

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred Senate Bill No.
3 132 entitled “An act relating to the prohibition of conversion therapy on
4 minors” respectfully reports that it has considered the same and recommends
5 that the House propose to the Senate that the bill be amended by striking out all
6 after the enacting clause and inserting in lieu thereof the following:

7 * * * Conversion Therapy * * *

8 Sec. 1. 18 V.S.A. chapter 196 is added to read:

9 CHAPTER 196. CONVERSION THERAPY

10 § 8351. DEFINITIONS

11 As used in this chapter:

12 (1) “Conversion therapy” means any practice by a mental health care
13 provider that seeks to change an individual’s sexual orientation or gender
14 identity, including efforts to change behaviors or gender expressions or to
15 change sexual or romantic attractions or feelings toward individuals of the
16 same sex or gender. “Conversion therapy” does not include psychotherapies
17 that:

18 (A) provide support to an individual undergoing gender transition; or

19 (B) provide acceptance, support, and understanding of clients or the
20 facilitation of clients’ coping, social support, and identity exploration and
21 development, including sexual-orientation-neutral or gender-identity-neutral

1 interventions to prevent or address unlawful conduct or unsafe sexual practices
2 without seeking to change an individual’s sexual orientation or gender identity.

3 (2) “Mental health care provider” means a person licensed to practice
4 medicine pursuant to 26 V.S.A. chapter 23, 33, or 81 who specializes in the
5 practice of psychiatry; a psychologist, a psychologist-doctorate, or a
6 psychologist-master as defined in 26 V.S.A. § 3001; a clinical social worker as
7 defined in 26 V.S.A. § 3201; a clinical mental health counselor as defined in
8 26 V.S.A. § 3261; a licensed marriage and family therapist as defined in
9 26 V.S.A. § 4031; a psychoanalyst as defined in 26 V.S.A. § 4051; any other
10 allied mental health professional; or a student, intern, or trainee of any such
11 profession.

12 § 8352. TREATMENT OF MINORS

13 A mental health care provider shall not use conversion therapy with a client
14 younger than 18 years of age.

15 § 8353. UNPROFESSIONAL CONDUCT

16 Any conversion therapy used on a client younger than 18 years of age by a
17 mental health care provider shall constitute unprofessional conduct as provided
18 in the relevant provisions of Title 26 and shall subject the mental health care
19 provider to discipline pursuant to the applicable provisions of that title and
20 of 3 V.S.A. chapter 5.

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* * * Psychologists * * *

Sec. 4. 26 V.S.A. § 3016 is amended to read:

§ 3016. UNPROFESSIONAL CONDUCT

Unprofessional conduct means the conduct listed in this section and in
3 V.S.A. § 129a:

* * *

(11) Use of conversion therapy as defined in 18 V.S.A. § 8351 on a
client younger than 18 years of age.

* * * Clinical Social Workers * * *

Sec. 5. 26 V.S.A. § 3210(a) is amended to read:

(a) The following conduct and the conduct set forth in 3 V.S.A. § 129a by a
licensed social worker constitutes unprofessional conduct. When that conduct
is by an applicant or a person who later becomes an applicant, it may constitute
grounds for denial of a license:

* * *

(12) failing to clarify the clinical social worker’s role with the parties
involved and to take appropriate action to minimize any conflicts of interest,
when the clinical social worker anticipates a conflict of interest among the
individuals receiving services or anticipates having to perform in conflicting
roles such as testifying in a child custody dispute or divorce proceedings
involving clients; or

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* * * Naturopathic Physicians * * *

Sec. 10. 26 V.S.A. § 4132(a) is amended to read:

(a) The following conduct and conduct set forth in 3 V.S.A. § 129a by a person licensed under this chapter or an applicant for licensure constitutes unprofessional conduct:

* * *

(11) Using conversion therapy as defined in 18 V.S.A. § 8351 on a client younger than 18 years of age.

* * * Effective Dates * * *

Sec. 11. EFFECTIVE DATES

This act shall take effect on July 1, 2016, except Sec. 6 shall take effect on July 1, 2017.

(Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE