altering, changing one's
2 body you can't get back from?

3 PRESIDENT PASSIDOMO: Senator Yarborough.

4 SENATOR YARBOROUGH: It's not contemplated
5 in our bill and wouldn't be prohibited in answer to
6 that in your preceding question, Senator.

7 PRESIDENT PASSIDOMO: Senator Polsky.

8 SENATOR POLSKY: Thank you.

9 Is that not discrimination against --
10 based on, you know, one who chooses to -- who has
11 gender dysphoria, a disability?

12 PRESIDENT PASSIDOMO: Senator Yarborough.

13 SENATOR YARBOROUGH: Thank you, Madam
14 President.

15 I think I understand your question, Senator
16 Polsky. What we are contemplating in this bill, the
17 section that you mentioned as far as the use of
18 state funds, in lines 71 through 83 of the bill say
19 that no state funds shall be used to provide for sex
20 reassignment prescription or procedure.

21 PRESIDENT PASSIDOMO: Senator Polsky.

22 SENATOR POLSKY: Thank you, Madam President.

23 Isn't that picking and choosing which
24 procedures we choose to allow and ones we don't?

25 PRESIDENT PASSIDOMO: Senator Yarborough.

1 SENATOR YARBOROUGH: Thank you, Madam
2 President.

3 Through the president to Senator Polsky.

4 If you're asking whether I believe that it's
5 okay for doctors to physically and emotionally
6 castrate youth in Florida, then my answer is a
7 resounding no.

8 PRESIDENT PASSIDOMO: Senator Polsky.

9 SENATOR POLSKY: Thank you, though that's not
10 what I asked.

11 This is about adults who are under the state
12 plan, for example. We're dictating what that
13 insurance company can cover and not cover. So why
14 are we picking and choosing what the adults can
15 receive? Because there are other procedures that are
16 life-altering, disfiguring, and you can never come
17 back from.

18 PRESIDENT PASSIDOMO: Senator Yarborough.

19 SENATOR YARBOROUGH: Thank you, Madam
20 President.

21 Thank you, Senator Polsky.

22 So the prohibition would be on the use of
23 state funds, but if an adult chooses to use private
24 funds or private insurance, if that product allows
25 for them, then they're certainly free to do so.

1 PRESIDENT PASSIDOMO: Senator Polsky.

2 SENATOR POLSKY: Thank you.

3 But as a state employee as we pay into the
4 program, we're not allowed to discriminate, are we?

5 PRESIDENT PASSIDOMO: Senator Yarborough.

6 SENATOR YARBOROUGH: Thank you, Madam
7 President.

8 Can you further develop the question,
9 Senator Polsky?

10 PRESIDENT PASSIDOMO: Senator Polsky.

11 SENATOR POLSKY: Thank you, Madam
12 President.

13 Is it a violation of the Affordable Care Act
14 sex discrimination provision to pick and choose
15 which procedures that the state plan can cover?

16 PRESIDENT PASSIDOMO: Senator Yarborough.

17 SENATOR YARBOROUGH: Thank you, Madam
18 President.

19 Through the president to Senator Polsky.

20 The state group plan as we have today
21 doesn't offer every possible option that one might
22 wish to consider. So there's a menu that's there,
23 but it doesn't offer every single thing you can think
24 of today as it is.

25 PRESIDENT PASSIDOMO: Senator Polsky.

1 SENATOR POLSKY: Thank you, Madam President.

2 Are we allowed for minors to receive
3 hormonal treatments such as growth hormones, puberty
4 blockers if someone is in -- forgive me. I forgot
5 the word -- when a youth is in advanced puberty when
6 they shouldn't be?

7 PRESIDENT PASSIDOMO: Senator Yarborough.

8 SENATOR POLSKY: Precocious puberty.

9 Thank you.

10 PRESIDENT PASSIDOMO: Senator Yarborough.

11 SENATOR YARBOROUGH: Thank you, Madam
12 President.

13 I would turn your attention, Senator Polsky
14 and Senators, to starting on page 5 of the bill
15 and then moving to page 6 where we define sex
16 reassignment prescriptions or procedures. We do
17 start -- this is a more appropriate place, page
18 6 -- I'm sorry -- starting on line 151 and following:
19 *The term does not include treatment provided by a*
20 *physician who in his or her good faith clinical*
21 *judgment performs procedures upon or provides*
22 *therapies to a minor born with a medically verifiable*
23 *genetic disorder of sexual development, including*
24 *any of the following...*

25 And then you see: *A, external biological sex*

1 *characteristics that are unresolvably ambiguous; or,*
2 *B, a disorder of sexual development in which the*
3 *physician has determined through genetic or*
4 *biochemical testing that the patient does not have a*
5 *normal sex chromosome structure, sex steroid hormone*
6 *production, or sex steroid hormone action for a male*
7 *or female, as applicable.*

8 So we do have some exceptions in here that
9 do not make it absolute, that it can occur. If there
10 are needs based on the good faith clinical judgment
11 of the medical provider, then these exceptions are
12 for those individual minors.

13 PRESIDENT PASSIDOMO: Senator Polsky.

14 SENATOR POLSKY: Thank you, Madam President.

15 There are a lot of people who take growth
16 hormones that has nothing to do with sex steroid
17 hormone production. They just want to be taller.
18 Is that allowed?

19 PRESIDENT PASSIDOMO: Senator Yarborough.

20 Senator Yarborough.

21 SENATOR YARBOROUGH: Thank you, Madam
22 President.

23 Those wouldn't be under the category of
24 sex reassignment treatment, Senator.

25 PRESIDENT PASSIDOMO: Senator Polsky.

1 SENATOR POLSKY: You're not concerned that
2 the provisions here are so vague that a doctor would
3 be concerned about -- I mean, this is what pediatric
4 endocrinologists do. This is their bread and butter.

5 PRESIDENT PASSIDOMO: Senator Yarborough.

6 SENATOR YARBOROUGH: Thank you, Madam
7 President.

8 The short answer would be no, Senator,
9 because then picking up on lines 164 and following,
10 we also say that if there are prescriptions or
11 procedures to treat an infection, injury, disease,
12 or disorder that has been caused or exacerbated by the
13 performance of a prescription or procedure, regardless
14 of whether such was performed in accordance with
15 state or federal law. And we also say prescriptions
16 or procedures provided to the patient for the
17 treatment of a physical disorder, physical injury,
18 or physical illness that would, if certified by a
19 physician licensed under Florida statutes, place the
20 individual in imminent danger of death or impairment
21 of a major bodily function without the prescription or
22 procedure.

23 So I'm comfortable with this language as
24 we have in front of us with these exceptions, that it
25 would fit to prohibit the sex reassignment procedures

1 and prescriptions. But we do have these exceptions
2 in there to where if there's some other ambiguous
3 issue or there's some other concern, on the good
4 faith clinical judgment of the health care provider,
5 if they deem it necessary and it fits within what we
6 prescribe in the bill, then that would not be a
7 violation of what we have here.

8 PRESIDENT PASSIDOMO: Senator Polsky.

9 SENATOR POLSKY: Thank you, Madam President.

10 But I think those things sound like, you
11 know, if something went wrong with a prior type of sex
12 reassignment surgery or some physical deformity of a
13 sexual nature. But there are so many people who take
14 hormones purely for vanity, to be taller, as I
15 said. What about a minor who wants to have breast
16 augmentation? Is that allowed?

