

House File 106 - Introduced

HOUSE FILE 106

BY HUNTER

A BILL FOR

1 An Act prohibiting mental health providers from engaging in
2 sexual orientation change efforts with a patient of any age,
3 and making penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 135.192 Sexual orientation change
2 efforts.

3 1. For the purposes of this section, unless the context
4 otherwise requires:

5 a. "*Mental health provider*" means a physician and surgeon or
6 osteopathic physician and surgeon licensed under chapter 148
7 who specializes in the practice of psychiatry; a psychologist
8 licensed under chapter 154B; a licensed marital and family
9 therapist or mental health counselor or a temporary licensed
10 marital and family therapist or mental health counselor as
11 defined in section 154D.1; a social worker licensed pursuant to
12 chapter 154C; a licensed school counselor, school psychologist,
13 or school social worker; or an advanced registered nurse
14 practitioner, a psychiatric nurse, or any other person who
15 provides counseling or mental health or behavioral health
16 services as a part of the person's professional training or
17 practice under Iowa law or rule, or any student, intern,
18 volunteer, or other person assisting or acting under the
19 direction or guidance of any of these professionals.

20 b. "*Patient*" means an individual who is under the care of a
21 mental health provider.

22 c. (1) "*Sexual orientation change efforts*" means any
23 practice by a mental health provider that seeks to change an
24 individual's sexual orientation, including but not limited
25 to efforts to change behaviors or gender expressions or
26 gender identity, or to eliminate or reduce sexual or romantic
27 attractions or feelings toward individuals of the same sex.

28 (2) "*Sexual orientation change efforts*" does not include any
29 of the following:

30 (a) Counseling or therapy that provides acceptance,
31 support, and understanding of the individual or the
32 facilitation of an individual's coping, social support,
33 and identity exploration and development, including sexual
34 orientation-neutral interventions to prevent or address
35 unlawful conduct or unsafe sexual practices.

1 (b) Psychotherapies that do not seek to change sexual
2 orientation.

3 (c) Counseling for an individual seeking to transition from
4 one gender to another.

5 2. A mental health provider shall not engage in sexual
6 orientation change efforts with a patient.

7 3. A mental health provider who engages in sexual
8 orientation change efforts with a patient shall be subject to
9 disciplinary action by the licensing entity or disciplinary
10 authority with professional jurisdiction over the mental health
11 provider.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill prohibits a mental health provider from engaging
16 in sexual orientation change efforts with a patient of any age.
17 The bill provides that a mental health provider who engages in
18 sexual orientation change efforts with a patient is subject to
19 disciplinary action by the entity or disciplinary authority
20 with professional jurisdiction over the mental health provider.