

2017 DRAFTING REQUEST**Bill**For: **Amanda Stuck (608) 266-3070**Drafter: **tdodge**By: **Eric**Secondary Drafters: **mduchek**Date: **2/17/2017**

May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Stuck@legis.wisconsin.gov**
 Carbon copy (CC) to: **tamara.dodge@legis.wisconsin.gov**
 michael.duchek@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Prohibit conversion therapy

Instructions:

Prohibit conversion therapy of LGBT youth; follow other state models

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 2/28/2017	kfollett 3/2/2017			
/P1	mduchek 3/22/2017	kfollett 3/23/2017	mbarman 3/2/2017		
/P2	tdodge 4/30/2017	aernsttr 5/1/2017	hkohn 3/23/2017		
/1			mbarman 5/1/2017	mbarman 5/1/2017	

FE Sent For: *2*
Not
Needed

<END>



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2175?
TJD: [Signature]

In. 2128

Due Thurs
3/2

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen

1 AN ACT ...; **relating to:** prohibiting conversion therapy.

Analysis by the Legislative Reference Bureau

This bill prohibits certain mental health providers from engaging in conversion therapy with a minor. Conversion therapy is any practice that seeks to change an individual's sexual orientation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 51.608 of the statutes is created to read:

3 **51.608 Conversion therapy prohibited.** (1) DEFINITIONS. In this section: ✓

4 (a) 1. "Conversion therapy" means any practice that seeks to change an
5 individual's sexual orientation, including efforts to change behaviors, gender
6 expressions, or gender identity or to eliminate ^{to} reduce sexual or romantic
7 attractions or feelings toward individuals of the same sex.

8 2. "Conversion therapy" does not include any of the following:

9 a. Counseling or therapy that provides acceptance, support, and
10 understanding of the individual or the facilitation of an individual's coping, social

SECTION 1

1 support, and identify exploration and development, including sexual
2 orientation-neutral interventions to prevent or address unlawful conduct or unsafe
3 sexual practices.

4 b. Counseling for an individual seeking to transition from one gender to
5 another.

6 (b) "Mental health provider" means any of the following:

7 1. A physician.

8 2. A psychologist licensed under ch. 455. ✓

9 3. A marriage and family therapist licensed under s. 457.10 or 457.11. ✓ ✓

10 4. A professional counselor licensed under s. 457.12 or 457.13. ✓ ✓

11 5. Any social worker who holds a license or certificate granted under ch. 457. ✓

12 6. A person who is practicing under a valid training or temporary license or
13 certificate granted under ch. 457. ✓

14 7. A student, intern, volunteer, or other person assisting or acting under the
15 direction of an individual described in subd. 1 to 6. ✓

16 (2) CONVERSION THERAPY PROHIBITED. No mental health provider may engage
17 in conversion therapy with an individual who is under 18 years of age.

****NOTE: Please let me know if you would like a specific penalty for violating this prohibition.

Dodge, Tamara

From: Koch, Eric
Sent: Monday, March 06, 2017 1:48 PM
To: Dodge, Tamara
Subject: Edits to LRB 2175/P1
Attachments: 17-2175_P1.pdf

Hi Tamara,

We received some feedback on the draft and would like to make a couple changes.

It is my understanding that there are differences between sexual orientation, gender identity and gender identity.

As such, would it be possible to make the following changes:

Page 1. Lines 6-7

... individual's sexual orientation, behaviors related to sexual orientation, or gender identity, or therapy to eliminate or reduce sexual or romantic attractions or feelings towards individuals of the same sex.

This could in turn change the analysis to state: "Conversion therapy is any practice that seeks to change an individual's sexual orientation, gender identity, or gender expression.

Let me know if these are changes that could be made or if you have any questions.

Thank you!

Eric Koch
Office of Rep. Amanda Stuck
57th Assembly District
Phone: 608.266.3070
Toll Free: 888.534.0057

Duchek, Michael

From: Koch, Eric
Sent: Wednesday, March 22, 2017 4:38 PM
To: Duchek, Michael
Subject: RE: Conversion therapy

Mike,

That sounds perfect. We simply wanted the health care providers who engage in this prohibited practice to be subject to the same disciplinary process as any other violation of their license.