17 PRESIDENT PASSIDOMO: Senator Yarborough.

18 SENATOR YARBOROUGH: Thank you, Madam
19 President.

20 Again, Senator Polsky, we're talking about
21 items that would relate to sex reassignment
22 prescriptions and procedures. And with regard to
23 some of the effects on the therapies for children,
24 even according to the American Association of Clinical
25 Endocrinologists' clinical practice guidelines, males

1 seeking to transition to female with estrogen have a
2 very high risk of developing side effects involving
3 dangerous blood clots. Males transitioning to female
4 also have a moderate risk of developing the following
5 adverse outcomes: tumors, breast cancer, coronary
6 artery disease, cerebrovascular disease, gallstones,
7 elevated triglycerides.

8 And then according also to the AACE clinical
9 guidelines, females seeking to transition to males
10 with testosterone have a very high risk of
11 experiencing a dangerously high concentration of red
12 cells which can lead to life-threatening blood clots
13 and a moderate risk of the following adverse
14 reactions: severe liver dysfunction, coronary artery
15 disease, again cerebrovascular disease, hypertension,
16 or breast or uterine cancer.

17 So, again, long answer to your question,
18 but we do have the exceptions in there. And if in
19 the good faith clinical judgment of the medical
20 provider the minor needs those treatments, then they
21 would still be able to receive those as long as it
22 doesn't run afoul of the provisions in our bill.

23 PRESIDENT PASSIDOMO: Senator Polsky.

24 SENATOR POLSKY: Thank you.

25 So to clarify, I'm going to give a male

1 and a female example. A minor male, with the consent
2 of the parent and the doctor, can receive growth
3 hormones to make themselves taller. And there are,
4 I'm sure, just as many dangers to that as the ones
5 you just listed, because they are hormones, after all,
6 being artificially injected. They are allowed to get
7 that, but you can't have the hormones for gender
8 dysphoria. Is that correct?

9 PRESIDENT PASSIDOMO: Senator Yarborough.

10 SENATOR YARBOROUGH: Thank you, Madam
11 President.

12 So, again, Senator, going back to the bill,
13 going to lines 136 and following: *Sex reassignment*
14 *prescriptions or procedures means:*

15 *No. 1, the prescription or administration of*
16 *puberty blockers for the purpose of attempting to*
17 *stop or delay normal puberty in order to affirm a*
18 *person's perception of his or her sex if that*
19 *perception is inconsistent with the person's sex as*
20 *identified in subsection (8), right above that.*

21 *And then: No. 2, the prescription or*
22 *administration of hormones or hormone antagonists to*
23 *affirm a person's perception of his or her sex if*
24 *that perception is inconsistent with the person's*
25 *sex as defined in subsection (8).*

1 So what you're asking about is not for the
2 purpose -- I don't -- I'm not trying to say what your
3 intent is, but it doesn't sound like it's for the
4 purpose of sex reassignment. It sounds like it's
5 another issue outside of the scope of what we're
6 talking about.

7 PRESIDENT PASSIDOMO: Senator Polsky.

8 SENATOR POLSKY: That's correct, Senator.
9 But if there's dangers to taking hormones and we
10 don't think the parents are capable of making these
11 decisions for their minors, why are we singling out
12 these kinds of hormone treatments and not other
13 hormone treatments that a boy might get to be taller?
14 I'm sure it's equally dangerous.

15 PRESIDENT PASSIDOMO: Senator Yarborough.

16 SENATOR YARBOROUGH: Thank you, Madam
17 President.

18 Through the president to Senator Polsky.

19 Because these are experimental, and we
20 believe there is an incredibly high risk for many
21 of the reasons that I just stated, whether it's males
22 seeking to go to female or female to male, and we need
23 to take it seriously and make sure that our children
24 in Florida are not subjected to those treatments in
25 pursuit of a sex reassignment choice.

1 PRESIDENT PASSIDOMO: Senator Polsky.

2 SENATOR POLSKY: Thank you, Madam President.

3 Because you are talking about that it's
4 experimental or dangerous, why do you believe every
5 single medical organization in this state and
6 nationally believes that these minors should get the
7 treatment if it is called for and that it is safe?

8 PRESIDENT PASSIDOMO: Senator Yarborough.

9 SENATOR YARBOROUGH: Thank you, Madam
10 President.

11 So we've looked at a lot of medical research
12 on this, Senator Polsky. This is one of the main
13 reasons that we need to ban these treatments for
14 children, because the research is all over the place.
15 You might have a list of every -- you said every
16 organization across the country and in Florida,
17 but I disagree with that.

18 The bill is consistent with what the Florida
19 Board of Medicine and the Florida Board of Osteopathic
20 Medicine -- what their rules have said after they
21 looked at a lot of research and held public hearings
22 on this issue.

23 And, additionally, as reported in the
24 *New York Times* in October of 2022, England's National
25 Health Service proposed restricting use of the drugs

1 for gender dysphoric youth to research settings.

2 Sweden and Finland have also placed limits
3 on the treatment, concerned not just with the risk of
4 puberty blockers, but the steep rise in young patients'
5 psychiatric issues that many exhibit, and the extent
6 to which their mental health should be assessed before
7 treatment.

8 Further, for example, there are people with
9 gender dysphoria. If they're taking hormone
10 replacements as part of gender therapy, they could
11 face a substantially increased risk of serious
12 cardiac events, including stroke, heart attack, and
13 pulmonary embolism. That, Senator, was according
14 to a recent study that was just presented at the
15 American College of Cardiology's annual scientific
16 sessions.

17 So I respectfully reject the notion that
18 every organization out there is saying these are
19 okay, because the research is inconclusive, and we
20 still deem it to be experimental. We're trying to
21 protect children.

22 PRESIDENT PASSIDOMO: Senator Polsky.

23 SENATOR POLSKY: Thank you.

24 Since the Florida Board of Medicine and the
25 Florida Department of Health are filled with political

1 appointees and we know which direction we're going in,
2 can you tell me if this is in fact what the American
3 Academy of Pediatrics has said: *There is strong*
4 *consensus among the most prominent medical*
5 *organizations worldwide that evidence-based*
6 *gender-affirming care for transgender children,*
7 *adolescents, is medically necessary and appropriate.*
8 *It can even be lifesaving. The decision of whether*
9 *and when to start gender-affirming treatment, which*
10 *does not necessarily lead to hormone therapy or*
11 *surgery, is personal and involves careful*
12 *consideration by each patient and their family.*

13 Does the American Academy of Pediatrics say
14 that?

15 PRESIDENT PASSIDOMO: Senator Yarborough.

16 SENATOR YARBOROUGH: Thank you, Madam
17 President.

18 Through the president to Senator Polsky.

19 I have not read that, Senator Polsky, so I
20 will have to take your word today that they have said
21 that, but I would have to go back and research to
22 confirm after today.

