



# Conversion Therapy Provision Comparison

Administrative Rules Review and General Oversight Committee | January 25, 2023

<b>Psychologist Licensing Act and Mental Health Professional Practice Act Rules</b>	<b>2023 General Session H.B. 228, Unprofessional Conduct Amendments</b>
<p>(3)(a) "Conversion therapy" means any practice or treatment that seeks to change the sexual orientation or gender identity of a patient or client, including mental health therapy that seeks to change, eliminate, or reduce behaviors, expressions, attractions, or feelings related to a patient or client's sexual orientation or gender identity.</p> <p>(b) "Conversion therapy" does not mean a practice or treatment that does not seek to change a patient or client's sexual orientation or gender identity, including mental health therapy that:</p> <ul style="list-style-type: none"> <li>(i) is neutral with respect to sexual orientation and gender identity;</li> <li>(ii) provides assistance to a patient or client undergoing gender transition;</li> <li>(iii) provides acceptance, support, and understanding of a patient or client;</li> <li>(iv) facilitates a patient or client's ability to cope, social support, and identity exploration and development;</li> <li>(v) addresses unlawful, unsafe, premarital, or extramarital sexual activities in a manner that is neutral with respect to sexual orientation; or</li> <li>(vi) discusses with a patient or client the patient or client's moral or religious beliefs or practices.</li> </ul> <p><i>Utah Admin. Code r. R156-61-102</i>  <i>Utah Admin. Code r. R156-60-102</i>  <i>Authorizing statute 58-1-106(1)(a), 58-1-202(1)(a); 58-61-101</i></p>	<p><b>58-1-511. Prohibition on providing conversion therapy to a minor.</b></p> <p>(a)(i) "Conversion therapy" means a practice or treatment intended to influence or change sexual orientation or gender identity that:</p> <ul style="list-style-type: none"> <li>(A) subjects a patient or client to physical discomfort through aversive treatment that causes nausea, vomiting, or other unpleasant physical sensation;</li> <li>(B) provides electric shock or other electrical therapy, including electroconvulsive therapy or transcranial magnet stimulation;</li> <li>(C) subjects a patient to touching themselves or another individual as part of the therapy; or</li> <li>(D) causes the patient to engage in physical self-harm or physical self-inflicted pain.</li> </ul> <p>(ii) "Conversion therapy" does not include verbal or written communication by itself.</p>



<b>Psychologist Licensing Act and Mental Health Professional Practice Act Rules</b>	<b>2023 General Session H.B. 228, Unprofessional Conduct Amendments</b>
<p>"Unprofessional conduct" <b>includes</b>:</p> <p>(23)(a) providing conversion therapy to a patient or client who is younger than 18 years old; and</p> <p>(b) Subsection (23)(a) <b>does not apply to</b>:</p> <p>(i) a clergy member or religious counselor who is acting substantially in a pastoral or religious capacity and not in the capacity of a psychologist/mental health therapist; or</p> <p>(ii) a parent or grandparent who is a psychologist/mental health therapist; and who is acting substantially in the capacity of a parent or grandparent and not in the capacity of a psychologist/mental health therapist.</p> <p><i>Utah Admin. Code r. R156-61-502</i> <i>Utah Admin. Code r. R156-60-502</i> <i>Authorizing statute 58-1-106(1)(a), 58-1-202(1)(a); 58-60-101</i></p>	<p><b>58-1-501. Unlawful and unprofessional conduct.</b></p> <p>(2)(a) "Unprofessional conduct" <b>means</b> conduct, by a licensee or applicant, that is defined as unprofessional conduct under this title or under any rule adopted under this title and includes: (xvi) <b>violating Section 58-1-511.</b></p> <p>(b) "Unprofessional conduct" <b>does not include</b> verbal or written communication by itself, except where a verbal or written communication by itself constitutes conduct defined as unprofessional conduct in this title.</p> <p>(c) A rule adopted under this title that defines "unprofessional conduct" shall be consistent with Subsection (2)(b).</p>