

# House Bill 3338

Sponsored by Representatives DIEHL, JAVADI, HARBICK

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act tells HERC to review treatments that affirm gender. (Flesch Readability Score: 69.7).

Directs the Health Evidence Review Commission to evaluate gender-affirming treatment.  
Declares an emergency, effective on passage.

## A BILL FOR AN ACT

Relating to gender-affirming treatment; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. (1) As used in this section, "gender-affirming treatment" means a procedure, service, drug, device or product that a physical or behavioral health care provider prescribes to treat an individual for incongruence between the individual's gender identity and the individual's sex assignment at birth.**

**(2)(a) Not later than August 30, 2025, the Health Evidence Review Commission shall begin a medical technology assessment of gender-affirming treatment, and the development of evidence-based health care guidelines for use by providers, consumers and purchasers of health care in Oregon.**

**(b) The commission shall conduct its medical technology assessment in accordance with its evidence-based report process and methodology and consistent with its quality of evidence statement in effect on the effective date of this 2025 Act.**

**(3) The commission's medical technology assessment must include, at a minimum:**

**(a) Diagnostic criteria and assessment procedures to identify patients most likely to benefit from gender-affirming treatment; and**

**(b) An analysis of the safety, efficacy, balance between desirable and undesirable effects, quality of evidence and strength of evidence for gender-affirming treatment for children, adolescents and adults, including:**

**(A) Puberty blockers;**

**(B) Hormone replacement therapy;**

**(C) Mastectomies, breast reduction and breast augmentation;**

**(D) Genital surgeries, including hysterectomy, vaginoplasty, penectomy, orchiectomy, clitoroplasty, labiaplasty, vaginectomy, phalloplasty and scrotoplasty;**

**(E) Tracheal shave;**

**(F) Hair electrolysis; and**

**(G) Facial feminization surgery or other facial gender-affirming treatments.**

**(4) The commission shall submit a report on the results of its medical technology assessment in the manner provided by ORS 192.245 to the interim committees of the Legislative**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **Assembly related to health care no later than September 15, 2026. The commission shall also**  
2 **make a copy of the report publicly available on a website maintained by the Oregon Health**  
3 **Authority.**

4 **SECTION 2. Section 1 of this 2025 Act is repealed on January 2, 2027.**

5 **SECTION 3. This 2025 Act being necessary for the immediate preservation of the public**  
6 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**  
7 **on its passage.**

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