

AMENDMENTS TO LB574

(Amendments to Final Reading copy)

Introduced by Hansen, B., 16.

1           1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:

3           Section 1. Sections 1 to 6 of this act shall be known and may be  
4 cited as the Preborn Child Protection Act.

5           Sec. 2. The Preborn Child Protection Act only applies to  
6 intrauterine pregnancies.

7           Sec. 3. For purposes of the Preborn Child Protection Act:

8           (1)(a) Abortion means the prescription or use of any instrument,  
9 device, medicine, drug, or substance to or upon a woman known to be  
10 pregnant with the specific intent of terminating the life of her preborn  
11 child.

12           (b) Abortion shall under no circumstances be interpreted to include:

13           (i) Removal of an ectopic pregnancy;

14           (ii) Removal of the remains of a preborn child who has already died;

15           (iii) An act done with the intention to save the life or preserve  
16 the health of the preborn child;

17           (iv) The accidental or unintentional termination of the life of a  
18 preborn child; or

19           (v) During the practice of in vitro fertilization or another  
20 assisted reproductive technology, the termination or loss of the life of  
21 a preborn child who is not being carried inside a woman's body;

22           (2) Gestational age means the age of a preborn child as calculated  
23 from the first day of the last menstrual period of the pregnant woman;

24           (3)(a) Medical emergency means any condition which, in reasonable  
25 medical judgment, so complicates the medical condition of the pregnant  
26 woman as to necessitate the termination of her pregnancy to avert her

1 death or for which a delay in terminating her pregnancy will create a  
2 serious risk of substantial and irreversible physical impairment of a  
3 major bodily function.

4 (b) No condition shall be deemed a medical emergency if based on a  
5 claim or diagnosis that the woman will engage in conduct which would  
6 result in her death or in substantial and irreversible physical  
7 impairment of a major bodily function;

8 (4) Preborn child means an individual living member of the species  
9 homo sapiens, throughout the embryonic and fetal stages of development to  
10 full gestation and childbirth;

11 (5) Pregnant means the condition of having a living preborn child  
12 inside one's body; and

13 (6) Reasonable medical judgment means a medical judgment that could  
14 be made by a reasonably prudent physician, knowledgeable about the case  
15 and the treatment possibilities with respect to the medical conditions  
16 involved.

17 Sec. 4. (1) Except as provided in subsection (3) of this section, a  
18 physician, before performing or inducing an abortion, shall first:

19 (a) Determine, using standard medical practice, the gestational age  
20 of the preborn child; and

21 (b) Record in the pregnant woman's medical record:

22 (i) The method used to determine the gestational age of the preborn  
23 child; and

24 (ii) The date, time, and results of such determination.

25 (2) Except as provided in subsection (3) of this section, it shall  
26 be unlawful for any physician to perform or induce an abortion:

27 (a) Before fulfilling the requirements of subsection (1) of this  
28 section; or

29 (b) If the probable gestational age of the preborn child has been  
30 determined to be twelve or more weeks.

31 (3) It shall not be a violation of subsection (1) or (2) of this

1 section for a physician to perform or induce an abortion in the case of:

2 (a) Medical emergency;

3 (b) Pregnancy resulting from sexual assault as defined in section  
4 28-319 or 28-319.01; or

5 (c) Pregnancy resulting from incest as defined in section 28-703.

6 Sec. 5. (1) If a physician performs or induces an abortion because  
7 of a medical emergency pursuant to subdivision (3)(a) of section 4 of  
8 this act, the physician shall certify in writing that a medical emergency  
9 existed and explain the medical emergency in the written certification.  
10 The physician shall keep the written certification in the woman's medical  
11 record.

12 (2) If a physician performs or induces an abortion in the case of  
13 sexual assault or incest pursuant to subdivision (3)(b) or (c) of section  
14 4 of this act, the physician shall certify in writing that the abortion  
15 was performed because of sexual assault or incest and that the physician  
16 complied with all applicable duties imposed by section 28-902. The  
17 physician shall keep the written certification in the woman's medical  
18 record.

