

Briefing for decision

Cabinet paper: Safe-guarding the use of puberty blockers in young people with gender-related health needs

Date due to MO: 20 September 2024 **Action required by:** 23 September 2024

Security level: IN CONFIDENCE **Reference:** H2024051865

To: Hon Dr Shane Reti, Minister of Health
Hon Matt Doocey, Associate Minister of Health

Consulted: Health New Zealand:

Proactive release: This **title** is proposed by the Ministry of Health for proactive release:

Minister's office to complete:

- Approved Decline Overtaken by events
- Needs change Seen
- See Minister's Notes Withdrawn

Comment:

PROACTIVELY RELEASED

Briefing for decision

Cabinet paper: Safe-guarding the use of puberty blockers in young people with gender-related health needs

Security level: IN CONFIDENCE **Date:** 20 September 2024

To: Hon Dr Shane Reti, Minister of Health
Hon Matt Doocey, Associate Minister of Health

Purpose of report

1. This briefing provides you with a draft Cabinet paper to progress making a regulation to limit the prescribing of puberty blockers in young people with gender-related health needs [H2024047656 refers]

Summary

2. The Ministry of Health (the Ministry) recently provided you with advice that sought your direction on whether you wish to progress a regulatory approach to limit the prescribing of puberty blockers in the context of gender-affirming care. This follows an evidence review completed by the Ministry that showed that found a lack of good quality evidence for the effectiveness and safety of puberty blockers in young people with gender dysphoria. You indicated that you wished to make a regulation under section 105 of the Medicines Act 1981 to restrict prescribing, supply, administration and use [H2024047656 refers].
3. A draft Cabinet paper is attached for your review.
4. We are seeking your agreement to commence Ministerial consultation on the draft Cabinet paper, which will occur concurrently with targeted agency consultation. This briefing also seeks direction from you on whether you would prefer to progress the Cabinet paper jointly or whether the paper should be solely in the name of the Minister of Health, who holds the required authorisation under the Medicines Act.

Recommendations

We recommend you:

- a) **Provide feedback** to the Ministry on the draft Cabinet paper by 23 **Yes/No** September 2024.
- b) **Agree** that, pending any feedback, Ministerial consultation should begin on **Yes/No** the draft Cabinet paper, to be completed by 8 October 2024.

- c) **Indicate** whether the Cabinet paper should be prepared:
- i. solely in the name of the Minister of Health, or **Yes/No**
 - ii. jointly with the Associate Minister of Health **Yes/No**
- d) **Note** that, pending any changes that may be required following Ministerial consultation, we expect that the Cabinet paper may be lodged on 10 October 2024, for consideration at the Cabinet Social Outcomes Committee meeting on 16 October and Cabinet on 21 October 2024.



Dr Diana Sarfati
Director-General of Health
Te Tumu Whakarae mō te Hauora
Date:

Hon Dr Shane Reti
Minister of Health
Date:

Hon Matt Dooney
Associate Minister of Health
Date:

PROACTIVELY RELEASED

Cabinet paper: Safe-guarding the use of puberty blockers in young people with gender-related health needs

Background

1. The Ministry of Health (the Ministry) recently provided you with advice that sought your direction on whether you wish to progress a regulatory approach to limit the prescribing of puberty blockers in the context of gender-affirming care. This follows an evidence review completed by the Ministry that showed that found a lack of good quality evidence for the effectiveness and safety of puberty blockers in young people with gender dysphoria. You indicated that you wished to make a regulation under section 105 of the Medicines Act 1981 to restrict prescribing, supply, administration and use [H2024047656 refers].

Cabinet paper

2. A draft Cabinet paper is attached for your review. We are seeking your feedback by 23 September to enable Ministerial consultation to occur between 24 September and 8 October 2024.

Responsible Minister

3. The Cabinet paper is currently drafted in the name of the Minister of Health, reflecting that only the Minister of Health has the authority to make regulations under the Medicines Act 1981.
4. If you wish to progress this paper jointly we are able to update the paper to reflect this.

Regulatory impact statement

5. The Ministry has applied to the Ministry for Regulation for an exemption to the regulatory impact analysis requirements s 9(2)(g)(i)
6. At this stage the Ministry for Regulation has not made a determination on the Ministry's application. We will keep your offices updated on the outcome of this as timeframes may be affected if the application is declined.

s 9(2)(h)

Timeline

8. A high-level timeline for progressing the regulatory proposal is noted below.

Date	Deliverable
20 September	Ministerial feedback on draft Cabinet paper
24 September-8 October	Ministerial consultation
10 October	Cabinet paper lodged
16 October	Cabinet Social Outcomes Committee
21 October	Cabinet
22 October	Announcement and release of Director-General position statement
24 October-7 November	Targeted consultation
25 November	Briefing on outcome of consultation
26 November	Drafting instructions issued to PCO
16 December	Draft Cabinet paper and draft regulation provided to Ministers
23 January-5 February	Ministerial consultation
6 February	Cabinet paper lodged
13 February	Cabinet Legislative Committee
17 February	Cabinet
24 February	Regulation comes into effect (if 28-day rule waived)

Next steps

9. The Ministry seeks any feedback that you have on the draft Cabinet paper by 23 September 2024. Pending any feedback we will provide you with an updated Cabinet paper for Ministerial consultation to commence on 24 September 2024.

ENDS.