

§ 90-21.154. Civil remedies.

(a) Any (i) medical professional who performs a surgical gender transition procedure on a minor or who prescribes, provides, or dispenses puberty-blocking drugs or cross-sex hormones to a minor and (ii) entity that employs or contracts with a medical professional who performs a surgical gender transition procedure on a minor or who prescribes, provides, or dispenses puberty-blocking drugs or cross-sex hormones to a minor shall be liable to the minor for any physical, psychological, emotional, or physiological harms the minor suffers as a result of the surgical gender transition procedure, puberty-blocking drugs, or cross-sex hormones.

(b) A minor who suffers an injury described in subsection (a) of this section, or a parent or guardian of a minor who suffers an injury described in subsection (a) of this section, may bring a civil action within the latter of 25 years from the day the minor reaches 18 years of age or four years from the time of discovery by the injured party of both the injury and the causal relationship between the treatment and the injury against the offending medical professional or entity. If the minor who suffered any injury described in subsection (a) of this section is under a legal disability upon attaining 18 years of age, the time limitation in this subsection does not begin to run until that legal disability is removed. An individual commencing an action under this section may seek the following relief:

- (1) Declaratory or injunctive relief.
- (2) Compensatory damages, including pain and suffering, loss of reputation, loss of income, and loss of consortium, which includes the loss of expectation of sharing parenthood.
- (3) Punitive damages.
- (4) Attorneys' fees and court costs.
- (5) Any other appropriate relief.

(c) Minors bringing an action under this section may do so through a parent or guardian prior to attaining majority and may do so in their own name after attaining majority. Notwithstanding G.S. 143-299, any action brought under this section may be commenced within the time frames described in subsection (b) of this section.

(d) G.S. 90-21.19(a) shall not apply to damages awarded in an action brought under this section.

(e) Medical professionals and entities employing or contracting with medical professionals may not seek a contractual waiver of the liability imposed under this section. Any attempted waiver is null and void. (2023-111, s. 2.)