19 Sec. 6. No woman upon whom an abortion is attempted, induced, or  
20 performed shall be liable for a violation of the Preborn Child Protection  
21 Act.

22 Sec. 7. Section 38-178, Revised Statutes Cumulative Supplement,  
23 2022, is amended to read:

24 38-178 Except as otherwise provided in sections 38-1,119 to  
25 38-1,123, a credential to practice a profession may be issued subject to  
26 discipline, denied, refused renewal, or have other disciplinary measures  
27 taken against it in accordance with section 38-183, 38-185, or 38-186 on  
28 any of the following grounds:

29 (1) Misrepresentation of material facts in procuring or attempting  
30 to procure a credential;

31 (2) Immoral or dishonorable conduct evidencing unfitness to practice

1 the profession in this state;

2 (3) Abuse of, dependence on, or active addiction to alcohol, any  
3 controlled substance, or any mind-altering substance;

4 (4) Failure to comply with a treatment program or an aftercare  
5 program, including, but not limited to, a program entered into under the  
6 Licensee Assistance Program established pursuant to section 38-175;

7 (5) Conviction of (a) a misdemeanor or felony under Nebraska law or  
8 federal law, or (b) a crime in any jurisdiction which, if committed  
9 within this state, would have constituted a misdemeanor or felony under  
10 Nebraska law and which has a rational connection with the fitness or  
11 capacity of the applicant or credential holder to practice the  
12 profession;

13 (6) Practice of the profession (a) fraudulently, (b) beyond its  
14 authorized scope, (c) with gross incompetence or gross negligence, or (d)  
15 in a pattern of incompetent or negligent conduct;

16 (7) Practice of the profession while the ability to practice is  
17 impaired by alcohol, controlled substances, drugs, mind-altering  
18 substances, physical disability, mental disability, or emotional  
19 disability;

20 (8) Physical or mental incapacity to practice the profession as  
21 evidenced by a legal judgment or a determination by other lawful means;

22 (9) Illness, deterioration, or disability that impairs the ability  
23 to practice the profession;

24 (10) Permitting, aiding, or abetting the practice of a profession or  
25 the performance of activities requiring a credential by a person not  
26 credentialed to do so;

27 (11) Performing or offering to perform scleral tattooing as defined  
28 in section 38-10,172 by a person not credentialed to do so;

29 (12) Having had his or her credential denied, refused renewal,  
30 limited, suspended, revoked, or disciplined in any manner similar to  
31 section 38-196 by another state or jurisdiction based upon acts by the

1 applicant or credential holder similar to acts described in this section;

2 (13) Use of untruthful, deceptive, or misleading statements in  
3 advertisements, including failure to comply with section 38-124;

4 (14) Conviction of fraudulent or misleading advertising or  
5 conviction of a violation of the Uniform Deceptive Trade Practices Act;

6 (15) Distribution of intoxicating liquors, controlled substances, or  
7 drugs for any other than lawful purposes;

8 (16) Violations of the Uniform Credentialing Act or the rules and  
9 regulations relating to the particular profession;

10 (17) Unlawful invasion of the field of practice of any profession  
11 regulated by the Uniform Credentialing Act which the credential holder is  
12 not credentialed to practice;

13 (18) Violation of the Uniform Controlled Substances Act or any rules  
14 and regulations adopted pursuant to the act;

15 (19) Failure to file a report required by section 38-1,124,  
16 38-1,125, or 71-552;

17 (20) Failure to maintain the requirements necessary to obtain a  
18 credential;

19 (21) Violation of an order issued by the department;

20 (22) Violation of an assurance of compliance entered into under  
21 section 38-1,108;

22 (23) Failure to pay an administrative penalty;

23 (24) Unprofessional conduct as defined in section 38-179;

24 (25) Violation of the Automated Medication Systems Act;~~or~~

25 (26) Failure to comply with section 38-1,147; or -

26 (27) Violation of the Preborn Child Protection Act.

