

117TH CONGRESS
2D SESSION

H. R. 7644

To amend the Child Abuse Prevention and Treatment Act to ensure protections for lesbian, gay, bisexual, and transgender youth and their families.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2022

Ms. DAVIDS of Kansas (for herself, Mr. TORRES of New York, Mr. PAPPAS, Mr. SEAN PATRICK MALONEY of New York, Mr. CICILLINE, Mr. TAKANO, and Mr. DAVID SCOTT of Georgia) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Child Abuse Prevention and Treatment Act to ensure protections for lesbian, gay, bisexual, and transgender youth and their families.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pride in Mental Health
5 Act”.

1 **SEC. 2. AMENDMENTS TO CAPTA.**

2 The Child Abuse Prevention and Treatment Act (42
3 U.S.C. 5101 et seq.) is amended—

4 (1) in section 104 (42 U.S.C. 5105)—

5 (A) in subsection (a)—

6 (i) in paragraph (1)—

7 (I) by redesignating subpara-
8 graphs (N) and (O) as subparagraphs
9 (O) and (P), respectively;

10 (II) by inserting after subpara-
11 graph (M) the following:

12 “(N) child abuse and neglect issues facing
13 lesbian, gay, bisexual, transgender, queer or
14 questioning, nonbinary, and Two Spirit youth
15 and families, including—

16 “(i) providing recommendations for
17 improving the collection of data at the
18 Federal, State, and local levels to better
19 identify young people who may be at risk
20 of, or experiencing, child abuse or neglect
21 or adverse childhood experiences because of
22 their sexual orientation, gender identity, or
23 gender expression; and

24 “(ii) the effectiveness of mandated
25 child abuse and neglect reporters specific
26 to lesbian, gay, bisexual, transgender,

1 queer or questioning, nonbinary, and Two
2 Spirit youth and families and the extent to
3 which implicit bias or lack of cultural com-
4 petency affect such mandated reporters;”;

5 (III) in subparagraph (O), as so
6 redesignated, by striking “subpara-
7 graph (O)” and inserting “subpara-
8 graph (P)”;

9 (IV) in clause (ix) of subpara-
10 graph (P), as so redesignated, by in-
11 serting “(including sexual orientation,
12 gender identity, and gender expres-
13 sion)” after “sex”; and

14 (ii) in paragraph (2), by striking
15 “paragraph (1)(O)” and inserting “para-
16 graph (1)(P)”;

17 (B) in subsection (b), by inserting “or les-
18 bian, gay, bisexual, transgender, queer or ques-
19 tioning, nonbinary, and Two Spirit youth” after
20 “children with disabilities”;

21 (2) in section 105(a)(1)(E) (42 U.S.C.
22 5106(a)(1)(E)), by inserting “and lesbian, gay, bi-
23 sexual, transgender, queer or questioning, non-
24 binary, and Two Spirit youth” after “children with
25 disabilities”;

1 (3) in section 106(d)(1) (42 U.S.C.
2 5106a(d)(1)), by inserting “, disaggregated by de-
3 mographic characteristics such as age, sex (including
4 sexual orientation, gender identity, and gender ex-
5 pression), race, family structure, household relation-
6 ship, school enrollment and education attainment,
7 disability, caregivers, labor force status, work status
8 in previous year, and income in previous year” be-
9 fore the period;

10 (4) in section 107 (42 U.S.C. 5106c)—

11 (A) in subsection (a)—

12 (i) by redesignating paragraphs (3)
13 and (4) as paragraphs (4) and (5), respec-
14 tively; and

15 (ii) by inserting after paragraph (2)
16 the following:

17 “(3) the assessment and investigation of cases
18 involving lesbian, gay, bisexual, transgender, queer
19 or questioning, nonbinary, and Two Spirit youth
20 who are suspected victims of child abuse or ne-
21 glect;”;

22 (B) in subsection (b)(5), by striking “para-
23 graphs (1) through (3)” and inserting “para-
24 graphs (1) through (4)”;

25 (C) in subsection (c)(1)—

1 (i) by redesignating subparagraphs
2 (G) through (J) as subparagraphs (H)
3 through (K), respectively; and

4 (ii) by inserting after subparagraph
5 (F) the following:

6 “(G) individuals experienced in working
7 with lesbian, gay, bisexual, transgender, queer
8 or questioning, nonbinary, and Two Spirit
9 youth and families;”;

