

119TH CONGRESS
1ST SESSION

H. R. 3792

To amend title XI of the Social Security Act to prohibit providers participating in the Medicare program and State health care programs from requesting on intake forms information regarding the gender identity or sexual preference of minors.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2025

Mr. VAN DREW introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XI of the Social Security Act to prohibit providers participating in the Medicare program and State health care programs from requesting on intake forms information regarding the gender identity or sexual preference of minors.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Kids Information Data
5 Security Act” or the “KIDS Act”.

1 **SEC. 2. PROHIBITING PROVIDERS PARTICIPATING IN MEDI-**
2 **CARE, MEDICAID, AND CHIP FROM REQUEST-**
3 **ING ON INTAKE FORMS INFORMATION RE-**
4 **GARDING THE GENDER IDENTITY OR SEXUAL**
5 **PREFERENCE OF MINORS.**

6 (a) IN GENERAL.—Section 1128 of the Social Secu-
7 rity Act (42 U.S.C. 1320a–7) is amended—

8 (1) in subsection (a)—

9 (A) in the matter preceding paragraph (1),
10 by inserting “(or, in the case of individuals and
11 entities described in paragraph (5), from par-
12 ticipation in the Medicare program under title
13 XVIII or a State health care program)” after
14 “(as defined in section 1128B(f))”; and

15 (B) by inserting after paragraph (4) the
16 following new paragraph:

17 “(5) CERTAIN PROHIBITED INFORMATION RE-
18 QUESTED FROM MINORS.—Any individual or entity
19 that, on or after the date that is 180 days after the
20 date of enactment of this paragraph, requests
21 through an intake form provided in connection with
22 any item or service furnished to an individual under
23 18 years of age, or through any other written or
24 electronic documentation or data collection process
25 initiated before, during, or after the intake process
26 with respect to such individual, information that—

1 “(A) is related to the gender identity or
2 sexual preference of such individual; and

3 “(B) is not essential to the diagnosis,
4 treatment, or prevention of a condition for
5 which such individual is seeking care, as deter-
6 mined by applicable clinical guidelines or med-
7 ical necessity criteria.”.

8 (b) REPORTING MECHANISM.—Not later than the
9 date that is 180 days after the date of the enactment of
10 this section, the Secretary of Health and Human Services
11 shall establish a mechanism by which individuals may re-
12 port to the Secretary any instance of a request for infor-
13 mation described in paragraph (5) of section 1128(a) of
14 the Social Security Act (42 U.S.C. 1320a–7(a)), as added
15 by subsection (a).

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