

By Senator Jones

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1 A bill to be entitled
2 An act relating to conversion therapy; creating s.
3 402.89, F.S.; providing legislative findings and
4 intent; defining terms; creating s. 402.891, F.S.;
5 prohibiting the Department of Health, the Department
6 of Children and Families, the Department of Elderly
7 Affairs, the Department of Corrections, and the
8 Department of Education from using state or federal
9 funds for specified purposes; creating s. 402.892,
10 F.S.; creating the Florida Coordinating Council on
11 Conversion Therapy within the Department of Health for
12 a specified purpose; providing for membership,
13 meetings, and duties of the coordinating council;
14 creating s. 402.893, F.S.; requiring the Department of
15 Health, the Department of Children and Families, the
16 Department of Elderly Affairs, the Department of
17 Corrections, and the Department of Education to
18 annually publish on their websites educational
19 information on conversion therapy developed by the
20 coordinating council; providing requirements for such
21 information; providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Section 402.89, Florida Statutes, is created to
26 read:

27 402.89 Legislative findings and intent; definitions.-

28 (1) LEGISLATIVE FINDINGS AND INTENT.-The Legislature finds
29 that the State of Florida and the Department of Health have a

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30 responsibility to promote and implement actions that protect the
31 well-being of all residents of this state, regardless of their
32 sexual orientation, gender identity, or gender expression. The
33 Legislature further finds that it is the policy of the State of
34 Florida and the Department of Health to ensure that state and
35 federal funds that are allocated to the Department of Health and
36 earmarked for medical and mental health care are not used to
37 provide services that have been rejected as ineffective and
38 unsafe by respected medical and mental health professional
39 organizations. It is the Legislature's intent that state and
40 federal funds allocated to the Department of Health be used only
41 for effective therapeutic services that are supported by
42 credible evidence and medical experts.

43 (2) DEFINITIONS.—As used in this section and ss. 402.891-
44 402.893, the term:

45 (a) "Conversion therapy" means any practice or treatment
46 intended to change an individual's sexual orientation or gender
47 identity, including, but not limited to, efforts to change
48 behaviors or gender expression or to eliminate or reduce sexual
49 or romantic attractions or feelings toward individuals of the
50 same gender or sex. The term does not include counseling that
51 provides support and assistance to a person undergoing gender
52 transition, counseling that provides acceptance, support, and
53 understanding of a person, or counseling that facilitates a
54 person's coping, social support, and identity exploration and
55 development, including sexual orientation-neutral interventions
56 to prevent or address unlawful conduct or unsafe sexual
57 practices, provided such counseling does not seek to change an
58 individual's sexual orientation or gender identity.

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59 (b) "Minor" means a person younger than 18 years of age.

60 (c) "Provider" means a person who is licensed in this state
61 to provide professional counseling or who performs counseling as
62 part of his or her professional training under chapter 456,
63 chapter 458, chapter 459, chapter 490, or chapter 491,
64 including, but not limited to, medical practitioners,
65 osteopathic practitioners, psychologists, psychotherapists,
66 clinical social workers, marriage and family therapists, and
67 mental health counselors.

68 (d) "Vulnerable adult" means a ward over whom a plenary
69 guardian has been appointed under chapter 744.

70 Section 2. Section 402.891, Florida Statutes, is created to
71 read:

72 402.891 Public funding for conversion therapy prohibited.-
73 The Department of Health, the Department of Children and
74 Families, the Department of Elderly Affairs, the Department of
75 Corrections, and the Department of Education may not use state
76 or federal funds, support, or resources to engage in, or provide
77 state or federal funds, support, or resources to providers or
78 organizations that engage in, any of the following activities:

79 (1) Conducting conversion therapy on minors or vulnerable
80 adults.

81 (2) Referring minors or vulnerable adults for conversion
82 therapy.

83 (3) Providing any benefit to state employees which
84 specifically includes coverage for conversion therapy on minors
85 or vulnerable adults.

86 (4) Executing a grant or contract with any entity that
87 conducts conversion therapy on minors or vulnerable adults or

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88 refers minors or vulnerable adults for conversion therapy.

89 Section 3. Section 402.892, Florida Statutes, is created to
90 read:

91 402.892 Florida Coordinating Council on Conversion
92 Therapy.—

93 (1) CREATION.—There is created within the Department of
94 Health the Florida Coordinating Council on Conversion Therapy, a
95 coordinating council as defined in s. 20.03(9), to develop
96 strategies for preventing the use of conversion therapy on
97 minors and vulnerable adults.

98 (2) MEMBERSHIP.—The coordinating council is composed of the
99 following 11 members:

100 (a) Eight members to be appointed by the State Surgeon
101 General or his or her designee, to include a representative from
102 each of the following organizations:

103 1. The Florida Mental Health Counselors Association.

104 2. The Florida Chapter of the National Association of
105 Social Workers.

106 3. The Florida Chapter of the American Academy of
107 Pediatrics.

108 4. The National Alliance on Mental Illness Florida.

109 5. The Florida Behavioral Health Association.

110 6. The Florida Psychological Association.

111 7. The Florida Association of School Psychologists.

112 8. The Florida Initiative for Suicide Prevention.

113 (b) One member to be appointed by the Secretary of Children
114 and Families or his or her designee.

115 (c) One member to be appointed by the Secretary of Elderly
116 Affairs or his or her designee.

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117 (d) One member to be appointed by the Secretary of
118 Corrections or his or her designee.

119 (3) MEETINGS.—The coordinating council shall meet at least
120 twice a year and upon the call of the chair. The meetings may be
121 held by teleconference or other electronic means.

122 (4) DUTIES.—The coordinating council shall do all of the
123 following:

124 (a) Develop by November 1, 2022, and update annually
125 thereafter, educational information on conversion therapy. The
126 educational information must be evidence-based and include
127 information reviewed by medical experts and national
128 organizations. The educational information must also reflect the
129 consensus of health care professionals that there is a lack of
130 evidence to support the use of conversion therapy as a
131 therapeutic intervention and must specify its harms.

132 (b) Establish partnerships with state and private agencies
133 for the purpose of promoting public awareness of strategies for
134 preventing the use of conversion therapy on minors and
135 vulnerable adults.

136 (c) Identify resources to support the distribution of the
137 educational information developed by the coordinating council.

138 (d) In conjunction with the Department of Health, the
139 Department of Children and Families, the Department of Elderly
140 Affairs, and the Department of Corrections, advise members of
141 the public on the medically supported risks, harms, costs, and
142 impacts of conversion therapy as a therapeutic intervention.

143 Section 4. Section 402.893, Florida Statutes, is created to
144 read:

145 402.893 Educational information on conversion therapy.—By

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146 December 1 of each year, the Department of Health, the
147 Department of Children and Families, the Department of Elderly
148 Affairs, the Department of Corrections, and the Department of
149 Education shall publish on their websites the most up-to-date
150 educational information on conversion therapy developed and
151 updated by the Florida Coordinating Council on Conversion
152 Therapy under s. 402.892. Such educational information must be
153 made available at no cost in English and Spanish and in an
154 easily understandable format.

155 Section 5. This act shall take effect upon becoming a law.