

HOUSE No. 3907

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 24, 2014.

The committee on Children, Families and Persons with Disabilities to whom were referred the petition (accompanied by bill, House, No. 154) of Carl M. Sciortino, Jr. and others relative to the protection of the mental and physical health of minors from sexual orientation and/or gender identity change efforts, reports recommending that the accompanying bill (House, No. 3907) ought to pass.

For the committee,

KAY KHAN.

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to abusive practices to change sexual orientation and gender identity in minors.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 112 of the General Laws, as appearing in the 2010 Official
2 addition, is hereby amended by adding following new section:-

3 Section 264. (a) Definitions.

4 For the purposes of this section, “licensed professional” means any licensed medical,
5 mental health, or human service professional licensed under Chapter 112, including any
6 psychologist, psychiatrist, social worker, psychiatric nurse, allied mental health and human
7 services professional, licensed marriage and family therapist, licensed rehabilitation counselor,
8 licensed mental health counselor, licensed educational psychologist, or any of their respective
9 interns or trainees, or any other person designated or licensed as a mental health or human
10 service professional under Massachusetts law or regulation.

11 “Sexual orientation and gender identity change efforts” means any practice by a licensed
12 professional that seeks or purports to impose change of an individual’s sexual orientation or
13 gender identity. Such term--

14 (1) Includes practices

15 (A) to change an individual’s sexual orientation or gender identity.

16 (2) Does not include practices

17 (A) to provide acceptance, support, and understanding of an individual’s sexual
18 orientation, gender identity, or gender expression and the facilitation of an individual’s coping,
19 social support, and identity exploration and development, including interventions to prevent or
20 address unlawful conduct or unsafe sexual practices.

21 (b) Under no circumstances shall a licensed professional advertise for or engage in sexual
22 orientation and gender identity change efforts with a patient less than 18 years of age. Any
23 licensed professional violating this prohibition shall be such subject to discipline by the board,
24 which may include suspension or revocation of license.

25 (c) Whoever violates this section shall be considered to have violated section 2 of chapter
26 93A.

27 SECTION 2. (a) Subsection (a) of Section 51A of chapter 119 of the General Laws, as
28 appearing in the 2010 Official addition, is hereby amended by inserting after the words “chapter
29 233” the following words:-

30 or (vi) being subjected to sexual orientation and gender identity change efforts as defined
31 by section 169 of chapter 112

32 (b) Section 51A of chapter 119 is further amended in subsection (i) after the word
33 “family.” by adding the following words:-

34 Any report including licensed professionals engaging in sexual orientation and gender
35 identity change efforts as defined under section 169 of chapter 112 shall be filed within 30 days
36 to the appropriate licensing board for review and possible suspension or revocation of license.