HOUSE DOCKET, NO. 2607 FILED ON: 1/18/2013

HOUSE . . . . . No. 154

The Commonwealth of Massachusetts

PRESENTED BY:

Carl M. Sciortino, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Carl M. Sciortino, Jr.	*34th Middlesex*
Denise Andrews	*2nd Franklin*
Cory Atkins	*14th Middlesex*
Thomas P. Conroy	*13th Middlesex*
Patricia D. Jehlen	*Second Middlesex*
Kay Khan	*11th Middlesex*
Jason M. Lewis	*31st Middlesex*
Elizabeth A. Malia	*11th Suffolk*
Sarah K. Peake	*4th Barnstable*
Denise Provost	*27th Middlesex*
Tom Sannicandro	*7th Middlesex*
Karen E. Spilka	*Second Middlesex and Norfolk*
Benjamin Swan	*11th Hampden*
Martha M. Walz	*8th Suffolk*

HOUSE DOCKET, NO. 2607 FILED ON: 1/18/2013

HOUSE . . . . . No. 154

By Mr. Sciortino of Medford, a 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. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

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:

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

Section 264. (a) Definitions.

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

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

(1) Includes practices which

(A) to change behavioral expression of an individual’s sexual orientation or gender identity, or

(B) to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same sex.

(2) Does not include practices which

20 (A) provide acceptance, support, and understanding of an individual's sexual orientation,
21 gender identity, or gender expression and the facilitation of an individual's coping, social
22 support, and identity exploration and development, including interventions to prevent or address
23 unlawful conduct or unsafe sexual practices, or

24 (B) provide acceptance, support, or understanding of an individual's gender expression or
25 the facilitation of an individual's coping, social support, and identity exploration and
26 development.

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

31 (c) Whoever violates this section shall be considered to have violated section 2 of chapter
32 93A.

33 SECTION 2. (a) Subsection (a) of Section 51A of chapter 119 of the General Laws, as
34 appearing in the 2010 Official addition, is hereby amended by inserting after the words "chapter
35 233" the following words:-

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

38 (b) Section 51A of chapter 119 is further amended in subsection (i) after the word
39 "family." by adding the following words:-

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