

5122-14-12.1 **Gender transition care.**

(A) As used in this rule, "biological sex," "cross-sex hormone," "gender-related condition," "gender transition," and "minor patient" have the same meanings as in rule 5122-26-19 of the Administrative Code.

(B) With respect to medical services that are to be delivered as referenced in rule 5122-14-12 of the Administrative Code, such medical services are not to include the following activities unless the standards in paragraph (C) of this rule are met:

(1) Initiation of any new medication related to gender transition cross-sex hormone or the prescribing, administering, or personally furnishing of any prescription medication or hormone provided for the purpose of assisting a minor patient with gender transition that seeks to (a) alter or remove physical or anatomical characteristics or features that are typical for the individual's biological sex or (b) instill or create physiological or anatomical characteristics that resemble a sex different than the individual's biological sex; or

(2) Any type of medical service for a minor patient that initiates puberty blocking, including a service involving the prescribing, administering, or personally furnishing of drugs or cross-sex hormones or the use of other mechanisms to promote the development of feminizing or masculinizing features in the opposite sex.

(C) Except as provided in paragraphs (D) and (E) of this rule, it is impermissible for an inpatient psychiatric service provider to provide to a minor patient any pharmacologic treatment specified in paragraph (B) of this rule unless the provider meets all of the following standards:

(1) The provider employs or has available for referral a mental health professional as defined in rule 5122-26-19 of the Administrative Code with experience treating minor patients in the applicable age group.

(2) The provider employs or has available for referral a board-certified endocrinologist with experience treating minor patients in the applicable age group.

(3) The provider has included in its comprehensive plan of service all of the following components:

(a) The specific services to be provided by the professionals specified in paragraph (C)(1) and (C)(2) of this rule and other professionals from the appropriate disciplines:

- (b) A process for acquiring informed consent from each minor patient's parent, guardian, or custodian. A provider's process for acquiring informed consent is to include the provider sharing with each minor individual's parent, guardian, or custodian and the minor individual specific information about the treatments that can and cannot be fully or partially undone or reversed; and
- (c) A detailed plan of action for patients seeking to detransition.
- (4) The minor patient has received a comprehensive mental health evaluation and counseling services over a period of not less than six months, documentation of which is obligated to be included in the minor patient's medical record.
- (D) This rule does not preclude a physician from treating, including prescribing drugs or hormones for, a minor patient who meets any of the following conditions:

 - (1) Was born with a medically verifiable disorder of sex development, including an individual with external biological sex characteristics that are irresolvably ambiguous, such as an individual born with forty-six XX chromosomes with virilization, forty-six XY chromosomes with undervirilization, or having both ovarian and testicular tissue;
 - (2) Received a diagnosis of a disorder of sexual development, in which a physician has determined through genetic or biochemical testing that the individual does not have normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action for a biological male or biological female; or
 - (3) Needs treatment for any infection, injury, disease, or disorder that has been caused or exacerbated by the performance of gender transition services, whether or not the services were performed in accordance with state or federal law.
- (E) An inpatient psychiatric service provider that initiated gender transition care to a minor patient prior to the effective date of this rule is exempt from meeting the standards in paragraph (C) of this rule with respect to that patient.
- (F) An inpatient psychiatric service provider that provides diagnosis and treatment for gender-related conditions is obligated to annually demonstrate compliance with the standards specified in paragraph (C) of this rule using forms and formats approved by the director of health. This annual compliance demonstration will include, at a minimum, submission of the comprehensive plan of service described in paragraph (C)(3) of this rule. In addition to this obligation, a provider is also to submit the reports described in rule 3701-3-17 of the Administrative Code to the department of health in accordance with that rule.

(G) In the event that any provision of this rule conflicts with a statute or judicial decision, such statute or decision supersedes.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

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