27 Sec. 8. Section 38-179, Revised Statutes Cumulative Supplement,  
28 2022, is amended to read:

29 38-179 For purposes of section 38-178, unprofessional conduct means  
30 any departure from or failure to conform to the standards of acceptable  
31 and prevailing practice of a profession or the ethics of the profession,

1 regardless of whether a person, consumer, or entity is injured, or  
2 conduct that is likely to deceive or defraud the public or is detrimental  
3 to the public interest, including, but not limited to:

4 (1) Receipt of fees on the assurance that an incurable disease can  
5 be permanently cured;

6 (2) Division of fees, or agreeing to split or divide the fees,  
7 received for professional services with any person for bringing or  
8 referring a consumer other than (a) with a partner or employee of the  
9 applicant or credential holder or his or her office or clinic, (b) with a  
10 landlord of the applicant or credential holder pursuant to a written  
11 agreement that provides for payment of rent based on gross receipts, or  
12 (c) with a former partner or employee of the applicant or credential  
13 holder based on a retirement plan or separation agreement;

14 (3) Obtaining any fee for professional services by fraud, deceit, or  
15 misrepresentation, including, but not limited to, falsification of third-  
16 party claim documents;

17 (4) Cheating on or attempting to subvert the credentialing  
18 examination;

19 (5) Assisting in the care or treatment of a consumer without the  
20 consent of such consumer or his or her legal representative;

21 (6) Use of any letters, words, or terms, either as a prefix, affix,  
22 or suffix, on stationery, in advertisements, or otherwise, indicating  
23 that such person is entitled to practice a profession for which he or she  
24 is not credentialed;

25 (7) Performing, procuring, or aiding and abetting in the performance  
26 or procurement of a criminal abortion;

27 (8) Knowingly disclosing confidential information except as  
28 otherwise permitted by law;

29 (9) Commission of any act of sexual abuse, misconduct, or  
30 exploitation related to the practice of the profession of the applicant  
31 or credential holder;

1 (10) Failure to keep and maintain adequate records of treatment or  
2 service;

3 (11) Prescribing, administering, distributing, dispensing, giving,  
4 or selling any controlled substance or other drug recognized as addictive  
5 or dangerous for other than a medically accepted therapeutic purpose;

6 (12) Prescribing any controlled substance to (a) oneself or (b)  
7 except in the case of a medical emergency (i) one's spouse, (ii) one's  
8 child, (iii) one's parent, (iv) one's sibling, or (v) any other person  
9 living in the same household as the prescriber;

10 (13) Failure to comply with any federal, state, or municipal law,  
11 ordinance, rule, or regulation that pertains to the applicable  
12 profession;

13 (14) Disruptive behavior, whether verbal or physical, which  
14 interferes with consumer care or could reasonably be expected to  
15 interfere with such care; ~~and~~

16 (15) Violation of the Preborn Child Protection Act;

17 (16) Beginning October 1, 2023, performing gender-altering  
18 procedures for an individual younger than nineteen years of age in  
19 violation of section 17 of this act; and

20 (17) ~~(15)~~ Such other acts as may be defined in rules and  
21 regulations.

22 Nothing in this section shall be construed to exclude determination  
23 of additional conduct that is unprofessional by adjudication in  
24 individual contested cases.

25 Sec. 9. Section 38-192, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 38-192 (1) If the director determines upon completion of a hearing  
28 under section 38-183 or 38-186 that a violation has occurred, the  
29 director may, at his or her discretion, consult with the appropriate  
30 board concerning sanctions to be imposed or terms and conditions of the  
31 sanctions. When the director consults with a board, the credential holder

1 and the Attorney General shall be provided with a copy of the director's  
2 request, the recommendation of the board, and an opportunity to respond  
3 in such manner as the director determines.