23 PRESIDENT PASSIDOMO: Senator Polsky.

24 SENATOR POLSKY: Thank you.

25 Moving on to constitutionality discussion.

1 There is a concern that this violates due process for
2 the parents and equal protection of minors.

3 What is your position on that?

4 PRESIDENT PASSIDOMO: Senator Yarborough.

5 SENATOR YARBOROUGH: Thank you, Madam
6 President.

7 I disagree.

8 PRESIDENT PASSIDOMO: Senator Polsky.

9 SENATOR POLSKY: Thank you.

10 Why?

11 PRESIDENT PASSIDOMO: Senator Yarborough.

12 SENATOR YARBOROUGH: Thank you, Madam
13 President.

14 Are you speaking specifically to the custody
15 piece, Senator Polsky, or are you just talking about
16 the whole bill overall?

17 Just for clarification, Madam President.

18 PRESIDENT PASSIDOMO: Senator Polsky.

19 SENATOR POLSKY: Thank you.

20 I'm speaking to the decision-making process
21 by the parents and the ability of minors to receive
22 access to health care.

23 PRESIDENT PASSIDOMO: Senator Yarborough.

24 SENATOR YARBOROUGH: Thank you, Madam
25 President.

1 So, Senator Polsky, I do not believe it's
2 unconstitutional. If I did, I wouldn't have filed the
3 bill that's before you today. We have an obligation
4 as lawmakers and gatekeepers for the state of Florida
5 and as a legislature to protect our citizens and
6 protect our children. And I do not think it is right
7 for us to allow procedures that are currently not
8 governed under Florida law to proliferate throughout
9 our state and continue.

10 And we need to make sure that we're doing
11 whatever we can to protect children from experimental
12 and investigational procedures. There is not a good
13 body of evidence that suggests that the long-term
14 impacts from these treatments and procedures are
15 healthy for young people, are good, are something that
16 we should allow to continue in our state, which is why
17 I filed the bill which is before you today for your
18 consideration.

19 PRESIDENT PASSIDOMO: Senator Polsky.

20 SENATOR POLSKY: Thank you, Madam President.

21 You keep saying "experimental and dangerous."
22 Isn't Tylenol potentially dangerous? Doesn't -- every
23 vaccine has side effects, every medication. We all
24 see, you know, in every commercial the, you know,
25 dozens of problems that could come with any kind

1 of medication, especially for minors.

2 Isn't that true with any kind of medical
3 care?

4 PRESIDENT PASSIDOMO: Senator Yarborough.

5 SENATOR YARBOROUGH: Thank you, Madam
6 President.

7 Through the president to Senator Polsky.

8 Any number of medications could come with a
9 number of risks which are out there, whether it's an
10 ad you see on television or the back of the bottle
11 when you read it or prescription when you get it
12 from the pharmacy. I won't disagree with you,
13 Senator, that there are a lot of dangers out are
14 there with medications, and we have to be careful
15 with regard to administration of those to youth.

16 PRESIDENT PASSIDOMO: Senator Polsky.

17 SENATOR POLSKY: Thank you, Madam President.

18 We know that this is going to be challenged
19 in court, as it should be. How do we pay for the
20 legal challenges?

21 PRESIDENT PASSIDOMO: Senator Yarborough.

22 SENATOR YARBOROUGH: Thank you, Madam
23 President.

24 I can't predict the future on whether it
25 would be challenged, Senator Polsky, so I will

1 disagree with you on that. I don't know that for
2 sure. But if so, then we will defend the law that
3 we passed.

4 PRESIDENT PASSIDOMO: Senator Polsky.

5 SENATOR POLSKY: Thank you.

6 What happens if a minor who moves to this
7 state is kind of in the middle of transition, needs
8 more care?

9 PRESIDENT PASSIDOMO: Senator Yarborough.

10 SENATOR YARBOROUGH: Thank you, Madam
11 President.

12 They, under our bill, would not be able
13 to receive those treatments and procedures in Florida.

14 Yes. Thank you.

15 And so with regard to the Board of Medicine's
16 rules and Board of Osteopathic Medicine's rules that
17 they would contemplate, they would be the bodies
18 charged with adopting the rules first on an
19 emergency basis, and then after that for regular --
20 normal time after that to decide what any cessation
21 would be for minors who would have been on the
22 treatments before the effective date and then allow
23 them to continue for whatever period of time after
24 that.

25 PRESIDENT PASSIDOMO: Senator Polsky.

1 SENATOR POLSKY: Thank you, Madam President.

2 There was some talk in the House about
3 reversing some of this transition that some people
4 might have undergone. Is that something that's
5 being contemplated? And can you explain that?

6 PRESIDENT PASSIDOMO: Senator Yarborough.

7 SENATOR YARBOROUGH: Thank you, Madam
8 President.

9 We do not have those actual words in our
10 bill, Senator Polsky. What we do allow, as I was
11 just speaking about, is the Boards of Medicine will
12 be able to contemplate time periods and what the best
13 method of practice will be for minors to discontinue
14 use of those treatments if that's what the boards
15 decide. But, again, we have exceptions in the bill
16 that we were talking about a few moments ago in
17 answer to your question.

18 But as of the effective date of the bill,
19 unless a minor was taking the treatments or had had a
20 procedure before that date, they will not be able to
21 moving forward after the effective date of the bill.

22 PRESIDENT PASSIDOMO: Senator Polsky.

23 SENATOR POLSKY: Just to clarify, it is
24 possible that the Board of Medicine will say that --
25 if someone is in the middle of transition, that

1 the Board of Medicine will say you must stop this
2 medication after whatever, July 1, or whatever
3 date they come up with?

4 PRESIDENT PASSIDOMO: Senator Yarborough.

5 SENATOR YARBOROUGH: Thank you, Madam
6 President.

7 We do not prescribe a certain date in our
8 bill, Senator. The Board of Medicine and the Board of
9 Osteopathic Medicine would have to consider the input
10 and consider what they do in their deliberations and
11 make a decision. We're leaving the decision to them.

12 PRESIDENT PASSIDOMO: Senator Polsky.

13 SENATOR POLSKY: So it is possible that
14 someone could be halfway through their treatment and,
15 if they wanted to stay in the state of Florida,
16 would not be able to finish it and they would be
17 in this limbo state?

18 PRESIDENT PASSIDOMO: Senator Yarborough.

19 SENATOR YARBOROUGH: Thank you, Madam
20 President.

21 The answer is the same, Senator. The Boards
22 of Medicine and Osteopathic Medicine would decide
23 if there's to be a date and how the procedure would
24 work or how the practice would work moving forward for
25 discontinuation of any treatments for minors.

1 PRESIDENT PASSIDOMO: Senator Polsky.

2 SENATOR POLSKY: Last question.

3 If as the legislature and we want to take
4 care of children and keep them safe, why don't we say
5 that anyone who is under transition now could finish
6 it until they reach, you know, 18? Because,
7 otherwise, we could be leaving children in the
8 middle of this state that are half this, half that.
9 And they don't get to finish it because our Board of
10 Medicine is political and doesn't go in that direction
11 of protecting these children? How can we leave it
12 up to them?

13 PRESIDENT PASSIDOMO: Senator Yarborough.

14 SENATOR YARBOROUGH: Thank you, Madam
15 President.

16 We are aiming to protect children in Florida,
17 Senator Polsky. And I understand the concern that
18 you've raised, but we believe -- I believe because of
19 the amendment that I presented earlier, that we should
20 let the boards look at that and receive public input
21 in the same way that they did last year before they
22 adopted the rules that are now in effect as of last
23 month that say the treatments shall not continue.

