CHAPTER 28--H.F.No. 16

An act relating to health; prohibiting conversion therapy with children or vulnerable adults; prohibiting medical assistance coverage for conversion therapy; prohibiting the misrepresentation of conversion therapy services or products; amending Minnesota Statutes 2022, sections 256B.0625, by adding a subdivision; 325F.69, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 214.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[214.078] PROTECTION FROM CONVERSION THERAPY.**

Subdivision 1. **Definitions.** (a) "Client" for purposes of this section means a person requesting or receiving services from a mental health practitioner or mental health professional within the context of a relationship that a reasonable person would construe as a professional relationship. A client may include a child, adolescent, adult, couple, family, group, organization, community, or other entity.

(b) "Conversion therapy" means any practice by a mental health practitioner as defined in section 245I.02, subdivision 26, or mental health professional as defined in section 245I.02, subdivision 27, that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy does not include counseling, practice, or treatment that provides assistance to an individual undergoing gender transition, or counseling, practice, or treatment that provides acceptance, support, and understanding of an individual or facilitates an individual's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as the counseling, practice, or treatment does not seek to change an individual's sexual orientation or gender identity.

Subd. 2. **Prohibition.** (a) No mental health practitioner or mental health professional shall engage in conversion therapy with a client younger than 18 years of age or with a client who is a vulnerable adult as defined in section 626.5572, subdivision 21.

(b) Conversion therapy attempted by a mental health practitioner or mental health professional with a client younger than 18 years of age or with a client who is a vulnerable adult shall be considered unprofessional conduct that may subject the mental health practitioner or mental health professional to disciplinary action by the licensing board of the mental health practitioner or mental health professional.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2022, section 256B.0625, is amended by adding a subdivision to read:

Subd. 5n. **Conversion therapy.** Medical assistance does not cover conversion therapy as defined in section 214.078, subdivision 1.

Sec. 3. Minnesota Statutes 2022, section 325F.69, is amended by adding a subdivision to read:

Subd. 7. **Advertisement and sales; misrepresentation of conversion therapy.** (a) For purposes of this subdivision, "conversion therapy" means services or products that are intended to change an individual's sexual orientation or gender identity, including efforts to change behaviors and gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender.

(b) No person or entity shall, while conducting any trade or commerce, use or employ any fraud, false pretense, false promise, false guarantee, misrepresentation, false or misleading statements, or deceptive practice by advertising or otherwise offering conversion therapy services that could reasonably be interpreted or inferred as representing homosexuality as a mental disease, disorder, or illness, or guaranteeing to change an individual's sexual orientation or gender identity.

Presented to the governor April 26, 2023