4 (2) Except as provided in subsection (3) of this section, the The  
5 director shall have the authority through entry of an order to exercise  
6 in his or her discretion any or all of the sanctions authorized under  
7 subsection (1) of section 38-196.

8 (3) If the director determines upon completion of a hearing under  
9 section 38-183 or 38-186 that a licensee has performed or induced an  
10 unlawful abortion in violation of section 4 of this act, the director  
11 shall enter an order imposing a sanction authorized under subsection (2)  
12 of section 38-196.

13 Sec. 10. Section 38-193, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 38-193 (1) If the petition is brought with respect to subdivision  
16 (3) of section 38-2021, the director shall make findings as to whether  
17 the licensee's conduct was necessary to save the life of a mother whose  
18 life was endangered by a physical disorder, physical illness, or physical  
19 injury, including a life-endangering physical condition caused by or  
20 arising from the pregnancy itself. The director shall have the authority  
21 through entry of an order to exercise in his or her discretion any or all  
22 of the sanctions authorized under section 38-196, irrespective of the  
23 petition.

24 (2) If the petition is brought with respect to subdivision (5) of  
25 section 38-2021, the director shall make findings as to whether the  
26 licensee performed or induced an unlawful abortion in violation of  
27 section 4 of this act. If the director finds such a violation, the  
28 director shall enter an order revoking the licensee's credential to  
29 practice pursuant to the Uniform Credentialing Act in the State of  
30 Nebraska in accordance with subsection (2) of section 38-196 and section  
31 38-1,100.



1           Sec. 11. Section 38-196, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           38-196 (1) Except as provided in subsection (2) of this section,  
4 upon ~~upon~~ the completion of any hearing held regarding discipline of a  
5 credential, the director may dismiss the action or impose any of the  
6 following sanctions:

- 7           (a) ~~(1)~~ Censure;
- 8           (b) ~~(2)~~ Probation;
- 9           (c) ~~(3)~~ Limitation;
- 10          (d) ~~(4)~~ Civil penalty;
- 11          (e) ~~(5)~~ Suspension; or
- 12          (f) ~~(6)~~ Revocation.

13          (2) Upon completion of any hearing regarding discipline of a  
14 credential for performing or inducing an unlawful abortion in violation  
15 of section 4 of this act, if the director determines that such violation  
16 occurred, the director shall impose a sanction of revocation in  
17 accordance with section 38-1,100.

18          Sec. 12. Section 38-2021, Revised Statutes Cumulative Supplement,  
19 2022, is amended to read:

20          38-2021 Unprofessional conduct means any departure from or failure  
21 to conform to the standards of acceptable and prevailing practice of  
22 medicine and surgery or the ethics of the profession, regardless of  
23 whether a person, patient, or entity is injured, or conduct that is  
24 likely to deceive or defraud the public or is detrimental to the public  
25 interest, including, but not limited to:

- 26          (1) Performance by a physician of an abortion as defined in  
27 subdivision (1) of section 28-326 under circumstances when he or she will  
28 not be available for a period of at least forty-eight hours for  
29 postoperative care unless such postoperative care is delegated to and  
30 accepted by another physician;

- 31          (2) Performing an abortion upon a minor without having satisfied the

1 requirements of sections 71-6901 to 71-6911;

2 (3) The intentional and knowing performance of a partial-birth  
3 abortion as defined in subdivision (8) of section 28-326, unless such  
4 procedure is necessary to save the life of the mother whose life is  
5 endangered by a physical disorder, physical illness, or physical injury,  
6 including a life-endangering physical condition caused by or arising from  
7 the pregnancy itself; ~~and~~

8 (4) Performance by a physician of an abortion in violation of the  
9 Pain-Capable Unborn Child Protection Act; and -

10 (5) Violation of the Preborn Child Protection Act.

