

REFERENCE TITLE: gender transition procedures; provider liability

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1586

Introduced by
Senators Shamp: Angius, Bolick, Dunn, Finchem, Gowan, Kavanagh, Mesnard,
Payne, Petersen, Rogers

AN ACT

AMENDING TITLE 12, CHAPTER 5.1, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 12-574; RELATING TO HEALTH CARE ACTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 12, chapter 5.1, article 1, Arizona Revised
3 Statutes, is amended by adding section 12-574, to read:

4 12-574. Gender transition and detransition procedures;
5 liability; waiver of liability prohibited

6 A. A HEALTH CARE PROFESSIONAL OR PHYSICIAN WHO PROVIDES OR WHO HAS
7 PROVIDED A MINOR WITH A GENDER TRANSITION PROCEDURE IS STRICTLY AND
8 PERSONALLY LIABLE FOR ALL COSTS ASSOCIATED WITH SUBSEQUENT DETRANSITION
9 PROCEDURES SOUGHT BY THE MINOR WITHIN TWENTY-FIVE YEARS AFTER THE
10 COMMENCEMENT OF A GENDER TRANSITION PROCEDURE.

11 B. A PERSON WHO UNDERGOES A DETRANSITION PROCEDURE MAY BRING A
12 CIVIL ACTION BEFORE THE PERSON REACHES TWENTY-SIX YEARS OF AGE AGAINST A
13 HEALTH CARE PROFESSIONAL OR PHYSICIAN DESCRIBED IN SUBSECTION A OF THIS
14 SECTION IN A COURT OF COMPETENT JURISDICTION FOR:

- 15 1. THE REAL VALUE OF THE COSTS OF ANY DETRANSITION PROCEDURE.
- 16 2. ANY OTHER APPROPRIATE RELIEF.
- 17 3. ATTORNEY FEES AND COSTS.

18 C. A HEALTH CARE PROFESSIONAL OR PHYSICIAN WHO PROVIDES OR WHO HAS
19 PROVIDED A MINOR WITH A GENDER TRANSITION PROCEDURE IS STRICTLY LIABLE TO
20 THAT MINOR IF THE TREATMENT OR THE AFTEREFFECTS OF THE TREATMENT,
21 INCLUDING A SUBSEQUENT DETRANSITION PROCEDURE, RESULT IN ANY INJURY,
22 INCLUDING PHYSICAL, PSYCHOLOGICAL, EMOTIONAL OR PHYSIOLOGICAL HARMS,
23 WITHIN TWENTY-FIVE YEARS AFTER THE DATE OF THE GENDER TRANSITION
24 PROCEDURE.

25 D. A PERSON WHO SUFFERS AN INJURY DESCRIBED IN SUBSECTION B OR C OF
26 THIS SECTION OR THE PERSON'S LEGAL GUARDIAN MAY BRING A CIVIL ACTION
27 EITHER WITHIN EIGHT YEARS AFTER THE PERSON'S EIGHTEENTH BIRTHDAY OR WITHIN
28 FOUR YEARS AFTER THE DISCOVERY BY THE INJURED PARTY OF BOTH THE INJURY AND
29 THE CAUSAL RELATIONSHIP BETWEEN THE TREATMENT AND THE INJURY, WHICHEVER IS
30 LATER, AGAINST THE OFFENDING HEALTH CARE PROFESSIONAL OR PHYSICIAN IN A
31 COURT OF COMPETENT JURISDICTION FOR:

- 32 1. DECLARATORY OR INJUNCTIVE RELIEF.
- 33 2. COMPENSATORY DAMAGES, INCLUDING PAIN AND SUFFERING, LOSS OF
34 REPUTATION, LOSS OF INCOME AND LOSS OF CONSORTIUM, INCLUDING THE LOSS OF
35 THE EXPECTATION OF SHARING PARENTHOOD.
- 36 3. PUNITIVE DAMAGES.
- 37 4. ATTORNEY FEES AND COSTS.
- 38 5. ANY OTHER APPROPRIATE RELIEF.

39 E. A HEALTH CARE PROFESSIONAL OR PHYSICIAN MAY NOT SEEK A
40 CONTRACTUAL WAIVER OF THE LIABILITY PRESCRIBED IN SUBSECTION A, B OR C OF
41 THIS SECTION. ANY WAIVER IS CONTRARY TO THE PUBLIC POLICY OF THIS STATE
42 AND IS NULL AND VOID.