

Update on Gender Affirming Care and Abortion Laws



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Summer Regulatory Update

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Gender-Affirming Care

As a result of the passage of SB 254, the treatment of gender dysphoria will become more problematic. For instance, when treating minors, physicians may now only continue care that was initiated prior to May 17, 2023, and must conclude that therapy by December 17. Moreover, even the continuation of such therapies will require that the parents and patient execute a specialized Informed Consent Form that is available at <http://flboardofmedicine.gov/Resources/>. For adults, new Informed Consent forms are also now required.

Fortunately, some of the provisions of the initial bill were “softened” in the final legislation. The new law only applies to “sex-reassignment,” and does not address issues with regard to normal puberty issues and hormonal treatment that is not associated with sex-reassignment. Moreover, existing care for minors may

continue, at least for a time, and adult care is still allowed, albeit with the new consent forms.

Abortion

Likewise, SB 300 drastically curtailed abortion options for women, as well as treatment options for physicians. As has been noted by observers, pregnancies may no longer be terminated after six weeks of gestation. There is an exception for rape and incest, but in such cases an abortion will not be allowed if the fetus has a gestational age of more than 15 weeks. Moreover, even medicinal terminations after these periods will not be allowed, and telehealth may not be used to terminate a pregnancy (such as prescribing termination medication). It is important to note, however, that the law does not preclude a Florida physician from discussing alternatives, such as procuring an abortion in a state that allows for later terminations.

As always, FAFP will continue to monitor these developments and inform our members of new laws as they take effect.



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