

Senate File 334 - Introduced

SENATE FILE 334
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SF 31)

A BILL FOR

1 An Act relating to sexual orientation change efforts and making
2 penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 135.181 Sexual orientation change
2 efforts.

3 1. For the purposes of this division, 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 under eighteen years
7 of age.

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

13 EXPLANATION

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

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