

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-FIRST SESSION**

**S.F. No. 4061**

(SENATE AUTHORS: DIBBLE, Jensen and Kent)

DATE	D-PG	OFFICIAL STATUS
03/05/2020	5261	Introduction and first reading Referred to Health and Human Services Finance and Policy (Non-revisor companion) HF12

1.1 A bill for an act

1.2 relating to health; prohibiting conversion therapy with children or vulnerable adults;

1.3 prohibiting medical assistance coverage for conversion therapy; prohibiting the

1.4 misrepresentation of conversion therapy services or products; authorizing

1.5 rulemaking; amending Minnesota Statutes 2018, sections 256B.0625, by adding

1.6 a subdivision; 325F.69, by adding a subdivision; proposing coding for new law

1.7 in Minnesota Statutes, chapter 214.

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

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

1.10 Subdivision 1. **Definition.** (a) "Conversion therapy" is a practice by a mental health

1.11 practitioner or mental health professional as defined in section 245.462 that seeks to change

1.12 an individual's sexual orientation or gender identity. The commissioner of health shall

1.13 convene a working group to develop a detailed, uniform definition of conversion therapy.

1.14 The working group shall consist of one board member from each of the following boards:

1.15 (1) Board of Medical Practice;

1.16 (2) Board of Psychology;

1.17 (3) Board of Nursing;

1.18 (4) Board of Social Work Practice;

1.19 (5) Board of Behavioral Health and Therapy; and

1.20 (6) Board of Marriage and Family Therapy.

1.21 The working group members shall be appointed by the executive director of each of the

1.22 listed boards by September 1, 2020.

2.1 (b) The working group is subject to the Minnesota Open Meeting Law under chapter  
2.2 13D.

2.3 (c) The definition of conversion therapy developed by the working group must be  
2.4 objective, nonjudgmental, and must be based on peer-reviewed scientific research that relies  
2.5 on empirical data.

2.6 (d) By January 15, 2021, each board listed in paragraph (a) shall adopt the definition of  
2.7 conversion therapy developed by the working group as exempt rules under section 14.386.  
2.8 Section 14.386, paragraph (b), does not apply to rules adopted under this section.

2.9 (e) Each board listed in paragraph (a) shall inform its licensees of the adopted definition  
2.10 of conversion therapy in a timely manner.

2.11 (f) The commissioner of health shall submit a report on the definition developed by the  
2.12 working group and any additional recommendations to the chairs and ranking minority  
2.13 members of the legislative committees with jurisdiction over health and human services  
2.14 policy by February 15, 2021.

2.15 Subd. 2. **Prohibition.** (a) No health care professional shall engage in conversion therapy  
2.16 with a client younger than 18 years of age or with a vulnerable adult as defined in section  
2.17 626.5572, subdivision 21.

2.18 (b) Conversion therapy attempted by a health care professional with a client younger  
2.19 than 18 years of age or with a vulnerable adult shall be considered unprofessional conduct  
2.20 and the health care professional may be subject to disciplinary action by the licensing board  
2.21 of the health care professional.

2.22 (c) For purposes of this section, "health care professional" means a mental health  
2.23 practitioner or mental health professional as defined under section 245.462.

2.24 **EFFECTIVE DATE.** Subdivision 1 is effective the day following final enactment.  
2.25 Subdivision 2 is effective January 15, 2021.

2.26 Sec. 2. Minnesota Statutes 2018, section 256B.0625, is amended by adding a subdivision  
2.27 to read:

2.28 Subd. 5n. **Conversion therapy.** Conversion therapy, as defined under section 214.078,  
2.29 is not covered.

2.30 **EFFECTIVE DATE.** This section is effective January 15, 2021.

3.1 Sec. 3. Minnesota Statutes 2018, section 325F.69, is amended by adding a subdivision to  
3.2 read:

3.3 Subd. 7. **Advertisement and sales; misrepresentation of conversion therapy.** No  
3.4 person or entity shall, while conducting any trade or commerce, use or employ any fraud,  
3.5 false pretense, false promise, false guarantee, misrepresentation, false or misleading  
3.6 statements, or deceptive practice when advertising or otherwise offering conversion therapy  
3.7 services, as defined under section 214.078.

3.8 **EFFECTIVE DATE.** This section is effective January 15, 2021.