

Representative Karianne Lisonbee proposes the following substitute bill:

PROHIBITION OF THE PRACTICE OF CONVERSION

THERAPY UPON MINORS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Craig Hall

Senate Sponsor: _____

Cosponsors: Eric K. Hutchings

Francis D. Gibson Mike Winder

LONG TITLE

General Description:

This bill enacts provisions relating to conversion therapy for minors.

Highlighted Provisions:

This bill:

- ▶ prohibits certain health care professionals from providing conversion therapy to a minor.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

58-1-509, Utah Code Annotated 1953



25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **58-1-509** is enacted to read:

27 **58-1-509. Prohibition on providing conversion therapy to a minor.**

28 (1) As used in this section:

29 (a) (i) "Conversion therapy" means a practice or treatment that:

30 (A) promises a patient or client that therapy can or will result in a complete and

31 permanent change in the patient or client's sexual orientation; or

32 (B) leads the patient or client to believe that a change in sexual orientation is likely.

33 (ii) "Conversion therapy" does not mean a practice or treatment that does not seek to

34 change a patient or client's sexual orientation or gender identity, including mental health

35 therapy that:

36 (A) is neutral with respect to sexual orientation and gender identity;

37 (B) provides assistance to a patient or client undergoing gender transition;

38 (C) explores the patient or client's assumptions and goals and maximizes

39 self-determination by permitting a patient or client to decide how to self-identify and live out

40 the patient or client's sexual orientation;

41 (D) provides acceptance, support, and understanding of a patient or client's sexual
42 orientation identity without an a priori treatment goal;

43 (E) facilitates a patient or client's ability to cope, social support, and identity
44 exploration and development;

45 (F) addresses unlawful, unsafe, premarital, or extramarital sexual activities in a manner
46 that is neutral with respect to sexual orientation; or

47 (G) discusses with a patient or client the patient or client's moral or religious beliefs or
48 practices.

49 (b) "Health care professional" means an individual who is licensed, or an individual
50 who provides mental health therapy as part of the individual's training for a profession that is
51 licensed, under:

52 (i) Chapter 31b, Nurse Practice Act;

53 (ii) Chapter 60, Mental Health Professional Practice Act;

54 (iii) Chapter 61, Psychologist Licensing Act;

55 (iv) Chapter 67, Utah Medical Practice Act; or

56 (v) Chapter 68, Utah Osteopathic Medical Practice Act.

57 (2) A health care professional may not provide conversion therapy to a patient or client
58 who is younger than 18 years old.

59 (3) Subsection (2) does not apply to:

60 (a) a clergy member or religious counselor who is acting substantially in a pastoral or
61 religious capacity and not in the capacity of a health care professional; or

62 (b) a parent or grandparent who is a health care professional and who is acting
63 substantially in the capacity of a parent or grandparent and not in the capacity of a health care
64 professional.