11 Sec. 13. Section 38-2894, Revised Statutes Cumulative Supplement,  
12 2022, is amended to read:

13 38-2894 (1) A registration to practice as a pharmacy technician may  
14 be denied, refused renewal, removed, or suspended or have other  
15 disciplinary measures taken against it by the department, with the  
16 recommendation of the board, for failure to meet the requirements of or  
17 for violation of any of the provisions of subdivisions (1) through (18)  
18 and (20) through (27) ~~(26)~~ of section 38-178 and sections 38-2890 to  
19 38-2897 or the rules and regulations adopted under such sections.

20 (2) If the department proposes to deny, refuse renewal of, or remove  
21 or suspend a registration, it shall send the applicant or registrant a  
22 notice setting forth the action to be taken and the reasons for the  
23 determination. The denial, refusal to renew, removal, or suspension shall  
24 become final thirty days after mailing the notice unless the applicant or  
25 registrant gives written notice to the department of his or her desire  
26 for an informal conference or for a formal hearing.

27 (3) Notice may be served by any method specified in section  
28 25-505.01, or the department may permit substitute or constructive  
29 service as provided in section 25-517.02 when service cannot be made with  
30 reasonable diligence by any of the methods specified in section  
31 25-505.01.

1 (4) Pharmacy technicians may participate in the Licensee Assistance  
2 Program described in section 38-175.

3 Sec. 14. Sections 14 to 20 of this act shall be known and may be  
4 cited as the Let Them Grow Act.

5 Sec. 15. The Legislature finds that:

6 (1) The state has a compelling government interest in protecting the  
7 health and safety of its citizens, especially vulnerable children;

8 (2) Genital and nongenital gender-altering surgeries are generally  
9 not recommended for children, although evidence indicates referral for  
10 children to have such surgeries are becoming more frequent; and

11 (3) Genital and nongenital gender-altering surgery includes several  
12 irreversible and invasive procedures for biological males and biological  
13 females and involves the alteration of biologically healthy and  
14 functional body parts.

15 Sec. 16. For purposes of the Let Them Grow Act:

16 (1) Biological sex means the biological indication of male and  
17 female in the context of reproductive potential or capacity, such as sex  
18 chromosomes, naturally occurring sex hormones, gonads, and nonambiguous  
19 internal and external genitalia present at birth, without regard to an  
20 individual's psychological, chosen, or subjective experience of gender;

21 (2) Cross-sex hormones means testosterone or other androgens given  
22 to biological females in amounts that are larger or more potent than  
23 would normally occur naturally in healthy biological sex females and  
24 estrogen given to biological males in amounts that are larger or more  
25 potent than would normally occur naturally in healthy biological sex  
26 males;

27 (3) Gender means the psychological, behavioral, social, and cultural  
28 aspects of being male or female;

29 (4) Gender-altering surgery means any medical or surgical service  
30 that seeks to surgically alter or remove healthy physical or anatomical  
31 characteristics or features that are typical for the individual's

1 biological sex in order to instill or create physiological or anatomical  
2 characteristics that resemble a sex different from the individual's  
3 biological sex, including without limitation, genital or nongenital  
4 gender-altering surgery performed for the purpose of assisting an  
5 individual with a gender alteration;

6 (5) Gender alteration means the process in which a person goes from  
7 identifying with and living as a gender that corresponds to his or her  
8 biological sex to identifying with and living as a gender different from  
9 his or her biological sex and may involve social, legal, or physical  
10 changes;

11 (6)(a) Gender-altering procedures includes any medical or surgical  
12 service, including without limitation physician's services, inpatient and  
13 outpatient hospital services, or prescribed drugs related to gender  
14 alteration, that seeks to:

15 (i) Alter or remove physical or anatomical characteristics or  
16 features that are typical for the individual's biological sex; or

17 (ii) Instill or create physiological or anatomical characteristics  
18 that resemble a sex different from the individual's biological sex,  
19 including without limitation medical services that provide puberty-  
20 blocking drugs, cross-sex hormones, or other mechanisms to promote the  
21 development of feminizing or masculinizing features in the opposite  
22 biological sex, or genital or nongenital gender-altering surgery  
23 performed for the purpose of assisting an individual with a gender  
24 alteration;

