



# HOUSE BILL 606: Civil Procedure Amendment.

2025-2026 General Assembly

<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	May 1, 2025
<b>Introduced by:</b>	Reps. Almond, Arp, Riddell, Blust	<b>Prepared by:</b>	Hannah Kendrick*
<b>Analysis of:</b>	Second Edition		Staff Attorney

**OVERVIEW:** *House Bill 606 would amend the civil procedure statute relating to accrual of action for malpractice related to gender transition services and limit the use of State funds.*

## CURRENT LAW:

G.S. 1-15 governs causes of action arising from malpractice. Causes of action arising from malpractice are typically deemed to accrue at the time of the occurrence of the last act of the defendant giving rise to the claim.

When the injury is not readily apparent to the claimant at the time of its origin, and the injury is discovered or should reasonably be discovered by the claimant two or more years after the occurrence of the last act of the defendant giving rise to the cause of action, suit must be commenced within one year from the date discovery is made. In no event shall an action be commenced more than four years from the last act of the defendant giving rise to the cause of action.

G.S. 90-21.150 provides definitions for gender transition procedures on minors. Gender transition is defined in this section as "the process in which a person goes from identifying with and living as a gender that corresponds to his or her biological sex to identifying with and living as a gender different from his or her biological sex and may involve social, legal, or physical changes."

## BILL ANALYSIS:

For the purposes of House Bill 606, "gender transition" would be defined as in G.S. 90-21.150(5).

The bill would extend the statute of limitations for causes of action arising out of the performance of or failure to perform services while in the course of facilitating or perpetuating gender transition to 10 years from the day the claimant reaches 18 years of age. A medical professional or entity would be prohibited from seeking a contractual waiver of the liability arising out of these provisions and any waiver obtained would be null and void.

G.S. 90-21.19 (Liability limit for noneconomic damages) would not apply to a cause of action arising out of these provisions.

The bill would also prohibit State funds from being used to fund surgical gender transition procedures, puberty blocking drugs, or cross-sex hormones to any prisoner incarcerated in the State prison system or the Statewide Misdemeanor Confinement Program or otherwise in the custody of the Department of Adult Correction, or to support the administration of any governmental health plan or government-offered insurance policy offering surgical gender transition procedures, puberty-blocking drugs, or cross-sex hormones to any prisoner incarcerated in the State prison system or the Statewide Misdemeanor

Kara McCraw  
Director



Legislative Analysis  
Division  
919-733-2578

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Confinement Program or otherwise in the custody of the Department of Adult Correction. This provision would not apply to the State Health Plan for Teachers and State Employees.

**EFFECTIVE DATE:** Section 1 of this act would be effective when it becomes law and would apply to causes of action accruing before, on, or after that date. This act would revive any cause of action arising out of the performance of or failure to perform services while in the course of facilitating or perpetuating gender transition otherwise time-barred under G.S. 1-15 as it existed immediately before the enactment of this act, whether or not such cause of action has been asserted in a pending civil action or appeal. Section 2 of this act would become effective July 1, 2025. The remainder of this act would be effective when it becomes law.

**BACKGROUND:** On June 10, 2022 an order was entered in the case of *Kadel v. Folwell*, 1:19CV272 (M.D.N.C), permanently enjoining the State Health Plan from enforcing provisions which exclude "treatment in connection with sex changes" and ordering coverage of "medically necessary services for the treatment of gender dysphoria."

*\*Jason Moran-Bates, Legislative Analysis Division, substantially contributed to this summary.*