10 (5) in section 201(b)(1)(G) (42 U.S.C.
11 5116(b)(1)(G)), by inserting “(including lesbian,
12 gay, bisexual, transgender, queer or questioning,
13 nonbinary, and Two Spirit youth and families)” be-
14 fore the semicolon;

15 (6) in section 202 (42 U.S.C. 5116a)—

16 (A) in paragraph (2)—

17 (i) in subparagraph (A), by inserting
18 “and families with other vulnerable youth,
19 including lesbian, gay, bisexual,
20 transgender, queer or questioning, non-
21 binary, and Two Spirit youth” before the
22 semicolon; and

23 (ii) in subparagraph (B), by striking
24 “and public sector and private nonprofit
25 sector service providers, and parents with

1 disabilities” and inserting “public sector
2 and private nonprofit sector service pro-
3 viders, parents with disabilities, and par-
4 ents of other vulnerable youth, including
5 lesbian, gay, bisexual, transgender, queer
6 or questioning, nonbinary, and Two Spirit
7 youth”; and

8 (B) in paragraph (3)—

9 (i) in subparagraph (C), by striking “;
10 and” and inserting a semicolon;

11 (ii) in subparagraph (D), by striking
12 the period and inserting “; and”; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(E) will integrate its efforts with individ-
16 uals and organizations experienced in working
17 in partnership with families with vulnerable
18 youth, including lesbian, gay, bisexual,
19 transgender, queer or questioning, nonbinary,
20 and Two Spirit youth, and with the child abuse
21 and neglect prevention activities of the State,
22 and demonstrate a financial commitment to
23 those activities.”; and

24 (7) in section 206(4) (42 U.S.C. 5116f(4)), by
25 striking “and parents with disabilities” and inserting

1 “parents with disabilities, and families with other
2 vulnerable youth, including lesbian, gay, bisexual,
3 transgender, queer or questioning, nonbinary, and
4 Two Spirit youth”.

5 **SEC. 3. GRANTS FOR MENTAL HEALTH SERVICES FOR**
6 **LGBTQ+ YOUTH.**

7 Subpart 3 of part B of title V of the Public Health
8 Service Act (42 U.S.C. 290bb–31 et seq.) is amended by
9 adding at the end the following:

10 **“SEC. 520N. GRANTS FOR MENTAL HEALTH SERVICES FOR**
11 **LGBTQ+ YOUTH.**

12 “(a) IN GENERAL.—The Secretary, acting through
13 the Assistant Secretary for Mental Health and Substance
14 Use (referred to in this section as the ‘Secretary’), shall
15 establish a program under which the Secretary will award
16 grants to eligible entities to assess and improve lesbian,
17 gay, bisexual, transgender, queer or questioning, non-
18 binary, and Two Spirit youth mental health and substance
19 abuse outcomes.

20 “(b) USE OF FUNDS.—An eligible entity receiving a
21 grant under this section shall use funds received through
22 such grant—

23 “(1) to provide mental and behavioral health re-
24 sources for lesbian, gay, bisexual, transgender, queer

1 or questioning, nonbinary, and Two Spirit youth, in-
2 cluding trauma-informed care;

3 “(2) to provide cultural competency training for
4 caregivers;

5 “(3) to develop and disseminate mental and be-
6 havioral health best practices and toolkits for les-
7 bian, gay, bisexual, transgender, queer or ques-
8 tioning, nonbinary, and Two Spirit youth, and their
9 families and caregivers;

10 “(4) to develop and disseminate evidence-based
11 practices to be added to the Evidence-Based Prac-
12 tices Resource Center of the Substance Abuse and
13 Mental Health Administration;

14 “(5) to collect data with respect to the mental
15 and behavioral health of lesbian, gay, bisexual,
16 transgender, queer or questioning, nonbinary, and
17 Two Spirit youth;

18 “(6) to issue school bullying prevention guide-
19 lines with respect to lesbian, gay, bisexual,
20 transgender, queer or questioning, nonbinary, and
21 Two Spirit youth;

22 “(7) to provide for the integration within school
23 systems of mental and behavioral health services for
24 lesbian, gay, bisexual, transgender, queer or ques-
25 tioning, nonbinary, and Two Spirit youth;

1 “(8) to establish and implement mental and be-
2 havioral patient navigator programs for lesbian, gay,
3 bisexual, transgender, queer or questioning, non-
4 binary, and Two Spirit youth, and their families;
5 and

6 “(9) to create and disseminate family accept-
7 ance and support models for lesbian, gay, bisexual,
8 transgender, queer or questioning, nonbinary, and
9 Two Spirit youth, and their families and caregivers.

