
A BILL FOR AN ACT

RELATING TO HEALTH CARE FOR MINORS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that minors are not at a
2 fully completed mature state and still undergoing physical,
3 mental, and emotional development. Accordingly, minors are
4 prohibited by law from voting, owning a firearm, getting a
5 tattoo, and being drafted into military service prior to the age
6 of eighteen. Permanent medical alterations to a minor's body
7 are very significant decisions that should be based on the best
8 available evidence. Further, recent studies have demonstrated
9 that gender affirming care for minors may not be best medical
10 practices. Countries such as the United Kingdom, Finland, and
11 Sweden have taken efforts to reverse their previous policies
12 that allowed minors to access gender affirming care, casting
13 doubt on the Dutch Protocol.

14 The United Kingdom restricted the prescription of puberty
15 blockers to minors in 2024 after the Commission on Human
16 Medicines reported that experts had identified safety risks and
17 the Cass Review noted that uncertainties related to the medical



1 intervention remain. Finland and Sweden imposed similar
2 restrictions on the use of hormone treatments in 2020 and 2022
3 respectively, noting the ongoing risks and continued need for
4 scientific research.

5 The legislature further finds that the legal landscape of
6 the United States has recently recognized the legitimacy of laws
7 which prevent youth access to gender affirming care. On June
8 18, 2025, the Supreme Court of the United States issued a
9 decision upholding a Tennessee law which prohibited minors from
10 receiving puberty blockers or other similar medical
11 interventions. The decision validates twenty-five existing
12 state bans across the nation. The State has an interest in
13 protecting minors from making risky, life-altering permanent
14 decisions that they may come to regret as adults.

15 Accordingly, the purpose of this Act is to prohibit medical
16 procedures from being administered to or performed on minors
17 when the purpose of the medical procedure is to:

18 (1) Enable a minor to identify with, or live as, a
19 purported identity inconsistent with the minor's sex;
20 or



(2) Treat purported discomfort or distress from a discordance between the minor's sex and asserted identity.

SECTION 2. Chapter 453, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

"PART . GENDER AFFIRMING CARE

§453-A Definitions. As used in this part:

"Congenital defect" means a physical or chemical abnormality present in a minor that is inconsistent with the normal development of a human being of the minor's sex, including abnormalities caused by a medically verifiable disorder of sex development, but does not include gender dysphoria, gender identity disorder, gender incongruence, or any mental condition, disorder, disability, or abnormality.

"Healthcare provider" means a healthcare professional, establishment, or facility licensed, registered, certified, or permitted pursuant to this chapter or chapter 465 and under the regulatory authority of the following:

(1) The department of health;



(2) An agency, board, council, or committee attached to the department of commerce and consumer affairs; or

(3) The office of health care assurance.

"Hormone" means an androgen or estrogen.

"Knowing" and "knowingly" have the same meaning as the term "knowingly" is defined in section 702-206.

"Medical procedure" means:

(1) Surgically removing, modifying, altering, or entering into tissues, cavities, or organs of a human being; or

(2) Prescribing, administering, or dispensing any puberty blocker or hormone to a human being.

"Minor" means an individual under eighteen years of age.

"Parent" means any biological, legal, or adoptive parent or parents of the minor or any legal guardian of the minor.

"Puberty blocker" means a drug or device that suppresses the production of hormones in a minor's body to stop, delay, or suppress pubertal development.

"Sex" means a person's immutable characteristics of the reproductive system that define the individual as male or female, as determined by anatomy and genetics existing at the time of birth.



1 **§453-B Prohibitions.** (a) A healthcare provider shall not
2 knowingly perform or offer to perform on a minor, or administer
3 or offer to administer to a minor, a medical procedure if the
4 performance or administration of the procedure is for the
5 purpose of:

6 (1) Enabling a minor to identify with, or live as, a
7 purported identity inconsistent with the minor's sex;
8 or

9 (2) Treating purported discomfort or distress from a
10 discordance between the minor's sex and asserted
11 identity.

12 (b) This section applies to medical procedures that are:

13 (1) Performed or administered in the state; or

14 (2) Performed or administered on a minor located in this
15 state, including via telehealth, as defined in section
16 453-1.3.

17 (c) It is not a violation of this section if a healthcare
18 provider knowingly performs, or offers to perform, a medical
19 procedure on or administers, or offers to administer, a medical
20 procedure to a minor or if:



1 (1) The performance or administration of the medical
2 procedure is to treat a minor's congenital defect,
3 precocious puberty, disease, or physical injury; or

4 (2) The performance or administration of the medical
5 procedure on the minor began prior to the effective
6 date of this Act and concludes on or before January 1,
7 2027.

8 (d) For the purposes of subsection (c)(1), "disease" does
9 not include gender dysphoria, gender identity disorder, gender
10 incongruence, or any mental condition, disorder, disability, or
11 abnormality.

12 (e) For the exception in subsection (c)(2) to apply, the
13 minor's treating physician must certify in writing that, in the
14 physician's good-faith medical judgment, based upon the facts
15 known to the physician at the time, ending the medical procedure
16 would be harmful to the minor. The certification must include
17 the findings supporting the certification and must be made a
18 part of the minor's medical record.

19 (f) The exception in subsection (c)(2) does not allow a
20 healthcare provider to perform or administer a medical procedure
21 that is different from the medical procedure performed prior to



1 the effective date of this Act when the sole purpose of the
2 subsequent medical procedure is to:

3 (1) Enable the minor to identify with, or live as, a
4 purported identity inconsistent with the minor's sex;
5 or

6 (2) Treat purported discomfort or distress from a
7 discordance between the minor's sex and asserted
8 identity.

