

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0396.01 Kristen Forrestal x4217

HOUSE BILL 15-1175

HOUSE SPONSORSHIP

Rosenthal,

SENATE SPONSORSHIP

Steadman,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A PROHIBITION ON CONVERSION THERAPY BY A LICENSED
102 MENTAL HEALTH PROVIDER.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills/summaries>.)

The bill prohibits a licensed physician specializing in psychiatry and a licensed or registered mental health care provider from engaging in conversion therapy with a patient under 18 years of age. A licensee who engages in these efforts is subject to disciplinary action by the appropriate licensing board. "Conversion therapy" means efforts that seek to change an individual's sexual orientation, including efforts to change behaviors

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

or gender expressions or to eliminate or reduce sexual or romantic attraction or feelings toward individuals of the same sex.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-36-102.5, **add**
3 (7.5) as follows:

4 **12-36-102.5. Definitions.** As used in this article, unless the
5 context otherwise requires:

6 (7.5) "CONVERSION THERAPY" MEANS ANY PRACTICES BY A
7 LICENSEE SPECIALIZING IN THE PRACTICE OF PSYCHIATRY THAT SEEK TO
8 CHANGE AN INDIVIDUAL'S SEXUAL ORIENTATION OR GENDER IDENTITY,
9 INCLUDING EFFORTS TO CHANGE BEHAVIORS OR GENDER EXPRESSIONS OR
10 TO ELIMINATE OR REDUCE SEXUAL OR ROMANTIC ATTRACTION OR
11 FEELINGS TOWARD INDIVIDUALS OF THE SAME SEX. THE TERM DOES NOT
12 INCLUDE PSYCHOTHERAPIES THAT:

13 (a) PROVIDE ACCEPTANCE, SUPPORT, AND UNDERSTANDING FOR
14 THE FACILITATION OF AN INDIVIDUAL'S COPING, SOCIAL SUPPORT, AND
15 IDENTITY EXPLORATION AND DEVELOPMENT, INCLUDING SEXUAL
16 ORIENTATION-NEUTRAL INTERVENTIONS TO PREVENT OR ADDRESS
17 UNLAWFUL CONDUCT OR UNSAFE SEXUAL PRACTICES AS LONG AS THE
18 COUNSELING DOES NOT SEEK TO CHANGE SEXUAL ORIENTATION OR
19 GENDER IDENTITY; OR

20 (b) PROVIDE ASSISTANCE TO A PERSON UNDERGOING GENDER
21 TRANSITION.

22 **SECTION 2.** In Colorado Revised Statutes, 12-36-117, **add** (1)
23 (nn) as follows:

24 **12-36-117. Unprofessional conduct.** (1) "Unprofessional
25 conduct" as used in this article means:

1 (nn) ENGAGING IN CONVERSION THERAPY WITH A PATIENT UNDER
2 EIGHTEEN YEARS OF AGE.

3 **SECTION 3.** In Colorado Revised Statutes, 12-43-201, **add** (11)
4 as follows:

5 **12-43-201. Definitions.** As used in this article, unless the context
6 otherwise requires:

7 (11) "CONVERSION THERAPY" MEANS ANY PRACTICES BY A
8 LICENSEE OR REGISTRANT THAT SEEK TO CHANGE AN INDIVIDUAL'S
9 SEXUAL ORIENTATION OR GENDER IDENTITY, INCLUDING EFFORTS TO
10 CHANGE BEHAVIORS OR GENDER EXPRESSIONS OR TO ELIMINATE OR
11 REDUCE SEXUAL OR ROMANTIC ATTRACTION OR FEELINGS TOWARD
12 INDIVIDUALS OF THE SAME SEX. THE TERM DOES NOT INCLUDE
13 PSYCHOTHERAPIES THAT:

14 (a) PROVIDE ACCEPTANCE, SUPPORT, AND UNDERSTANDING FOR
15 THE FACILITATION OF AN INDIVIDUAL'S COPING, SOCIAL SUPPORT, AND
16 IDENTITY EXPLORATION AND DEVELOPMENT, INCLUDING SEXUAL
17 ORIENTATION-NEUTRAL INTERVENTIONS TO PREVENT OR ADDRESS
18 UNLAWFUL CONDUCT OR UNSAFE SEXUAL PRACTICES AS LONG AS THE
19 COUNSELING DOES NOT SEEK TO CHANGE SEXUAL ORIENTATION OR
20 GENDER IDENTITY; OR

21 (b) PROVIDE ASSISTANCE TO A PERSON UNDERGOING GENDER
22 TRANSITION.

23 **SECTION 4.** In Colorado Revised Statutes, 12-43-222, **amend**
24 (1) (w) and (1) (x); and **add** (1) (y) as follows:

25 **12-43-222. Prohibited activities - related provisions.** (1) A
26 person licensed, registered, or certified under this article violates this
27 article if the person:

1 (w) Has sold or fraudulently obtained or furnished a license,
2 registration, or certification to practice as a psychologist, social worker,
3 marriage and family therapist, licensed professional counselor,
4 psychotherapist, or addiction counselor or has aided or abetted in such
5 activities; ~~or~~

6 (x) Has failed to respond, in the manner required by the board, to
7 a complaint filed with or by the board against the licensee, registrant, or
8 certificate holder; OR

9 (y) ENGAGES IN CONVERSION THERAPY WITH A PATIENT UNDER
10 EIGHTEEN YEARS OF AGE.

11 **SECTION 5. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2016 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.