24 But if you recall, also in those rules they
25 did say that minors who were taking those

1 prescriptions before the effective date of their
2 rule could continue to do so.

3 So regardless of the composition of the
4 board, I think that signals that they are open to
5 considering something past the date of that being
6 effective. And I hear you loud and clear, but we're
7 leaving it to the boards to make the decision as to
8 what's best for discontinuation of the treatments.

9 PRESIDENT PASSIDOMO: Senator Book.

10 SENATOR BOOK: Thank you, Madam President.

11 I just have a follow-up on Senator Polsky's
12 questions. And I, you know, have just been reading
13 the Florida common law book, but would that not be
14 tortious interference?

15 PRESIDENT PASSIDOMO: Senator Yarborough.

16 SENATOR YARBOROUGH: Thank you, Madam
17 President.

18 I do not believe so, Senator Book. I don't
19 have the definition of that in front of me, but I do
20 not believe so.

21 PRESIDENT PASSIDOMO: Senator Book.

22 SENATOR BOOK: I don't know if we want to
23 phone a friend, but I think it would be a contract
24 to perform medical services that would be interfered
25 with. So I think perhaps.

1 But I just have something that I need some
2 help with you squaring for me, Senator Yarborough.
3 And that is in 2021, we passed the Parents' Bill of
4 Rights. And I know that, you know, people really
5 believe -- and I believe the direct quote from the
6 bill was -- *the fundamental right of parents to*
7 *direct the upbringing, education, and care of minor*
8 *children.*

9 Does this not fly in the face of that policy?

10 PRESIDENT PASSIDOMO: Senator Yarborough.

11 SENATOR YARBOROUGH: Thank you, Madam
12 President.

13 Thank you, Leader Book, for the question.

14 So parents do have a right and a
15 responsibility to raise their children as they deem
16 appropriate, and government intervention should be a
17 last resort. Again, as policymakers, seeing that
18 these are experimental and investigational after
19 the research was done by the boards, by the
20 Department of Health, and then after AHCA has adopted
21 a policy and all of that, we need to take this very
22 seriously.

23 So I fully understand your question, but we
24 also have a responsibility as policymakers to ensure
25 that we're protecting the children of our state. I

1 know that means a lot to you. It means a lot to me
2 as well as a parent. This is too important not to
3 take action on, Senator.

4 PRESIDENT PASSIDOMO: Senator Book.

5 SENATOR BOOK: But are we not stepping in
6 the way of the parents who we have heard from in
7 committee who have children who are transitioning?
8 Are we not standing in the way of their rights to
9 exercise their parental rights, beliefs, desires for
10 their children?

11 PRESIDENT PASSIDOMO: Senator Yarborough.

12 SENATOR YARBOROUGH: Thank you, Madam
13 President.

14 Two things, Senator. We heard from both
15 sides in committee. I was in those committee
16 meetings, and we had parents come up and say, Thank
17 you so much for filing the bill for consideration
18 so that we could hopefully adopt this into law.

19 And, again, in response to what one of our
20 colleagues had asked -- and I know you're not
21 suggesting this, but we are talking about very serious,
22 life-altering medical procedures on children that,
23 again, going back to go Chloe's story -- and there
24 are many others. I mentioned her because it's the
25 one I'm most familiar with, but there are others

1 through quick internet searches that will show --
2 and through testimony that has been given in other
3 states when these bills have come up -- that they
4 have long-term, drastic, life-altering impacts to
5 youth. They may never be able -- in Chloe's case,
6 she said one reason she wanted to stop was because
7 she learned that breastfeeding was a way that a new
8 mom can bond with her child. But she realized, I'm
9 not going to be able to do that. And she still has
10 issues from her surgery that cause her physical and
11 emotional pain every single day because of what she's
12 gone through.

13 I do not think it's okay for us to allow
14 that on children, sometimes very, very young children,
15 in Florida.

16 PRESIDENT PASSIDOMO: Senator Book.

17 SENATOR BOOK: And I know that we know these
18 figures because I know that they're being reported to
19 the Department of Health. How many children or
20 minors in the state have received top surgery?
21 Because you're talking about Chloe, that's what that
22 would be, a top surgery. How many minors in the
23 state of Florida have received top surgery?

24 PRESIDENT PASSIDOMO: Senator Yarborough.

25 SENATOR YARBOROUGH: Thank you, Madam

1 President.

2 So a two-part answer to the question. I
3 don't know if that's the only thing that she's
4 received, Senator Book, and she -- I don't know if
5 that was in Florida.

6 But to the other part of your question,
7 what we do know is under Medicaid there have only
8 been a small number. We don't know what has happened
9 in the private market out there. I believe in
10 committee it was less than 50 total. That was adults
11 and children. For children it was only 12, if I'm not
12 mistaken, so it's a very small number. But that's
13 just what we know because of Medicaid and it being
14 reported. We have no way to assess what's happened
15 in the private market.

16 PRESIDENT PASSIDOMO: Senator Book.

17 SENATOR BOOK: This bill can't necessarily
18 stop what's happening in the private market, to
19 Senator's Polsky's point and question. Correct?

20 PRESIDENT PASSIDOMO: Senator Yarborough.

21 SENATOR YARBOROUGH: After the effective
22 date of the bill, it would be illegal for any
23 physician to perform surgeries on minors unless they
24 meet the -- unless the minor in the good faith
25 clinical judgment of the medical provider meets

1 the criteria for an exception. Then they would be in
2 violation of even prescribing something to a minor
3 after the effective date of the bill.

4 PRESIDENT PASSIDOMO: Any other questions?

5 Senator Davis.

6 SENATOR DAVIS: Thank you, Madam President.

7 And thank you, Senator, for indulging us.
8 You've answered a lot of questions as I was listening.

9 So do you have any concerns about -- once
10 this legislation is turned into law about the potential
11 ramifications that it will have on young people?

12 We know that they talk about suicidal thoughts. They
13 talk about suicide attempts. And so my question to
14 you is are you concerned about any of those potential
15 ramifications once this legislation becomes law?

16 PRESIDENT PASSIDOMO: Senator Yarborough.

17 SENATOR YARBOROUGH: Thank you, Madam
18 President.

19 Through the president to Senator Davis.
20 Thank you, Senator Davis, for your thoughtful
21 questions.

22 I believe we will see positive impacts from
23 this, Senator Davis. We've tried to balance this
24 with regard to the exceptions that we put in. If
25 there are minors who are receiving the treatments

1 before the effective date, we have said that there
2 are exceptions for those to continue.

3 And, again, going back to some of the other
4 discussion, the medical research is all over the
5 place on this. I think it's very wise for us to use
6 caution as we proceed and hopefully prevent more of
7 these stories that we've heard that are very tragic
8 to hear about from occurring in the future. So
9 there are definitely, in my opinion, more positives
10 that would outweigh.

11 PRESIDENT PASSIDOMO: Senator Davis.

12 SENATOR DAVIS: Thank you, Madam President.

13 Along the lines -- and you could have
14 answered this in a roundabout way with another
15 colleague. As far as the custody is concerned, does
16 your bill permit the judge's ruling or a judge's order
17 to be challenged by a court here in the state of
18 Florida?

