

Nicholeen P. Peck proposes the following substitute bill:

Transgender Medical Procedures Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Nicholeen P. Peck

Senate Sponsor: Daniel McCay

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- 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;

- 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;

- includes an indemnity provision; and

- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

63G-34-101, Utah Code Annotated 1953

63G-34-201, Utah Code Annotated 1953

63G-34-202, Utah Code Annotated 1953

63G-34-203, Utah Code Annotated 1953

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

Section 1. Section **63G-34-101** is enacted to read:

CHAPTER 34. Limitations on Government

Part 1. General Provisions

63G-34-101 . Definitions.

Reserved

Section 2. Section **63G-34-201** is enacted to read:

Part 2. Limitations on Health Insurance Coverage

63G-34-201 . Definitions.

As used in this part:

- (1) "Covered individual" means:
 - (a) an employee covered by public insurance; or
 - (b) an individual covered by public insurance as a dependent of an employee.
- (2) "Employee" means an individual employed by a public employer.
- (3) "Hormonal transgender treatment" means the same as that term is defined in Section 58-1-603.
- (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.
- (5) "Public employer" means an employer that is:
 - (a) state government or a branch of state government;
 - (b) a political subdivision of the state;
 - (c) a subunit of an entity described in Subsection (5)(a) or (b); or
 - (d) a state institution of higher education.

Section 3. Section **63G-34-202** is enacted to read:

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

- (1) Public employee insurance may not, either directly or indirectly, offer coverage, or be used to pay or otherwise reimburse, for the performance of:
 - (a) except as provided in Subsection (2), hormonal transgender treatment;
 - (b) a primary sex characteristic surgical procedure as defined in Section 58-67-102; or
 - (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
63 treatment that was, as of that date, payable or reimbursable under public employee
64 insurance, the covered individual may complete that course of treatment on the same
65 terms of payment or reimbursement that were available for that course of treatment on
66 May 5, 2026, until that course of treatment ends, if the physician overseeing that course
67 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
69 person, either directly or indirectly, for the treatment or a surgical procedure described in
70 Subsection (1) that was performed before May 6, 2026, to transition a covered
71 individual from the individual's biological sex, public employee insurance shall offer the
72 same type and amount of coverage for treatment or a surgical procedure to restore that
73 covered individual, to the extent possible, to that covered individual's biological sex.

74 Section 4. Section **63G-34-203** is enacted to read:

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

76 The state shall defend, indemnify, and hold harmless a person acting under color of state
77 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
80 the State Risk Management Fund.

81 Section 5. **Effective Date.**

82 This bill takes effect on May 6, 2026.