

HB0193S04 compared with HB0193S03

~~{Omitted text}~~ shows text that was in HB0193S03 but was omitted in HB0193S04
inserted text shows text that was not in HB0193S03 but was inserted into HB0193S04

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

1 **Transgender Medical Procedures Amendments**
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Nicholeen P. Peck
Senate Sponsor: Daniel McCay



2
3 **LONG TITLE**

4 **General Description:**

5 This bill addresses the use of public employee insurance for certain transgender medical
6 treatments and procedures.

7 **Highlighted Provisions:**

8 This bill:

9 ▶ subject to a limited exception, prohibits public employee insurance from covering, or paying or
reimbursing for the performance of, certain transgender medical treatments or procedures;

12 ▶ provides that if, before May 6, 2026, public employee insurance paid or reimbursed for a
procedure to transition an individual from the individual's biological sex, public employee insurance
must offer the same type and amount of insurance coverage for a procedure to restore that individual, to
the extent possible, to that individual's biological sex; { ~~and~~ }

17 ▶ includes an indemnity provision; and

17 ▶ makes technical changes.

19 **Money Appropriated in this Bill:**

20 None

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21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 ENACTS:

24 ~~{49-20-423 , Utah Code Annotated 1953}~~

25 **63G-34-101 , Utah Code Annotated 1953**

26 **63G-34-201 , Utah Code Annotated 1953**

27 **63G-34-202 , Utah Code Annotated 1953**

28 **63G-34-203 , Utah Code Annotated 1953**

29

30 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section 1 is enacted to read:

28 **49-20-423. Payment for transgender treatment or procedure using public employee insurance prohibited -- Exception -- Coverage for detransitioning.**

30 (1) As used in this section:

31 (a) "Hormonal transgender treatment" means the same as that term is defined in Section 58-1-603.

33 (b) "Public employee insurance" means the Public Employees' Benefit Insurance Program created in Section 49-20-103.

35 (2) Public employee insurance may not, either directly or indirectly, offer coverage, or be used to pay or otherwise reimburse, for the performance of:

37 (a) except as provided in Subsection (3), hormonal transgender treatment;

38 (b) a primary sex characteristic surgical procedure as defined in Section 58-67-102; or

39 (c) a secondary sex change characteristic surgical procedure as defined in Section 58-67-102.

41 (3) If, on May 5, 2026, an individual was undergoing hormonal transgender treatment that was, as of that date, payable or reimbursable under public employee insurance, the individual may complete that course of treatment on the same terms of payment or reimbursement that were available for that course of treatment on May 5, 2026, until that course of treatment ends, if the physician overseeing that course of treatment determines that it is medically necessary to continue the course of treatment.

47 (4) If, before May 6, 2026, public employee insurance paid or otherwise reimbursed a person, either directly or indirectly, for the treatment or a surgical procedure described in Subsection (2) that was performed before May 6, 2026, to transition an individual from the individual's biological sex,

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public employee insurance shall offer the same type and amount of coverage for treatment or a surgical procedure to restore that individual, to the extent possible, to that individual's biological sex.

31 Section 1. Section 1 is enacted to read:

32 CHAPTER 34. Limitations on Government

33 Part 1. General Provisions

34 **63G-34-101. Definitions.**

Reserved

36 Section 2. Section 2 is enacted to read:

37 Part 2. Limitations on Health Insurance Coverage

38 **63G-34-201. Definitions.**

As used in this part:

40 (1) "Covered individual" means:

41 (a) an employee covered by public insurance; or

42 (b) an individual covered by public insurance as a dependent of an employee.

43 (2) "Employee" means an individual employed by a public employer.

44 (3) "Hormonal transgender treatment" means the same as that term is defined in Section 58-1-603.

46 (4) "Public employee insurance" means group health insurance coverage offered by a public employer to an eligible employee or a dependent of an eligible employee.

48 (5) "Public employer" means an employer that is:

49 (a) state government or a branch of state government;

50 (b) a political subdivision of the state;

51 (c) a subunit of an entity described in Subsection (5)(a) or (b); or

52 (d) a state institution of higher education.

53 Section 3. Section 3 is enacted to read:

54 **63G-34-202. Payment for transgender treatment or procedure using public employee insurance prohibited -- Exception -- Coverage for detransitioning.**

56 (1) Public employee insurance may not, either directly or indirectly, offer coverage, or be used to pay or otherwise reimburse, for the performance of:

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- 58 (a) except as provided in Subsection (2), hormonal transgender treatment;
59 (b) a primary sex characteristic surgical procedure as defined in Section 58-67-102; or
60 (c) a secondary sex change characteristic surgical procedure as defined in Section 58-67-102.
62 (2) If, on May 5, 2026, a covered individual was undergoing hormonal transgender treatment that was, as of that date, payable or reimbursable under public employee insurance, the covered individual may complete that course of treatment on the same terms of payment or reimbursement that were available for that course of treatment on May 5, 2026, until that course of treatment ends, if the physician overseeing that course of treatment determines that it is medically necessary to continue the course of treatment.
68 (3) If, before May 6, 2026, public employee insurance paid or otherwise reimbursed a person, either directly or indirectly, for the treatment or a surgical procedure described in Subsection (1) that was performed before May 6, 2026, to transition a covered individual from the individual's biological sex, public employee insurance shall offer the same type and amount of coverage for treatment or a surgical procedure to restore that covered individual, to the extent possible, to that covered individual's biological sex.

74 Section 4. Section 4 is enacted to read:

75 **63G-34-203. Indemnification.**

The state shall defend, indemnify, and hold harmless a person acting under color of state law to enforce this part for any claims or damages, including court costs and attorney fees, that:

- 78 (1) are brought or incurred as a result of this part; and
79 (2) are not covered by the person's insurance policies or by a coverage agreement issued by the State Risk Management Fund.

81 Section 5. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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