Thank you!

- Eric

Eric Koch
Office of Rep. Amanda Stuck
57th Assembly District
Phone: 608.266.3070
Toll Free: 888.534.0057

From: Duchek, Michael
Sent: Wednesday, March 22, 2017 4:35 PM
To: Koch, Eric <Eric.Koch@legis.wisconsin.gov>
Subject: Conversion therapy

Eric,

Tami has asked me to add something to your bill that says a mental health provider can have his or her license suspended/revoked for practicing conversion therapy in violation of the bill. Is that correct? If so, I suggest I simply add it as a grounds for discipline in the relevant chapters (448, 455, 457). Does that sound OK? (There are a number of forms professional discipline can take depending on the circumstances and severity, and what form that would take would be determined by the relevant board.)

Mike Duchek
Legislative Attorney
Wisconsin Legislative Reference Bureau
(608) 266-0130



State of Wisconsin
2017 - 2018 LEGISLATURE

In 3-22
out 3-24

LRB-2175/P1
TJD:kjf
P2
4 MED

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT to create 51.608 of the statutes; relating to: prohibiting conversion
2 therapy.

gender expression, gender identity, or

Ins A

Analysis by the Legislative Reference Bureau

This bill prohibits certain mental health providers from engaging in conversion therapy with a minor. Conversion therapy is any practice that seeks to change an individual's sexual orientation.

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(END)

lws 2-19

**2017-2018 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2175/P2ins
MED:...

INSERT A

In addition, the bill specifies that a violation of the prohibition in the bill by a mental health provider is grounds for professional discipline of by the appropriate credentialing board.

INSERT 2-19

SECTION 1. 448.015 (4) (am) 4. of the statutes is created to read:

448.015 (4) (am) 4. A violation by a physician of s. 51.608 (2).

SECTION 2. 455.09 (1) (gm) of the statutes is created to read:

455.09 (1) (gm) Violates s. 51.608 (2).

SECTION 3. 457.26 (2) (i) of the statutes is created to read:

457.26 (2) (i) Violated s. 51.608 (2).

Dodge, Tamara

From: Koch, Eric
Sent: Friday, April 28, 2017 1:57 PM
To: Dodge, Tamara; LRB.Legal
Subject: LRB 17-2175

Follow Up Flag: FollowUp
Flag Status: Flagged

Hello Tammy,

Please draft LRB 17-2175/P2 as a /1 and jacket it for introduction.

Thank you!

Eric Koch
Office of Rep. Amanda Stuck
57th Assembly District
Phone: 608.266.3070
Toll Free: 888.534.0057



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2175(P2) e 1
TJD&MED:kjf

In: 4/30

Due Mon if possible or
Tues am.

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Please
jacket
for
assembly

1 AN ACT *to create* 51.608, 448.015 (4) (am) 4., 455.09 (1) (gm) and 457.26 (2) (i)
2 of the statutes; **relating to:** prohibiting conversion therapy.

Analysis by the Legislative Reference Bureau

This bill prohibits certain mental health providers from engaging in conversion therapy with a minor. Conversion therapy is any practice that seeks to change an individual's gender expression, gender identity, or sexual orientation. In addition, the bill specifies that a violation of the prohibition in the bill by a mental health provider is grounds for professional discipline by the appropriate credentialing board.

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8 or feelings toward individuals of the same sex.

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24 455.09 (1) (gm) Violates s. 51.608 (2).

25 **SECTION 4.** 457.26 (2) (i) of the statutes is created to read:

Barman, Mike

From: LRB.Legal
To: Rep.Stuck
Subject: Draft review: LRB -2175/1
Attachments: 17-2175/1

State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Tamara J. Dodge, Senior Legislative Attorney, at (608) 267-7380, at tamara.dodge@legis.wisconsin.gov, or at One East Main Street, Suite 200.

We will jacket this draft for introduction in the Assembly.

(per Tamara J. Dodge, Senior Legislative Attorney)

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.