19 PRESIDENT PASSIDOMO: Senator Yarborough.

20 SENATOR YARBOROUGH: Thank you, Madam
21 President.

22 Senator, could you clarify? Because the
23 Court would be the one to decide if there was to be
24 a change with regard to custody. So are you saying
25 could that be challenged by another court? I just

1 want to make sure I understand the question, because
2 the Court would have to decide. There's no mandate
3 in our bill that says they have to, No. 1, do what
4 the petitioner is asking them to do, but they're the
5 ones who have to decide before you could have the
6 warrant to take physical custody of the child. The
7 parent or petitioner on their own can't do that
8 outside of the court ruling on the matter.

9 I don't know if that answered -- sorry.

10 PRESIDENT PASSIDOMO: Senator Davis.

11 SENATOR DAVIS: Thank you, Madam President.

12 And you did.

13 Through the bill, on page 8 and some other
14 places, the language talks about health care
15 professional. And we just ran some amendments to
16 talk about physician versus allowing someone else to
17 provide the needed care. The health care professional
18 in this bill is referring to who?

19 And specifically the first citing of it I
20 think is on page 8. Several times it's mentioning
21 any health care practitioner. And so it uses that
22 word. I don't know if it's interchangeable with
23 physician or it's referring to physician. But could
24 you identify who the health care practitioner is?

25 PRESIDENT PASSIDOMO: Senator Yarborough.

1 SENATOR YARBOROUGH: Thank you, Madam
2 President.

3 Through the president to Senator Davis.

4 We do mention physician, Senator Davis, you
5 are correct. When you begin to pick up after line
6 211, which is section (3) on that page: *For the*
7 *purposes of this section, the term 'physician' is*
8 *defined as a physician licensed under 458 and 459,*
9 which that's the allopathic and osteopathic
10 physicians.

11 And then we mention any health care
12 practitioner because we are saying that physician
13 would be covered there too, but if you had a different
14 health care practitioner who willfully or actively
15 participated in the violation of the section,
16 section 1, which is related to the minors, that's
17 the penalty. And then a violation of the other
18 sections relates to not getting the informed consent
19 by adults, then there would be a penalty for them
20 also.

21 But the physician is the only one who can do
22 this or administer or get the consent, especially for
23 the adults. They're the only ones who can do that.
24 So anyone other than that, especially if it related
25 to the minors, any of them would be in violation of

1 the law at that point.

2 PRESIDENT PASSIDOMO: Senator Davis.

3 SENATOR DAVIS: Last question, Madam
4 President, I promise.

5 So, Senator, you mentioned a lot about
6 rulemaking authority as you were talking to my
7 colleagues, rulemaking authority, and we're going to
8 turn this over to DOH for rulemaking authority.
9 So my question to you is a possible idea of a
10 timeline. And the reason I ask that is because I
11 know different -- other agencies are years behind
12 in rulemaking authority, particularly elections and
13 some of the things we've put in play with SB 90 and
14 SB 524. They're still dealing with rulemaking
15 authority years later.

16 Is there some kind of an idea of a timeline
17 here when we're talking about rulemaking authority?

18 PRESIDENT PASSIDOMO: Senator Yarborough.

19 SENATOR YARBOROUGH: Thank you, Madam
20 President.

21 Thank you, Senator Davis. Very good
22 question.

23 So just turning back to the rule by the
24 Florida Board of Medicine -- and the rule is identical
25 for the Board of Osteopathic Medicine -- the rules

1 were adopted November 14 of 2022, and then the Board
2 of Medicine rule became effective last month on
3 March 16, so roughly four months later. And then the
4 Board of Osteopathic Medicine rule became effective
5 last week on March 28.

6 And so I bring that up to say -- and, again,
7 the rules say: *Minors being treated with*
8 *puberty-blocking hormone or hormone antagonist*
9 *therapies prior to the effective date of this rule may*
10 *continue such therapies.* That's what they said in
11 their rules.

12 So I'm not saying it would be exactly four
13 months, but I'm just pointing out that they have
14 shown an openness to being sensitive to those issues.
15 And even though we don't prescribe a timeline that,
16 you know -- I'll be honest, originally I was thinking
17 we may put a December 31 date in the bill. We're not
18 going with that. We've left it open to the boards.
19 But we thought it would be best for them to evaluate
20 it, get the input, look at more medical-related
21 information, any more studies that may be out there,
22 and then make the best determination, especially with
23 the makeup of the boards that we have, versus us
24 going in and saying, Okay, well, by X date, it must
25 be done. We're going to leave that up to them.

1 PRESIDENT PASSIDOMO: Any other questions?

2 Senator Pizzo.

3 SENATOR PIZZO: Thank you, Madam President.

4 Senator Yarborough, how many sexual
5 reassignment surgeries have occurred in Florida on
6 boys?

7 PRESIDENT PASSIDOMO: Senator Yarborough.

8 SENATOR YARBOROUGH: Thank you, Madam
9 President.

10 Through the president to Senator Pizzo.

11 As I answered Leader Book's question a few
12 minutes ago, we have some information related to
13 Medicaid, but we don't know how many would have
14 happened on boys or girls in the private market. So
15 I don't have a specific number. We don't have a
16 way to ascertain that.

17 PRESIDENT PASSIDOMO: Senator Pizzo.

18 SENATOR PIZZO: Thank you, Madam President.

19 How do you get a general number? How did
20 you arrive at this being an issue without having
21 specifics or any data?

22 PRESIDENT PASSIDOMO: Senator Yarborough.

23 SENATOR YARBOROUGH: Thank you, Madam
24 President.

25 We know it's a concern, Senator Pizzo, for

1 these types of things to take place which, again,
2 is what fueled me to file this bill, because of it
3 being so important. And, again, we note numbers that
4 have been covered under Medicaid because those are
5 reported. But, again, we don't know -- or I don't
6 know how we would be able to know how many could have
7 happened in the private market out there because it's
8 not something that we have numbers on or that is
9 tracked for what we're doing.

10 PRESIDENT PASSIDOMO: Senator Pizzo.

11 SENATOR PIZZO: Thank you, Madam President.

12 And there is a term that I just sort of want
13 to be clear. When you said unresolved ambiguities in
14 the bill, does that mean that -- line 157: *External*
15 *biological sex characteristics that are unresolvably*
16 *ambiguous*, what does that mean?

17 PRESIDENT PASSIDOMO: Senator Yarborough.

18 Senator Yarborough.

19 SENATOR YARBOROUGH: Thank you, Senator
20 Pizzo.

21 I believe the term would refer to a
22 hermaphrodite type of individual.

23 PRESIDENT PASSIDOMO: Senator Pizzo.

24 SENATOR PIZZO: Thank you, Madam President.

25 What's that?

1 PRESIDENT PASSIDOMO: Senator Yarborough.

2 SENATOR YARBOROUGH: Thank you, Madam
3 President.

4 As we've identified in the bill, Senator,
5 *External biological sex characteristics that are*
6 *unresolvably ambiguous or if there's an individual*
7 *that has a disorder of sexual development in which*
8 *the physician has determined through genetic or*
9 *biochemical testing that the patient does not have a*
10 *normal sex chromosome structure, sex steroid hormone*
11 *production, or sex steroid hormone action for a male*
12 *or female, as applicable.*

13 So in the good faith clinical judgment of a
14 health care provider, who would be much more able to
15 assess something like that than would I, then if they
16 make that determination, then this would not apply to
17 that individual, to that minor.

