

ARIZONA STATE SENATE

RESEARCH STAFF



TO: MEMBERS OF THE SENATE
EDUCATION COMMITTEE

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DATE: February 12, 2022

SUBJECT: Strike everything amendment to S.B. 1510, relating to conversion therapy; prohibition; minors

Purpose

Prohibits certain health professionals who provide mental health therapy from providing conversion therapy to a patient or client who is under 18 years of age.

Background

Health profession regulatory boards certify or license health professionals to perform duties and services within a specified scope of practice. Statute outlines actions or omissions that constitute *unprofessional conduct* which vary across the types of professionals. A health professional found guilty of unprofessional conduct by the appropriate regulatory board is subject to disciplinary action, which includes suspension or revocation of a license or certification ([A.R.S. Title 32](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Deems, as an act of *unprofessional conduct*, a health care professional providing conversion therapy to a patient or client who is under 18 years of age.
2. Excludes, from the prohibition:
 - a) a clergy member or religious counselor acting substantially in a pastoral or religious capacity and not in the capacity of a health care profession; or
 - b) a parent or grandparent who is a health care professional and is acting substantially in the capacity of a parent or grandparent and not in the capacity of a health care professional.
3. Defines *conversion therapy*:
 - a) as any practice or treatment that seeks to change the sexual orientation or gender identity of a patient or client, including mental therapy; and
 - b) to include mental therapy that seeks to change, eliminate or reduce behaviors, expressions, attractions or feelings related to the patient's or client's sexual orientation or gender identity.
4. Excludes, from the definition of *conversion therapy*, a practice or treatment that does not seek to change a patient's or client's sexual orientation or gender identity and:
 - a) is neutral with respect to sexual orientation and gender identity;
 - b) provides assistance to a patient or client undergoing gender transition;
 - c) provides acceptance of and support and understanding to a patient or client;
 - d) facilitates a patient's or client's social support, identity exploration and development, and ability to cope;

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- e) addresses unlawful, unsafe, premarital or extramarital sexual activities in a manner that is neutral with respect to sexual orientation; or
 - f) discusses the patient's or client's moral or religious beliefs or practices.
5. Defines *health care professional* as an individual who provides mental health therapy as part of the individual's profession and is a certified or licensed:
- a) physician;
 - b) registered nurse, nursing assistant, health aide or practical nurse;
 - c) psychologist or behavior analyst; or
 - d) social worker, counselor, therapist, substance abuse counselor or technician.
6. Becomes effective on the general effective date.