

197.280 Definitions for section -- Restrictions on providing cosmetic service or elective procedure to inmates -- Exceptions.

- (1) As used in this section:
 - (a) "Cosmetic service or elective procedure" means any procedure, treatment, or surgery to enhance or alter the appearance of any area of the head, neck, and body, including but not limited to:
 1. Prescribing or administering cross-sex hormones in amounts greater than would normally be produced endogenously in a healthy person of the same age and sex; and
 2. Performing any gender reassignment surgery to alter or remove physical or anatomical characteristics or features that are typical for a person's sex in order to instill or create physiological or anatomical characteristics that resemble a different sex;
 - (b) "Public funds" means any money, regardless of the original source of the money, of:
 1. The Commonwealth of Kentucky or any department, agency, or instrumentality thereof;
 2. Any county, city, local school district, or special district, or any department, agency, or instrumentality thereof; and
 3. Any other political subdivision of the Commonwealth or any department, agency, or instrumentality thereof; and
 - (c) "Sex" means the biological indication of male and female as evidenced by sex chromosomes, naturally occurring sex hormones, gonads, and nonambiguous internal and external genitalia present at birth.
- (2) Except as provided in subsection (3) of this section, public funds shall not be directly or indirectly used, granted, paid, or distributed for the purpose of providing a cosmetic service or elective procedure to an inmate in a correctional facility.
- (3) If a health care provider has initiated a course of treatment for an inmate that includes the prescription or administration of any drug or medication for a cosmetic service or elective procedure and the health care provider determines and documents in the inmate's medical record that immediately terminating use of the drug or medication would cause physical harm to the inmate, the health care provider may institute a period during which the inmate's use of the drug or hormone is systematically reduced and eliminated.

Effective: June 27, 2025

History: Created 2025 Ky. Acts ch. 99, sec. 1, effective June 27, 2025.