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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3376

A bill for an act

relating to health; repealing prohibition on conversion therapy with minors and vulnerable adults; amending Minnesota Statutes 2024, section 256B.0625, subdivision 5n; repealing Minnesota Statutes 2024, section 214.078.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2024, section 256B.0625, subdivision 5n, is amended to read:

Subd. 5n. **Conversion therapy.** Medical assistance does not cover conversion therapy ~~as defined in section 214.078, subdivision 1~~. "Conversion therapy" means any practice by a mental health practitioner as defined in section 245I.02, subdivision 26, or mental health professional as defined in section 245I.02, subdivision 27, that seeks 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. Conversion therapy does not include counseling, practice, or treatment that provides assistance to an individual undergoing gender transition, or counseling, practice, or treatment that provides acceptance, support, and understanding of an individual or facilitates an individual's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as the counseling, practice, or treatment does not seek to change an individual's sexual orientation or gender identity.

Sec. 2. **REPEALER.**

Minnesota Statutes 2024, section 214.078, is repealed.

214.078 PROTECTION FROM CONVERSION THERAPY.

Subdivision 1. **Definitions.** (a) "Client" for purposes of this section means a person requesting or receiving services from a mental health practitioner or mental health professional within the context of a relationship that a reasonable person would construe as a professional relationship. A client may include a child, adolescent, adult, couple, family, group, organization, community, or other entity.

(b) "Conversion therapy" means any practice by a mental health practitioner as defined in section 245I.02, subdivision 26, or mental health professional as defined in section 245I.02, subdivision 27, that seeks 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. Conversion therapy does not include counseling, practice, or treatment that provides assistance to an individual undergoing gender transition, or counseling, practice, or treatment that provides acceptance, support, and understanding of an individual or facilitates an individual's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as the counseling, practice, or treatment does not seek to change an individual's sexual orientation or gender identity.

Subd. 2. **Prohibition.** (a) No mental health practitioner or mental health professional shall engage in conversion therapy with a client younger than 18 years of age or with a client who is a vulnerable adult as defined in section 626.5572, subdivision 21.

(b) Conversion therapy attempted by a mental health practitioner or mental health professional with a client younger than 18 years of age or with a client who is a vulnerable adult shall be considered unprofessional conduct that may subject the mental health practitioner or mental health professional to disciplinary action by the licensing board of the mental health practitioner or mental health professional.