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

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

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

(1) As used in this section:

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

(A) promises a patient or client that therapy can or will result in a complete and permanent change in the patient or client's sexual orientation; or

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

(ii) "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:

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

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

(C) explores the patient or client's assumptions and goals and maximizes self-determination by permitting a patient or client to decide how to self-identify and live out the patient or client's sexual orientation;

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

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

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

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

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

(i) Chapter 31b, Nurse Practice Act;

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

(iii) Chapter 61, Psychologist Licensing Act;

(iv) Chapter 67, Utah Medical Practice Act; or
(v) Chapter 68, Utah Osteopathic Medical Practice Act.

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

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

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

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