

2015 -- S 0480

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO HEALTH AND SAFETY - CHILDREN

Introduced By: Senators Nesselbush, Miller, Pichardo, Goldin, and Ottiano

Date Introduced: February 26, 2015

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 94

4 PREVENTION OF CONVERSION THERAPY FOR CHILDREN

5 **23-94-1. Short title.** – This chapter shall be known and may be cited as the "Prevention
6 of Conversion therapy for Children Act."

7 **23-94-2. Definitions.** – As used in this chapter:

8 (1) "Licensed professional" means any licensed medical, mental health, or human service
9 professional licensed pursuant to title 5 including, but not limited to, any psychologist,
10 psychiatrist, social worker, nurse, mental health professional, human services professional,
11 marriage and family therapist, rehabilitation counselor, mental health counselor, social worker,
12 occupational therapist, or any other person licensed as a health or human service professional
13 under any provisions of the general law, rule or regulation to the contrary.

14 (2) "Sexual orientation and/or gender identity change efforts" means any practice by any
15 licensed professional that seeks or purports to impose change of an individual's sexual orientation
16 or gender identity:

17 (i) "Sexual orientation and/or gender identity change efforts" includes practices which
18 attempt or purport to change behavioral expression of an individual's sexual orientation or gender
19 identity or attempt or purport to eliminate or reduce sexual or romantic attractions or feelings

1 toward individuals of the same sex; and

2 (ii) "Sexual orientation and/or gender identity change efforts" shall not include practices
3 which:

4 (A) Provide acceptance, support, and understanding of an individual's sexual orientation,
5 gender identity, or gender expression and the facilitation of an individual's coping, social support,
6 and identity exploration and development, including interventions to prevent or address unlawful
7 conduct or unsafe sexual practices; or

8 (B) Provide acceptance, support, or understanding of an individual's gender expression or
9 the facilitation of an individual's coping, social support, and identity exploration and
10 development.

11 **23-94-3. Sexual orientation and gender identity change efforts for minors**
12 **prohibited.** – No licensed professional shall advertise for or engage in sexual orientation and/or
13 gender identity change efforts with or relating to a patient(s) under the age of eighteen (18) years.

14 **23-94-4. Disciplinary actions.** – (a) Any person who violates the provisions of this
15 chapter shall be subject to a fine not to exceed five hundred dollars (\$500) for a first violation. A
16 second violation of this chapter shall authorize the director of the department of health to impose
17 a five hundred dollar (\$500) fine and suspend the license of the licensed professional. Any third
18 or subsequent violation shall result in a five hundred dollar (\$500) fine and/or permanent
19 revocation of the licensed professional's license.

20 (b) The director may assess against the professional, the administrative costs of the
21 proceedings instituted against him or her under this chapter; provided, that this assessment does
22 not exceed ten thousand dollars (\$10,000).

23 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would prohibit sexual orientation and gender identity change efforts by licensed
2 health care professionals with respect to children under eighteen (18) years of age. Violations of
3 this act would subject the health care professional to disciplinary action and/or suspension and
4 revocation of the license by the director of the department of health.

5 This act would take effect upon passage.

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