10 “(c) LIMITATION.—

11 “(1) IN GENERAL.—An eligible entity selected
12 to receive a grant under this section shall agree, as
13 a condition on receiving the grant that such funds
14 shall not be used—

15 “(A) to provide conversion therapy to any
16 individual;

17 “(B) to advertise for the provision of con-
18 version therapy and claim in such advertising—

19 “(i) to change another individual’s
20 sexual orientation or gender identity;

21 “(ii) to eliminate or reduce sexual or
22 romantic attractions or feelings toward in-
23 dividuals of the same gender; or

1 “(iii) that such efforts are harmless or
2 without risk to individuals receiving such
3 therapy;

4 “(C) to knowingly assist or facilitate the
5 provision of conversion therapy to an individual
6 if such person receives compensation from any
7 source in connection with providing conversion
8 therapy; or

9 “(D) to promote or direct an individual to
10 conversion therapy resources or providers.

11 “(2) CONVERSION THERAPY DEFINED.—In this
12 subsection, the term ‘conversion therapy’—

13 “(A) means any practice or treatment by
14 any person that seeks to change another indi-
15 vidual’s sexual orientation or gender identity,
16 including efforts to change behaviors or gender
17 expressions, or to eliminate or reduce sexual or
18 romantic attractions or feelings toward individ-
19 uals of the same gender, if such person—

20 “(i) receives monetary compensation
21 in exchange for such practice or treatment;
22 or

23 “(ii) instead of, or in addition to, re-
24 ceiving monetary compensation in ex-
25 change for such practice or treatment di-

1 rectly, receives monetary compensation in
2 exchange for a product or service that is
3 integral to the provision of such practice or
4 treatment by such person, unless such
5 product or service is protected by the First
6 Amendment to the Constitution; and

7 “(B) does not include any practice or
8 treatment, which does not seek to change sexual
9 orientation or gender identity, that—

10 “(i) provides assistance to an indi-
11 vidual undergoing a gender transition; or

12 “(ii) provides acceptance, support,
13 and understanding of a client or facilita-
14 tion of a client’s coping, social support,
15 and identity exploration and development,
16 including sexual orientation-neutral inter-
17 ventions to prevent or address unlawful
18 conduct or unsafe sexual practices.

19 “(d) REVIEW OF REPORTS.—

20 “(1) IN GENERAL.—Not later than 1 year after
21 the date of the enactment of this section, the Sec-
22 retary shall review, and update as necessary, the re-
23 ports and publications listed on the internet website
24 of the Substance Abuse and Mental Health Adminis-
25 tration as of the date of the enactment of this sec-

1 tion that are focused on lesbian, gay, bisexual,
2 transgender, queer or questioning, nonbinary, and
3 Two Spirit individuals.

4 “(2) PRIORITY.—In reviewing reports and pub-
5 lications under paragraph (1), the Secretary shall
6 prioritize updating older reports and commissioning
7 new reports that fill information gaps with respect
8 to the mental and behavioral health of lesbian, gay,
9 bisexual, transgender, queer or questioning, non-
10 binary, and Two Spirit individuals.

11 “(e) FEDERAL SURVEY.—The Secretary shall develop
12 and conduct a Federal survey measuring serious psycho-
13 logical distress, mental illness, mental health, and mental
14 health care among lesbian, gay, bisexual, transgender,
15 queer or questioning, nonbinary, and Two Spirit youth.
16 In developing such survey, the Secretary may consider in-
17 tegrating such survey as an enhanced feature of the Na-
18 tional Survey on Drug Use and Health.

19 “(f) REPORT.—

20 “(1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this section, the
22 Secretary shall, in consultation with the Director of
23 the National Institute of Mental Health and the As-
24 sistant Secretary for the Administration for Children
25 and Families, commence a report on mental health,

1 mental health care, and cultural competency in men-
2 tal health care for lesbian, gay, bisexual,
3 transgender, queer or questioning, nonbinary, and
4 Two Spirit youth in foster care and who are bene-
5 ficiaries of other social services programs subject to
6 Federal oversight.

7 “(2) SUBMISSION TO CONGRESS.—Not later
8 than 2 years after the date of the enactment of this
9 section, the Secretary shall submit the report re-
10 quired under paragraph (1) to the Committee on
11 Energy and Commerce of the House of Representa-
12 tives and the Committee on Health, Education,
13 Labor, and Pensions of the Senate.”.

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