25 (b) Gender-altering procedures does not include:

26 (i) Services to persons born with a medically verifiable disorder of  
27 sex development, including a person with external biological sex  
28 characteristics that are irresolvably ambiguous, such as those born with  
29 46 XX chromosomes with virilization, 46 XY chromosomes with  
30 undervirilization, or having both ovarian and testicular tissue;

31 (ii) Services provided when a health care practitioner has otherwise

1 diagnosed a disorder of sexual development that the health care  
2 practitioner has determined, through genetic or biochemical testing, that  
3 the person does not have normal sex-chromosome structure, sex-steroid  
4 production, or sex-steroid hormone action;

5 (iii) The acute and chronic treatment of any infection, injury,  
6 disease, or disorder that has been caused by or exacerbated by the  
7 performance of a gender-altering procedure, whether or not the gender-  
8 altering procedure was performed in accordance with state and federal  
9 law; or

10 (iv) Any procedure undertaken because the individual suffers from a  
11 physical disorder, physical injury, or physical illness that would, as  
12 certified by the health care practitioner, place the individual in  
13 imminent danger of death or impairment of major bodily function unless  
14 surgery is performed;

15 (7) Genital gender-altering surgery means a medical procedure  
16 performed for the purpose of assisting an individual with a gender  
17 alteration, including without limitation:

18 (a) Surgical procedures such as penectomy, orchiectomy,  
19 vaginoplasty, clitoroplasty, or vulvoplasty for biologically male  
20 patients or hysterectomy or ovariectomy for biologically female patients;

21 (b) Reconstruction of the fixed part of the urethra with or without  
22 a metoidioplasty; or

23 (c) Phalloplasty, vaginectomy, scrotoplasty, or implantation of  
24 erection or testicular prostheses for biologically female patients;

25 (8) Health care practitioner means a person licensed or certified  
26 under the Uniform Credentialing Act;

27 (9) Puberty-blocking drugs means gonadotropin-releasing hormone  
28 analogues or other synthetic drugs used in biological males to stop  
29 luteinizing hormone secretion and therefore testosterone secretion, or  
30 synthetic drugs used in biological females which stop the production of  
31 estrogens and progesterone, when used to delay or suppress pubertal

1 development in children for the purpose of assisting an individual with a  
2 gender alteration; and

3 (10) Nongenital gender-altering surgery means medical procedures  
4 performed for the purpose of assisting an individual with a gender  
5 alteration, including without limitation:

6 (a) Surgical procedures for biologically male patients, such as  
7 voice surgery or thyroid cartilage reduction; or

8 (b) Surgical procedures for biologically female patients, such as  
9 subcutaneous mastectomy or voice surgery.

10 Sec. 17. (1) Except as provided in the Let Them Grow Act and the  
11 rules and regulations adopted and promulgated pursuant to the act, a  
12 health care practitioner shall not perform gender-altering procedures in  
13 this state for an individual younger than nineteen years of age.

14 (2) The intentional and knowing performance of gender-altering  
15 procedures by a health care practitioner for an individual younger than  
16 nineteen years of age in violation of subsection (1) of this section  
17 shall be considered unprofessional conduct as defined in section 38-179.

18 (3) This section does not apply to the continuation of treatment  
19 using puberty-blocking drugs, cross-sex hormones, or both when the course  
20 of treatment began before the operative date of this section.

21 (4) This section does not apply to nonsurgical gender-altering  
22 procedures when such procedures are provided in compliance with the rules  
23 and regulations adopted and promulgated pursuant to section 18 of this  
24 act.

