

S. 5

To end the harmful practice of conversion therapy and promote the safety and well-being of LGBTQ+ youth.

IN THE SENATE
August 18, 2023

Mrs. Dawson-Lockhart (for herself,) introduced the following bill, on behalf of the Rosen Administration, as authored by President Rosen;

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

A BILL

1. SECTION 1.SHORT TITLE.

This Act may be cited as the "Protect LGBTQ+ Youth Act".

2. SEC. 2. FINDINGS AND PURPOSE.

2.1. FINDINGS.—

Congress finds the following:

- (1) Conversion therapy, also known as "reparative therapy," "ex-gay therapy," or "sexual orientation change efforts," encompasses a range of dangerous and discredited practices that falsely claim to change a person's sexual orientation or gender identity or expression.
- (2) Such practices have been rejected by every mainstream medical and mental health organization, including the American Psychiatric Association, the American Psychological Association, the American Medical Association, and the National Association of Social Workers.
- (3) Minors are especially vulnerable to the harms caused by conversion therapy.
- (4) Conversion therapy has been linked to higher rates of depression, anxiety, substance abuse, homelessness, and suicide among LGBTQ+ youth.
- (5) LGBTQ+ youth should be supported and affirmed, not subjected to harmful and discredited practices.

3. SEC. 3. PURPOSE.

The purpose of this Act is to protect LGBTQ+ youth from conversion therapy by prohibiting the practice in all health care settings and providing support and resources for LGBTQ+ youth.

4. SEC. 4. DEFINITIONS.

For purposes of this Act:

- (a) "Conversion therapy" means any practices or treatments that seek to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender.
- (b) "Health care provider" means any person licensed or certified by the State to provide health care or professional services.
- (c) "LGBTQ+" refers to individuals who identify as lesbian, gay, bisexual, transgender, queer, or other non-heteronormative sexual orientations or gender identities.

5. SEC. 5. PROHIBITION ON CONVERSION THERAPY.

5.1. IN GENERAL.—

No health care provider shall engage in conversion therapy with a person under the age of 18.

5.2. DISCIPLINARY ACTION.—

Any health care provider who engages in conversion therapy in violation of subsection (a) shall be subject to appropriate disciplinary action by the relevant licensing entity or disciplinary board.

6. SEC. 6. EDUCATION AND AWARENESS CAMPAIGN.

The Secretary of Health and Human Services shall establish a national education and awareness campaign to inform the public about the harms of conversion therapy and the rights of LGBTQ+ individuals.

7. SEC. 7. TRAINING AND RESOURCES FOR HEALTH CARE PROVIDERS.

The Secretary of Health and Human Services, in consultation with organizations that provide health care to LGBTQ+ youth, shall develop and disseminate training materials and resources to health care providers on the health needs of LGBTQ+ youth and the harms associated with conversion therapy.

8. SEC. 8. SUPPORT SERVICES FOR LGBTQ+ YOUTH.

The Secretary of Health and Human Services shall establish a program to provide support services to LGBTQ+ youth, including mental health services, suicide prevention efforts, and resources to help youth understand and express their gender identity and sexual orientation in a healthy way.

9. SEC. 9. DATA COLLECTION AND REPORTING.

9.1. DATA COLLECTION.—

The Secretary of Health and Human Services shall collect data on the prevalence and effects of conversion therapy.

9.2. REPORTING.—

The Secretary shall submit an annual report to Congress on the data collected under subsection 9.1.

10. SEC. 10. ENFORCEMENT.

Any individual who suffers harm as a result of a violation of this Act may bring a civil action in an appropriate district court of the

United States for equitable relief, including an injunction or order for the cessation of the violation, or for damages.

11. SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$30,000,000 for each of the fiscal years 2023 through 2028 to carry out this Act.

12. SEC. 12. SEVERABILITY.

If any provision of this Act, or the application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act, or the application of the provisions of this Act to any person or circumstance, shall not be affected thereby.

13. SEC. 13. EFFECTIVE DATE.

This Act shall take effect on the date that is 180 days after the date of its enactment.