9 (g) It is not a defense to any legal liability incurred as
10 the result of a violation of this section that the minor, or a
11 parent of the minor, consented to the conduct that constituted
12 the violation.

13 (h) This section supersedes any common law rule regarding
14 a minor's ability to consent to a medical procedure that is
15 performed or administered for the purpose of:

16 (1) Enabling the minor to identify with, or live as, a
17 purported identity inconsistent with the minor's sex;
18 or

19 (2) Treating purported discomfort or distress from a
20 discordance between the minor's sex and asserted
21 identity.



1 **§453-C Distribution of hormones or puberty blockers to**
2 **minors.** A person shall not knowingly provide a hormone or
3 puberty blocker by any means to a minor if the provision of the
4 hormone or puberty blocker is not in compliance with this
5 chapter.

6 **§453-D Private right of action.** (a) Except as otherwise
7 provided in subsection (b), a minor, or the parent of a minor,
8 injured as a result of a violation of this part, may bring a
9 civil cause of action to recover compensatory damages, punitive
10 damages, and reasonable attorney's fees, court costs, and
11 expenses against the healthcare provider or any person alleged
12 to have violated this part.

13 (b) The parent of a minor injured as a result of a
14 violation of this part shall not bring a civil cause of action
15 against a healthcare provider or another person if the parent
16 consented to the conduct that constituted the violation on
17 behalf of the minor.

18 (c) The parent or next of kin of a minor may bring a
19 wrongful death action, pursuant to section 663-3, against a
20 healthcare provider alleged to have violated section 453-B, if
21 the injured minor is deceased and:



(1) The minor's death is the result of the physical or emotional harm inflicted upon on the minor by the violation; and

(2) The parent of the minor did not consent to the conduct that constituted the violation on behalf of the minor.

(d) If a court in any civil action brought pursuant to this section finds that the healthcare provider knowingly violated section 453-B, then the court shall notify the appropriate regulatory authority and the attorney general by mailing a certified copy of the court's order to the regulatory authority and the attorney general. Notification pursuant to this section shall be made upon the judgment of the court being made final.

(e) For purposes of this section, compensatory damages may include:

(1) Reasonable economic losses caused by the emotional, mental or physical effects of the violation, including but not limited to:

(A) The cost of counseling, hospitalization, and any other medical expenses connected with treating the harm caused by the violation;



(B) Any out-of-pocket costs of the minor paid to the healthcare provider for the prohibited medical procedure; and

(C) Loss of income caused by the violation; and

(2) Noneconomic damages caused by the violation, including but not limited to, psychological and emotional anguish.

(f) Notwithstanding any law to the contrary, an action commenced under this section must be brought:

(1) Within thirty years from the date the minor reaches eighteen years of age; or

(2) Within ten years of the minor's death if the minor dies.

(g) This section is declared to be remedial in nature, and this section must be liberally construed to effectuate its purpose.

§453-E State right of action. (a) The attorney general shall establish a process by which violations of this part may be reported.

(b) The attorney general may bring an action against a healthcare provider or any person that knowingly violates this



1 chapter, within twenty years of the violation, to enjoin further
2 violations, to disgorge any profits received due to the medical
3 procedure, and to recover a civil penalty of twenty-five
4 thousand dollars per violation. Each time a healthcare provider
5 performs or administers a medical procedure in violation of
6 section 453-B constitutes a separate violation.

7 (c) A civil penalty collected pursuant to this section
8 must be paid into the general fund of the State.

9 (d) The attorney general is entitled to reasonable
10 attorney's fees, court costs, and expenses if the attorney
11 general prevails in an action brought pursuant to this section.

12 (e) Jurisdiction for an action brought pursuant to this
13 section is in the circuit court in the county where the
14 violation occurred.

15 **§453-F Healthcare provider licensing sanctions.** A
16 violation of section 453-B constitutes a potential threat to
17 public health, safety, and welfare and requires emergency action
18 by an alleged violator's appropriate regulatory authority. Upon
19 receiving notification pursuant to section 453-D, or upon
20 otherwise becoming aware of an alleged violation of section 453-



1 B, the appropriate regulatory authority shall proceed pursuant
2 this chapter or chapter 465, as applicable.

3 **§453-G Minor immunity.** A minor upon whom a medical
4 procedure is performed or administered must not be held liable
5 for violating this chapter.

6 **§453-H Application.** This part does not prohibit or
7 restrict psychological practice regulated pursuant to chapter
8 465; the practice of professional counseling regulated pursuant
9 to chapter 453D; or the practice of social work regulated
10 pursuant to chapter 467E.

11 SECTION 3. If any provision of this Act, or the
12 application thereof to any person or circumstance, is held
13 invalid, the invalidity does not affect other provisions or
14 applications of the Act that can be given effect without the
15 invalid provision or application, and to this end the provisions
16 of this Act are severable.

17 SECTION 4. In codifying the new sections added by section
18 2 of this Act, the revisor of statutes shall substitute
19 appropriate section numbers for the letters used in designating
20 the new sections in this Act.

21 SECTION 5. This Act shall take effect upon its approval.



H.B. NO. 2513

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INTRODUCED BY:

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JAN 28 2026



H.B. NO. 2513

Report Title:

Minors; Health Care; Gender; Puberty Blockers; Prohibitions

Description:

Prohibits medical procedures and the distribution of hormones or puberty blockers for the purpose of allowing a minor to change their sex to correlate with an identified gender. Allows for certain exceptions. Creates both a private and state right of action. Outlines sanctions through the proper licensing authority for violations.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

