

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 420

Representative Lightbody

Cosponsors: Representatives Boggs, Boyd, Brent, Carfagna, Galonski, Hillyer, Kelly, Liston, Miller, A., Miranda, O'Brien, Russo, Sheehy, Skindell, Smith, K., Smith, M., Sobecki, Sweeney, Upchurch, Weinstein, Lepore-Hagan

A BILL

To enact sections 4723.93, 4731.45, 4732.34, 1
4743.09, 4757.46, and 4758.73 of the Revised 2
Code to protect minors by prohibiting certain 3
licensed health care professionals from engaging 4
in conversion therapy when treating minor 5
patients. 6

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

Section 1. That sections 4723.93, 4731.45, 4732.34, 7
4743.09, 4757.46, and 4758.73 of the Revised Code be enacted to 8
read as follows: 9

Sec. 4723.93. The board of nursing shall comply with 10
section 4743.09 of the Revised Code. 11

Sec. 4731.45. The state medical board shall comply with 12
section 4743.09 of the Revised Code. 13

Sec. 4732.34. The state board of psychology shall comply 14
with section 4743.09 of the Revised Code. 15

Sec. 4743.09. (A) As used in this section: 16

(1) "Applicant" means an individual who applies for licensure or registration, as applicable, to practice as a health care professional. 17
18
19

(2) "Conversion therapy" means the practice of seeking to change a person's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to reduce or eliminate sexual or romantic attractions or feelings toward a person of the same gender. 20
21
22
23
24

(3) "Health care professional" means any of the following: 25

(a) An advanced practice registered nurse licensed under Chapter 4723. of the Revised Code who is designated as a clinical nurse specialist; 26
27
28

(b) A physician authorized to practice medicine and surgery or osteopathic medicine and surgery under Chapter 4731. of the Revised Code; 29
30
31

(c) A psychologist licensed under Chapter 4732. of the Revised Code; 32
33

(d) A licensed professional clinical counselor or licensed professional counselor licensed under Chapter 4757. of the Revised Code; 34
35
36

(e) An independent social worker, social worker, or social work assistant licensed or registered under Chapter 4757. of the Revised Code; 37
38
39

(f) An independent marriage and family therapist or marriage and family therapist licensed under Chapter 4757. of the Revised Code; 40
41
42

(g) An independent chemical dependency counselor-clinical supervisor, independent chemical dependency counselor, chemical 43
44

dependency counselor III, or chemical dependency counselor II, 45
licensed under Chapter 4758. of the Revised Code, or a chemical 46
dependency counselor assistant, prevention consultant, 47
prevention specialist I, prevention specialist assistant, or 48
registered applicant, certified under that chapter. 49

(4) "Minor" means an individual who is under eighteen 50
years of age. 51

(5) "State licensing board" means the board of nursing; 52
the state medical board; the state board of psychology; the 53
counselor, social worker, and marriage and family therapist 54
board; or the chemical dependency professionals board. 55

(B) An applicant or health care professional shall not 56
engage in conversion therapy when providing mental health 57
treatment to a minor patient. 58

(C) Division (B) of this section does not prohibit any of 59
the following that does not seek to change an individual's 60
sexual orientation or gender identity: 61

(1) Assisting a patient who seeks to transition, is in the 62
process of transitioning, or has transitioned from one gender to 63
another; 64

(2) Providing a patient with acceptance, support, and 65
understanding or facilitating a patient's coping, social 66
support, or identity exploration and development; 67

(3) Providing a patient with sexual orientation-neutral 68
interventions to prevent or address unlawful conduct or unsafe 69
sexual practices. 70

(D) A state licensing board shall impose one or more of 71
the following sanctions on an applicant or health care 72

professional for a failure to comply with this section: suspend, 73
revoke, or refuse to issue or renew the license or certificate 74
of registration. 75

Sec. 4757.46. The counselor, social worker, and marriage 76
and family therapist board shall comply with section 4743.09 of 77
the Revised Code. 78

Sec. 4758.73. The chemical dependency professionals board 79
shall comply with section 4743.09 of the Revised Code. 80