



Legislative Bill 574 (“LB 574”) passed in May 2023, restricting access to gender affirming care for people under 19 in Nebraska. Permanent regulations implementing this bill took effect March 17, 2024.

Here’s what you should know:

1. Under LB 574, health care providers generally cannot perform some “gender-altering procedures” for people under 19 in Nebraska.

This includes:

- Medical care (surgeries, physician or hospital services, prescription drugs, etc.) to:
 - Alter or remove characteristics typical for a person's biological sex; or
 - Create or instill characteristics of a sex different from a person’s biological sex.

This does not include:

- Continuing treatment using puberty-blocking drugs or cross-sex hormones started before October 1, 2023.
- Gender altering* care for people:
 - Needing treatment from an infection, injury, or condition caused or made worse by gender-altering care;
 - With physical issues that threaten imminent danger of death or major bodily function impairment unless surgery is performed; or
 - Diagnosed with a “disorder of sex development” (such as abnormal sex chromosome / steroid structure, production, or action, commonly known as intersex conditions).
- Non-surgical care (prescriptions such as puberty blockers or cross-sex hormones) allowed by Nebraska’s Chief Medical Officer and Department of Health and Human Services via regulation (see below).

If a provider violates LB 574, they may be penalized and/or subjected to legal liability. LB 574 does NOT punish the recipient of gender affirming care or their parent(s).

2. Under regulations implementing the bill, people under 19 can access puberty-blocking drugs or cross-sex hormones if certain requirements are met. These requirements generally include (but are not limited to) the following:

Patients must:

- Experience gender nonconformity or gender dysphoria as required and meet certain requirements about their health and the impact of treatment;
- Have primarily lived as the preferred gender for at least six consecutive months (and continued to do so to receive cross-sex hormones);
- Have received at least 40 hours of therapeutic treatment in a clinically objective and non-biased context prior to receiving prescriptions;
- Have appropriate supports in place;
- Have parents/legal guardians (or self if emancipated) give informed consent;
- Wait at least seven days after giving informed consent to obtain prescriptions;
- Have injectable prescriptions administered at the prescribing provider’s office or the patient’s primary care provider’s office; and,
- After prescriptions have started, continue therapeutic treatment for one hour every 90 days while prescriptions are being administered.

*The term “gender-altering procedure” is the legal term used and defined by LB 574 and is not intended to dis-affirm the experiences, perspectives, and necessity of gender affirming care.



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Note on the Continuing Treatment Exception: As listed in Section 1, patients do not need to meet the above requirements if they were already receiving treatment using puberty-blocking drugs or cross-sex hormones before October 1, 2023. However, the regulations provide that a patient who began using puberty blocking drugs prior to October 1, 2023, but did not begin using cross-sex hormones prior to October 1, 2023, must comply with the regulations before receiving cross-sex hormones.

For Providers:

- Document that specific requirements and findings have been met, including required medical determinations, that prerequisites to treatment have been met, the impact of treatment, details of treatment, and impact of prescriptions;
- Identify that the medication being prescribed are for the treatment of gender nonconformity or gender dysphoria;
- Provide therapeutic hours that are clinically objective and non-biased, assess factors contributing to the patient’s presenting emotions, actions, and beliefs, and do not merely affirm the patient’s beliefs;
- Obtain informed consent after providing certain information to patients and their families about prescriptions, side effects, and alternatives to treatment; and,
- Complete three hours of a specified continuing education within the most recent biennial renewal period.

For Pharmacists:

- Prescribed medications must be picked up by the patient’s parent or legal guardian, or the patient if emancipated;
- Proof of identification of the person picking up the prescription shall be required if the pharmacist does not know them personally and positively;
- Prescriptions that may be sent by home delivery must be delivered to the address of the patient’s parent or legal guardian, or the patient if emancipated;
- The above requirements do not apply if the pharmacist documents that the patient began receiving the prescribed medication prior to Oct. 1, 2023, that the medication is not being used for gender dysphoria, or that the patient has reached the age of 19; and
- Pharmacists are not required to determine that a prescribing practitioner has complied with the provider requirements in the regulations.

**Scan this QR code
to see all the
requirements in the
full permanent
regulations
(Chapter 8)**



If you are or expect to be experiencing difficulty accessing or providing gender affirming care as a result of LB 574, please contact Nebraska Appleseed’s Community Assistance Line at 402-438-8853 ext. 205 or neappleseed.org/gethelp to speak about your experiences, and contact ACLU of Nebraska at gethelp@aclunebbraska.org to speak about your rights. For 24/7 confidential crisis support, call the Trevor Project at 1-866-488-7386 or text 678-678.

For questions about your specific care, please consult with your medical provider.