



Legislation Text

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Int. No. 1748-A

By Council Members Dromm, Rivera, Van Bramer, Ayala, Louis, Rosenthal, Menchaca, Kallos, Chin, Powers, Holden, Levine and Adams

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to conduct a public information and outreach campaign regarding medically unnecessary treatments or interventions on individuals born with intersex traits or variations in sex characteristics

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.16 to read as follows:

§ 17-199.16 Public information and outreach campaign on medically unnecessary treatments on individuals born with intersex traits or variations in sex characteristics. a. Definitions. For the purposes of this local law, the following terms have the following meanings:

Intersex traits or variations in sex characteristics. The term “intersex traits or variations in sex characteristics” means the umbrella term for differences in reproductive or sex anatomy that may appear in an individual’s chromosomes, genitals, secondary sex characteristics, or internal organs such as testes or ovaries, and may be identified at birth, or may not be discovered until puberty or later in life.

Medically unnecessary. The term “medically unnecessary” means a treatment or intervention on the sex characteristics of an individual born with intersex traits or variations in sex characteristics that may be safely deferred until that individual can provide informed consent. For purposes of this section, psychological factors do not constitute medical necessity for a treatment or intervention on the sex characteristics of an individual born with intersex traits or variations in sex characteristics until and unless the individual has themselves

identified psychological factors as relevant to decision-making.

b. The department shall conduct a public information and outreach campaign designed to address the provision of medically unnecessary treatments and interventions performed on individuals born with intersex traits or variations in sex characteristics. Such outreach shall at a minimum include (i) creating educational materials for parents and guardians of individuals born with intersex traits or variations in sex characteristics; (ii) creating resources for medical practitioners; (iii) identifying community outreach partners, stakeholders and opportunities; and (iv) distributing materials and resources. The department shall consult with individuals and organizations with expertise in intersex traits or variations in sex characteristics, including individuals who are intersex or have variations in sex characteristics, in the development of such public information and outreach campaign. The department shall begin implementation of such public information and outreach campaign within one year of the effective date of this section.

§ 2. This local law takes effect immediately.

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