18 PRESIDENT PASSIDOMO: Senator Pizzo.

19 SENATOR PIZZO: Thank you, Madam President.

20 And the reason why I ask is I'm trying to
21 decipher here, and I've been asked by a number of
22 people, if you have a situation where you might have
23 a minor who gets breast augmentation, would that be
24 classified as affirming and not reassigning to you?

25 PRESIDENT PASSIDOMO: Senator Yarborough.

1 SENATOR YARBOROUGH: Thank you.

2 That's not contemplated under this bill,
3 Senator.

4 PRESIDENT PASSIDOMO: Senator Pizzo.

5 SENATOR PIZZO: Thank you, Madam President.

6 If there is a surgical procedure on a minor
7 that implants something into their body, I'm just
8 asking you, is that reassignment? Is it affirmation?
9 What is that?

10 Because, listen, here's the reason why I ask.
11 We have teenagers in my district who get rhinoplasty,
12 who get breast implants. I think there's even a bill
13 floating around here from one of our senators about
14 butt implants. So I'm just asking, where does that
15 fall?

16 PRESIDENT PASSIDOMO: Senator Yarborough.

17 SENATOR YARBOROUGH: Thank you, Madam
18 President.

19 I don't know about that last one you
20 mentioned, Senator Pizzo, but I'll do my best to
21 answer the first part of what you asked.

22 If it is for the purposes of sex
23 reassignment, then it would be covered under our bill.
24 But if it is not, then the example you provided would
25 not apply.

1 PRESIDENT PASSIDOMO: Senator Pizzo.

2 SENATOR PIZZO: Thank you, Madam President.

3 So if I have a son and a daughter, it's your
4 position that there's nothing wrong with going and
5 having surgery to the 16-year-old girl, just not
6 the 16-year-old boy for the same procedure?

7 PRESIDENT PASSIDOMO: Senator Yarborough.

8 SENATOR YARBOROUGH: Thank you, Madam
9 President.

10 What I'm saying, Senator, just as I did in
11 the answer to the last question, if it is for the
12 purpose of sex reassignment, the provisions of the
13 bill would apply. If it is not, then the bill would
14 not apply.

15 PRESIDENT PASSIDOMO: Senator Pizzo.

16 SENATOR PIZZO: Thank you, Madam President.

17 And we find ourselves -- I do, at least --
18 asking in earnest and in good faith -- asking the
19 bill sponsor in the Senate Chamber is the breast
20 implant of a 16-year-old girl reassignment surgery
21 or not?

22 PRESIDENT PASSIDOMO: Senator Yarborough.

23 SENATOR YARBOROUGH: Thank you, Madam
24 President.

25 Senator, my answer is the same. If it is

1 for the purpose of sex reassignment, which we define
2 in our bill, then it would -- the provisions of the
3 bill would apply. If it is not for that purpose,
4 then the bill would not apply.

5 PRESIDENT PASSIDOMO: Senator Pizzo.

6 SENATOR PIZZO: Thank you, Madam President.
7 Can you define for me reassignment?

8 PRESIDENT PASSIDOMO: Senator Yarborough.

9 SENATOR YARBOROUGH: Thank you, Madam
10 President.

11 I'll turn your attention, Senator, to line
12 136 of the bill at the bottom of page 5, (9) (a):
13 *Sex-reassignment prescriptions or procedures*
14 *means:*

15 *No. 1, the prescription or administration of*
16 *puberty blockers for the purpose of attempting to*
17 *stop or delay normal puberty in order to affirm a*
18 *person's perception of his or her sex if that*
19 *perception is inconsistent with the person's sex*
20 *as defined in subsection (8).*

21 *No. 2, the prescription or administration of*
22 *hormones or hormone antagonists to affirm a person's*
23 *perception of his or her sex if that perception is*
24 *inconsistent with the person's sex as defined in*
25 *subsection (8).*

1 No. 3, any medical procedure, including
2 a surgical procedure, to affirm a person's perception
3 of his or her sex if that perception is inconsistent
4 with the person's sex as defined in subsection
5 (8).

6 And then section (b) below that starting
7 on line 151 speaks to the exceptions that we
8 talked about.

9 PRESIDENT PASSIDOMO: Senator Pizzo.

10 SENATOR PIZZO: Thank you, Madam President.

11 So we got there. It is subsection (3) that
12 I'm talking about. And I was just wondering if it's
13 in conflict with subsection (a) under line 157.
14 So since it's not, here we are in section 3. And
15 I just want to be clear that we're saying a 14-,
16 15-year-old young woman can get breast implants,
17 butt implants, tattoos all over her face of
18 makeup, and that is not reassignment. Correct?

19 PRESIDENT PASSIDOMO: Senator
20 Yarborough.

21 SENATOR PIZZO: Because she believed --

22 PRESIDENT PASSIDOMO: Oops. Re-ask the
23 question. Would you like to add to your question?

24 SENATOR PIZZO: Because that young woman
25 considers herself to be a woman and is going just

1 to reaffirm her femininity and what she believes
2 it to be, so by getting a breast implant, maybe a
3 butt lift -- is that the correct term? I apologize
4 for that. I just know -- it's not? It's not.
5 Brazilian butt lift -- I'm sorry -- we have to --

6 PRESIDENT PASSIDOMO: Just ask Senator
7 Yarborough the question, please.

8 SENATOR PIZZO: So I just want to be --
9 because I know that men get pec implants sometimes,
10 so that's what I'm asking.

11 PRESIDENT PASSIDOMO: Senator Pizzo.

12 SENATOR PIZZO: I'm being serious.

13 PRESIDENT PASSIDOMO: No, you're not.

14 Ask the question, please. We've been here
15 all day.

16 Senator, I think he asked -- would you like
17 to repeat the actual question to Senator Yarborough?

18 SENATOR PIZZO: Yes. I'll ask it this way.

19 A 14- or 15-year-old young woman with her
20 parents' consent under this bill is still permitted
21 to go get breast implants, a butt lift, tattoo
22 permanent makeup on their face, as long as they have
23 the consent of -- a young boy would be able to
24 get a penile implant as long as they had the parents'
25 consent under your bill. Correct?

1 PRESIDENT PASSIDOMO: Senator Yarborough.

2 SENATOR YARBOROUGH: Thank you, Madam
3 President.

4 We are talking about if it's for the purposes
5 of sex reassignment, Senator Pizzo, so that is what
6 is contemplated in our bill. And if it aligns with
7 the definitions that we have put in here, then it
8 would not be allowed. But if it does not, then it
9 wouldn't be contemplated under our bill.

10 PRESIDENT PASSIDOMO: Senator Pizzo.

11 SENATOR PIZZO: Thank you.

12 Senator Yarborough, you're familiar, I would
13 assume, with when we have bills that have any kind
14 of component that has criminal prosecution, criminal
15 penalties, criminal charges in it that it always
16 seems to have an October 1 effective date, never
17 July 1, because we want to be able to promulgate rules
18 and allow for law enforcement agencies to get up to
19 speed on it.

