

§ 90-21.152. When certain procedures are permitted.

(a) Notwithstanding G.S. 90-21.151, and provided the minor's parents or guardians give informed consent, a medical professional shall not be prohibited from providing any of the following procedures to a minor:

- (1) Services to persons born with a medically verifiable disorder of sex development, including a person with external biological sex characteristics that are unresolvedly ambiguous, such as those born with 46 XX chromosomes with virilization, 46 XY chromosomes with under-virilization, or having both ovarian and testicular tissue.
- (2) Services provided when a physician has otherwise diagnosed a disorder of sexual development that the physician has determined through genetic or biochemical testing that the person does not have normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action.
- (3) The treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of gender transition procedures, whether or not the gender transition procedure was performed in accordance with State and federal law.
- (4) Breast reduction procedures for a female patient causing a physical disorder.
- (5) Any procedure undertaken because the individual suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the individual in imminent danger of death or impairment of major bodily function unless surgery is performed.
- (6) Any surgery, including those listed in G.S. 90-21.150(6) and (9), which a treating physician certifies is medically necessary to treat a physiological condition.

(b) Notwithstanding G.S. 90-21.151, a medical professional shall not be prohibited from continuing or completing a course of treatment for a minor that includes a surgical gender transition procedure, or the administration of puberty-blocking drugs or cross-sex hormones, if all of the following apply:

- (1) The course of treatment commenced prior to August 1, 2023, and was still active as of that date.
- (2) In the reasonable medical judgment of the medical professional, it is in the best interest of the minor for the course of treatment to be continued or completed.
- (3) The minor's parents or guardians consent to the continuation or completion of treatment.

(c) Except as provided in G.S. 90-21.151, nothing in this Article shall be construed to prohibit treatment provided by a licensed mental health professional which is provided within the scope of that professional's practice.

(d) No medical professional, or an entity that employs or contracts with a medical professional, shall be required to perform a surgical gender transition procedure or prescribe, provide, or dispense puberty-blocking drugs or cross-sex hormones. No hospital or other healthcare institution shall be required to participate in, or allow the use of, its facilities by a medical professional performing a surgical gender transition procedure or prescribing, providing, or dispensing puberty-blocking drugs or cross-sex hormones, regardless of whether the medical professional is employed by, under contract with, or has admitting privileges at the hospital or other healthcare institution. No medical professional, entity, hospital, or other healthcare institution shall be civilly, criminally, or administratively liable for exercising his, her, or its rights under this subsection. (2023-111, s. 1.)