

Minority Report
B-Engrossed
House Bill 4088

Ordered by the Senate March 3
Including House Amendments dated February 11 and Senate Minority
Report Amendments dated March 3

Sponsored by nonconcurring members of the Senate Committee on Judiciary: Senators MCLANE, THATCHER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act tells the OHA to conduct a study about certain care that is provided to minors in this state. (Flesch Readability Score: 68.0).

[Digest: The Act says that it is the policy of this state to make sure people are allowed to get certain kinds of health care, including care for their bodies and gender identity. The Act also makes changes to laws about helping the federal government and other states in cases arising involving this kind of care, makes some records and information private and says that midwives who give this kind of care will not get in trouble if they follow the rules. The new law starts right away. (Flesch Readability Score: 60.7).]

[Declares this state's policy to protect engagement in certain activities relating to reproductive health care and gender-affirming treatment.]

[Prohibits cooperation with law enforcement agencies of the federal government or other states in actions involving legally-protected reproductive or gender-affirming health care activities.]

[Modifies provisions regarding interstate actions involving legally-protected reproductive or gender-affirming health care activities.]

[Makes specified records and information confidential.]

[Provides protection from disciplinary action for direct entry midwives who provide reproductive health care and gender-affirming treatment under specified circumstances.]

[Declares an emergency, effective on passage.]

Requires the Oregon Health Authority to study gender-affirming care provided to minors in this state. Directs the authority to submit findings to the interim committees of the Legislative Assembly related to health care no later than September 15, 2027.

Sunset on January 2, 2028.

A BILL FOR AN ACT

1
2 Relating to health.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section, "gender-affirming treatment" means a procedure,**
5 **service, drug, device or product that a physical or behavioral health care provider prescribes**
6 **to treat an individual for incongruence between the individual's gender identity and the**
7 **individual's sex assignment at birth.**

8 **(2) The Oregon Health Authority shall study the long-term outcomes and consequences**
9 **of gender-affirming treatment provided to individuals under 18 years of age in this state. The**
10 **authority shall submit a report in the manner provided by ORS 192.245, and may include**
11 **recommendations for legislation, to the interim committees of the Legislative Assembly re-**
12 **lated to health care no later than September 15, 2027.**

13 **SECTION 2. Section 1 of this 2026 Act is repealed on January 2, 2028.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.