20 This adds a third-degree felony charge.
21 And the reason why I mentioned the Brazilian butt
22 lift before is because that actually has its own sort
23 of penalties associated with that, with performing
24 that operation.

25 Why is this effective upon becoming law and

1 not October 1 to give law enforcement agencies --
2 like we do with the overwhelming majority of every
3 other bill with a criminal penalty.

4 PRESIDENT PASSIDOMO: Senator Yarborough.

5 SENATOR YARBOROUGH: Thank you, Madam
6 President.

7 The short answer through the president
8 to Senator Pizzo and the Senate.

9 The short answer is because I believe we
10 should take it that seriously, Senator.

11 PRESIDENT PASSIDOMO: Senator Pizzo.

12 SENATOR PIZZO: Last couple, Madam President.

13 I'm gleaning from your presentation and
14 the answers to your questions that these are
15 considerations for especially those under 18 that
16 are making life-altering decisions. And really in
17 concert with other bills, would you agree that this
18 is the one bill where even if parents give consent
19 and are on board, the State is saying that there's
20 such a compelling interest that we have to override
21 the parent and child relationship to protect the
22 child?

23 PRESIDENT PASSIDOMO: Senator Yarborough.

24 SENATOR YARBOROUGH: Thank you, Madam
25 President.

1 Through the president to Senator Pizzo.

2 What I would just say, Senator, just speaking
3 to this bill, because that's what's before us today,
4 that our laws should set appropriate boundaries that
5 respect rights and responsibilities of parents while
6 protecting children from serious health, safety,
7 and welfare risks.

8 And we have procedures that are identified as
9 experimental and potentially life-altering and
10 dangerous, as you pointed out. That rises to the
11 occasion to where I believe that had I not filed
12 this bill, particularly when parents have expressed
13 concern based on things we continue to see happening
14 in Florida, happening in other places around our
15 country -- that if I did not file this bill or if it
16 had been filed by somebody else joining in support
17 of the bill, then I would not be doing my job
18 effectively as a lawmaker, which is why I filed it
19 for your consideration.

20 PRESIDENT PASSIDOMO: Senator Pizzo.

21 SENATOR PIZZO: Thank you, Madam President.

22 And Senator Jones and I were actually just
23 chatting about this before. I'm going to ask you
24 this. I know you said you've heard from some parents
25 on different sides, on different issues,

1 whatever. Has any -- because you had also mentioned
2 before -- I wrote it down -- to help or protect
3 those children that are in mental distress.

4 Have you had any parents come to you since
5 you filed the bill that said, I'm in mental distress?
6 Or is the assumption that parents are also in mental
7 distress because the State is making this decision or
8 prohibition for them?

9 I guess what I'm asking is did any parents
10 come to you and say, Thank you because I'm dealing
11 with this at home right now, and I don't know how
12 to deal with it, so it is just easier for you guys to
13 go ahead and criminalize it so I can tell my kid
14 I can't do it for them?

15 PRESIDENT PASSIDOMO: Senator Yarborough.

16 SENATOR YARBOROUGH: Thank you, Madam
17 President.

18 Thank you, Senator, for the question.

19 I'll do my best to unpack that, especially
20 the last part. We heard testimony in our committee,
21 Senator Pizzo, from parents. We have one woman who
22 came up last week and said, Thank you for running the
23 bill. We had other testimony of those who said they
24 didn't like the bill. So we've received input from
25 many different individuals on this topic.

1 You were very specific in the question that
2 you just asked, and I can't say I heard those exact
3 words that you just said mentioned by any member of
4 the public or in any private conversations I've had
5 with individuals.

6 PRESIDENT PASSIDOMO: Senator Pizzo.

7 SENATOR PIZZO: Thank you.

8 Have you ever heard from a parent of a child
9 who wants sexual reassignment surgery?

10 PRESIDENT PASSIDOMO: Senator Yarborough.

11 SENATOR YARBOROUGH: Thank you, Madam
12 President.

13 Yes, sir.

14 PRESIDENT PASSIDOMO: Senator Pizzo.

15 SENATOR PIZZO: Thank you, Madam President.

16 That were proponents of the bill?

17 PRESIDENT PASSIDOMO: Senator Yarborough.

18 SENATOR YARBOROUGH: Thank you, Madam
19 President.

20 I'm not sure what the disposition might have
21 been, Senator. I'm trying to recall the conversations
22 that I've had with those who said they would like that
23 for either themselves or perhaps a minor. I'm not sure
24 what their disposition on the bill would be because
25 some of that was prior to the filing of the bill.

1 PRESIDENT PASSIDOMO: Senator Pizzo.

2 SENATOR PIZZO: Thank you.

3 And I went over other laws and other
4 provisions, whatever, and the way that I read your
5 bill, a third-degree felony would attach to a medical
6 provider who were to engage in sexual reassignment --
7 let's say do a breast implant on a boy, and yet you're
8 familiar, I'm sure, that Florida law has no criminal
9 penalty for tattooing the face of a kid if they're
10 found out to be a minor. I mean, it could even be
11 makeup.

12 Does that seem inconsistent?

13 PRESIDENT PASSIDOMO: Senator Yarborough.

14 SENATOR YARBOROUGH: Thank you, Madam
15 President.

16 You speak of the mention we make on lines
17 227 and following about the felony and then also a
18 misdemeanor if we don't get the informed consent for
19 adults, Senator. But specifically with regard to the
20 procedures for minors, yes, there would be a felony
21 penalty there.

22 And then moving over to -- picking up on line
23 247 and following, then you could have a license
24 suspension. And then also now we have the cause of
25 action that is put in, too, to essentially send a

1 warning signal that this won't be tolerated in
2 Florida for minors unless you meet one of the
3 exceptions, because it would be the position that we
4 do not believe these procedures are good for minors
5 and that they are harmful, with potential
6 life-altering, drastic long-term effects.

7 PRESIDENT PASSIDOMO: Senator Pizzo.

8 SENATOR PIZZO: Yeah, I don't dispute your
9 rationale and your reasoning on that particular
10 issue, that a penalty should attach for something
11 that is found medically to be inherently dangerous.
12 I'm not disputing that.

13 I'm just talking, and asking you
14 specifically, a tattoo artist can tattoo, you know,
15 eyeliner, eyebrows, lipstick, rouge all over a boy's
16 face, and that's not sexual reassignment surgery, but
17 it's a permanent procedure. An implant could be
18 removed.

19 Doesn't it seem inconsistent that for putting
20 200 cc's on either side of someone's chest that could
21 be removed -- doesn't it seem inconsistent that
22 permanent tattooing of a face comes with a possible
23 license suspension for the tattoo artist as opposed
24 to the medical professional who is putting something
25 in that could be temporary in nature?

1 PRESIDENT PASSIDOMO: Senator Yarborough.

2 SENATOR YARBOROUGH: Thank you, Madam
3 President.

4 Our bill contemplates the sex reassignment
5 procedures and treatments. Senator Pizzo, we don't
6 contemplate tattoos in our bill, but we are saying
7 that this is not good for minors and we don't want it
8 to continue in Florida, unless they need one of the
9 exceptions.

