

As Introduced

133rd General Assembly

Regular Session

2019-2020

S. B. No. 130

Senator Maharath

A BILL

To enact sections 4723.93, 4731.92, 4732.34,
4743.09, and 4757.46 of the Revised Code to
prohibit certain health care professionals from
engaging in conversion therapy when treating
minor patients.

1
2
3
4
5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4723.93, 4731.92, 4732.34,
4743.09, and 4757.46 of the Revised Code be enacted to read as
follows:

6
7
8

Sec. 4723.93. The board of nursing shall comply with
section 4743.09 of the Revised Code.

9
10

Sec. 4731.92. The state medical board shall comply with
section 4743.09 of the Revised Code.

11
12

Sec. 4732.34. The state board of psychology shall comply
with section 4743.09 of the Revised Code.

13
14

Sec. 4743.09. (A) As used in this section:

15

(1) "Applicant" means an individual who applies for
licensure or registration, as applicable, to practice as a
health care professional.

16
17
18

(2) "Conversion therapy" means the practice of seeking to 19
change a person's sexual orientation, including efforts to 20
change behaviors, gender identity, or gender expressions, or to 21
reduce or eliminate sexual or romantic attractions or feelings 22
toward a person of the same gender. 23

(3) "Health care professional" means any of the following: 24

(a) An advanced practice registered nurse licensed under 25
Chapter 4723. of the Revised Code who is designated as a 26
clinical nurse specialist; 27

(b) A physician authorized to practice medicine and 28
surgery or osteopathic medicine and surgery under Chapter 4731. 29
of the Revised Code; 30

(c) A psychologist licensed under Chapter 4732. of the 31
Revised Code; 32

(d) A licensed professional clinical counselor or licensed 33
professional counselor licensed under Chapter 4757. of the 34
Revised Code; 35

(e) An independent social worker, social worker, or social 36
work assistant licensed or registered under Chapter 4757. of the 37
Revised Code; 38

(f) An independent marriage and family therapist or 39
marriage and family therapist licensed under Chapter 4757. of 40
the Revised Code. 41

(4) "Minor" means an individual who is under eighteen 42
years of age. 43

(5) "State licensing board" means the board of nursing, 44
the state medical board, the state board of psychology, or the 45
counselor, social worker, and marriage and family therapist 46

board. 47

(B) An applicant or health care professional shall not 48
engage in conversion therapy when providing mental health 49
treatment to a minor patient. 50

(C) Division (B) of this section does not prohibit any of 51
the following: 52

(1) Assisting a patient who seeks to transition, is in the 53
process of transitioning, or has transitioned from one gender to 54
another; 55

(2) Providing a patient with acceptance, support, and 56
understanding or facilitating a patient's coping, social 57
support, or identity exploration and development; 58

(3) Providing a patient with sexual orientation-neutral 59
interventions to prevent or address unlawful conduct or unsafe 60
sexual practices; 61

(4) Counseling that does not seek to change a patient's 62
sexual orientation. 63

(D) A state licensing board shall impose one or more of 64
the following sanctions on an applicant or health care 65
professional for a failure to comply with this section: suspend, 66
revoke, or refuse to issue or renew the license or certificate 67
of registration. 68

Sec. 4757.46. The counselor, social worker, and marriage 69
and family therapist board shall comply with section 4743.09 of 70
the Revised Code. 71