25 Sec. 18. (1) The chief medical officer as designated in section  
26 81-3115 shall adopt and promulgate such rules and regulations as are  
27 necessary to provide for nonsurgical gender-altering procedures for  
28 individuals younger than nineteen years of age, such as puberty-blocking  
29 drugs, cross-sex hormones, or both. Such rules and regulations shall be  
30 consistent with the Let Them Grow Act and, at a minimum, include the  
31 following:

1       (a) Specify that a health care practitioner may prescribe approved  
2 puberty-blocking drugs, cross-sex hormones, or both to an individual  
3 younger than nineteen years of age if such individual has a long-lasting  
4 and intense pattern of gender nonconformity or gender dysphoria which  
5 began or worsened at the start of puberty;

6       (b) Specific criteria, obligations, or conditions regulating the  
7 administration, prescribing, delivery, sale, or use of puberty-blocking  
8 drugs, cross-sex hormones, or both involving an individual younger than  
9 nineteen years of age in accordance with subdivision (1)(a) of this  
10 section, which shall, at a minimum, set forth the following:

11       (i) The minimum number of gender-identity-focused therapeutic hours  
12 required prior to an individual receiving puberty-blocking drugs, cross-  
13 sex hormones, or both;

14       (ii) Patient advisory requirements necessary for a health care  
15 practitioner to obtain informed patient consent;

16       (iii) Patient medical record documentation requirements to ensure  
17 compliance with the act; and

18       (iv) A minimum waiting period between the time the health care  
19 practitioner obtains informed patient consent and the administration,  
20 prescribing, or delivery of puberty-blocking drugs, cross-sex hormones,  
21 or both to such patient; and

22       (c) Specify that section 17 of this act does not apply to  
23 nonsurgical gender-altering procedures when such procedures are provided  
24 in compliance with the rules and regulations adopted and promulgated  
25 pursuant to this section.

26       (2) The Department of Health and Human Services may adopt and  
27 promulgate rules and regulations not inconsistent with the rules and  
28 regulations adopted and promulgated by the chief medical officer that are  
29 necessary to carry out the Let Them Grow Act.

30       Sec. 19. State funds shall not be directly or indirectly used,  
31 granted, paid, or distributed to any entity, organization, or individual

1 for providing gender-altering procedures to an individual younger than  
2 nineteen years of age in violation of the Let Them Grow Act and the rules  
3 and regulations adopted and promulgated pursuant to the act.

4       Sec. 20. An individual that received a gender-altering procedure in  
5 violation of section 17 of this act after the operative date of this  
6 section and while such individual was younger than nineteen years of age,  
7 or the parent or guardian of such an individual, may bring a civil action  
8 for appropriate relief against the health care practitioner who performed  
9 the gender-altering procedure. Appropriate relief in an action under this  
10 section includes actual damages and reasonable attorney's fees. An action  
11 under this section shall be brought within two years after discovery of  
12 damages.

13       Sec. 21. Sections 14, 15, 16, 17, 18, 19, and 20 of this act become  
14 operative on October 1, 2023. The other sections of this act become  
15 operative on their effective date.

16       Sec. 22. If any section in this act or any part of any section is  
17 declared invalid or unconstitutional, the declaration shall not affect  
18 the validity or constitutionality of the remaining portions.

19       Sec. 23. Original sections 38-192, 38-193, and 38-196, Reissue  
20 Revised Statutes of Nebraska, and sections 38-178, 38-179, 38-2021, and  
21 38-2894, Revised Statutes Cumulative Supplement, 2022, are repealed.

22       Sec. 24. Since an emergency exists, this act takes effect when  
23 passed and approved according to law.

24       2. On page 1, strike beginning with "section" in line 1 through line  
25 4 and insert "sections 38-192, 38-193, and 38-196, Reissue Revised  
26 Statutes of Nebraska, and sections 38-178, 38-179, 38-2021, and 38-2894,  
27 Revised Statutes Cumulative Supplement, 2022; to adopt the Preborn Child  
28 Protection Act and the Let Them Grow Act; to provide for discipline under  
29 the Uniform Credentialing Act; to harmonize provisions; to provide  
30 operative dates; to provide severability; to repeal the original  
31 sections; and to declare an emergency."