10 PRESIDENT PASSIDOMO: Last question?

11 SENATOR PIZZO: Maybe not.

12 Here's my question. Tattoo artists are not
13 M.D.s, so, obviously, the bill speaks not only to the
14 criminal penalty associated with sexual reassignment,
15 but to doctors who have the threat of both the
16 criminal penalty, obviously, and a licensure concern.
17 I can tattoo a young man's face, and there's no
18 criminal penalty attached to that, and that's
19 permanent.

20 All my question is very simply -- and you
21 could say, You know what? We'll bring that back next
22 session. That's a good amendment to think about.
23 I'm just asking you in good faith doesn't it seem
24 rather inconsistent that we have a criminal penalty
25 for something that can be removed but nothing for

1 something that can't be, which is permanent? Because
2 it speaks to the long-term mental, emotional, and
3 physical side effects of allowing and engaging and
4 all of the stuff that I've heard through committee
5 clips and here today. I'm asking you for something
6 that's entirely permanent, that the whole world can
7 see and it's very difficult to hide, doesn't it seem
8 to you to be inconsistent to have a criminal penalty
9 for something that's temporary versus something that's
10 permanent? That's my question.

11 PRESIDENT PASSIDOMO: Senator Yarborough.

12 SENATOR YARBOROUGH: Thank you, Madam
13 President.

14 Thank you, Senator Pizzo.

15 If we contemplated tattoos in our bill,
16 Senator Pizzo, I could probably give you a better
17 answer. But what we're talking about is
18 life-altering, drastic surgeries on minors that can
19 leave them permanently scarred for the rest of their
20 lives. It's experimental. It's investigational.
21 We're making a strong statement that we're not going
22 to allow that on kids in Florida.

23 PRESIDENT PASSIDOMO: Senator Pizzo.

24 SENATOR PIZZO: Senator Yarborough, are you
25 aware that in 19 counties in Florida corporal

1 punishment of your children is still lawful?

2 PRESIDENT PASSIDOMO: Senator Yarborough.

3 SENATOR YARBOROUGH: Thank you, Madam

4 President.

5 Can I ask the relevance of the question to
6 the bill, Senator Pizzo?

7 PRESIDENT PASSIDOMO: Senator Pizzo.

8 SENATOR PIZZO: Thank you. Thank you,

9 Madam President.

10 Senator Yarborough, I asked the question,
11 and the relevance, the nexus, the connective tissue
12 between the two are those things that are about the
13 parent and child relationship and any state compelling
14 interest that would override those. Your bill is
15 chockful of those where it becomes the parent. It
16 makes determinations. It puts guardrails into the
17 medical profession. It doesn't allow the exercise of
18 one's feelings, personal beliefs, emotions, religion,
19 et cetera.

20 So my question is because of all of those
21 long-term effects that can occur, because this is a
22 legislature predicated entirely upon parents' rights,
23 my question for you is -- and long-term effects.
24 My question for you is are you aware that schools
25 in 19 counties in Florida can smack a child lawfully?

1 PRESIDENT PASSIDOMO: Senator Yarborough.

2 SENATOR YARBOROUGH: Thank you, Madam
3 President.

4 Senator, what I would say is we have a
5 balance on a lot of things, and this rises to the
6 occasion that we need to take action. We have free
7 speech, but you can't go and shout "fire" in a movie
8 theatre or say "bomb" on an airplane without there
9 being some impact from that, because you are putting
10 the lives of many other people in danger if you
11 choose to use that speech and say whatever you felt
12 like doing.

13 Teachers in the classrooms, they can't just
14 walk in and say anything they might want to say.
15 There's curriculum, and there are other guidelines
16 they have to follow. We are failing, I believe, as
17 lawmakers if we do not take this step to protect
18 children in Florida and say we're not going to let
19 anyone do harmful medical procedures and treatments
20 on our kids in Florida that can have drastic,
21 life-altering, lifelong impacts on those kids.

22 And we have stories to show of the mental,
23 emotional, and physical struggles that they have
24 and continue to have after they've gone through it.
25 I'm not saying that's all of them, but we have many

1 stories of those who continue to experience that.

2 That is not acceptable.

3 There is a balance with what you're saying,
4 Senator. You're saying about parents' rights, about
5 what we do with education and some of these other
6 things that are not contemplated in this bill, but we
7 have some bills related that will come through soon,
8 and that's a balance.

9 I believe government intervention should be
10 a last resort, but the same parents that have come to
11 me -- I said this in committee. A lot of the same
12 parents who have come to me and said, We would like
13 more of these standards to be looked at in our
14 classroom and education are the same parents that are
15 coming and saying, Please do something about this so
16 that this doesn't continue in Florida.

17 So there's a balance.

18 PRESIDENT PASSIDOMO: Senator Pizzo.

19 SENATOR PIZZO: Thank you, Madam President.

20 And one of your Republican colleagues said
21 there was no way in heck I'd get you to talk about
22 the First Amendment, so I won a small wager. So I
23 get to ask you this question because you mentioned it.

24 Do you know what -- if I have an ascetic
25 Jewish kid who shaves his head but has ringlets and

1 has to wear a specific form of clothing, if I have an
2 Amish child who must do the same and live a particular
3 way, do you know at what age in Florida you can
4 emancipate yourself from your parents?

5 PRESIDENT PASSIDOMO: Senator Yarborough.

6 SENATOR YARBOROUGH: Thank you, Madam
7 President.

8 Our bill contemplates sex reassignment
9 surgeries and procedures, Senator Pizzo. I'm not
10 sure how that would relate to what our bill is.

11 PRESIDENT PASSIDOMO: Senator Pizzo.

12 SENATOR PIZZO: Here's how I think it would
13 relate, and this is the question I have for you. If
14 I get emancipated at 16, I don't have parents anymore.
15 Can I make my own decisions even though I'm under 18?

16 PRESIDENT PASSIDOMO: Senator Yarborough.

17 SENATOR YARBOROUGH: Thank you, Madam
18 President.

19 Senator, I'm still trying to understand how
20 that relates to our bill about sex reassignment
21 procedures.

22 PRESIDENT PASSIDOMO: Senator Pizzo.

23 SENATOR PIZZO: If a 16-year-old successfully
24 emancipates themselves from their parents and at 17
25 decides to get sexual reassignment surgery, whose

1 permission do they need under your bill?

2 PRESIDENT PASSIDOMO: Senator Yarborough.

3 SENATOR YARBOROUGH: Thank you, Madam
4 President.

5 The procedures are prohibited under our bill
6 if it becomes law for anyone under the age of 18,
7 so they wouldn't be able to get it. If a doctor
8 provides it to them, then there's issue for that
9 health care provider.

10 PRESIDENT PASSIDOMO: Senator Pizzo, are
11 you done yet, or is that just one more?

12 SENATOR PIZZO: I'm done yet, Madam President.
13 I'm done yet.

14 PRESIDENT PASSIDOMO: Does anybody else have
15 any questions?

16 Okay. Pursuant to rule 4.19, the bill is
17 placed on the calendar of bills on third reading.

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CERTIFICATE OF REPORTER

STATE OF IOWA)
COUNTY OF WARREN)

I, Terri L. Martin, Certified Shorthand Reporter, certify that I was authorized to and did stenographically transcribe the foregoing audio recording to the best of my ability and that the transcript is a complete record of my stenographic notes.

Dated this 25th of August, 2023.

/s/ Terri L. Martin
Terri L. Martin, CSR, RPR, CRR