

Legislation Text

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Amending Chapter 9-900 of The Philadelphia Code, entitled "Professions," to add a new Section 9-903, entitled "Conversion Therapy," adding definitions and prohibiting the practice of conversion therapy by mental health providers on patients under 18 years of age, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-900 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 9-900. PROFESSIONS.

* * *

§ 9-903. *Conversion Therapy.*

(1) *Definitions.*

(a) *Conversion Therapy.* Any practice by a Mental Health Provider 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 attraction or feelings toward individuals of the same sex. The term does not include therapies that:

(i) Provide acceptance, support and understanding for the facilitation of 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, without seeking to change sexual orientation or gender identity; or

(ii) Provide assistance to an individual undergoing gender transition.

(b) *Mental Health Provider.* An individual who is licensed, registered or certified under Pennsylvania law to provide mental health services, including but not limited to a: Medical doctor or osteopath, including one who specializes in psychiatry; nurse; psychologist; social worker, marriage and family therapist or professional counselor; or any other person who provides counseling or mental health or behavioral health services as a part of the person's professional training or practice under Pennsylvania law or rule; or any student, intern, volunteer, or other person assisting or acting under the direction or guidance of any of these professionals.

(c) *Minor.* An individual less than eighteen (18) years of age.

(2) *Conversion Therapy on Minors prohibited.*

No Mental Health Provider shall engage in conversion therapy with a Minor.

(3) *Penalties. Any person violating this Section 9-903 shall be subject to:*

(i) A fine of up to \$2,000, and

(ii) The revocation of his or her commercial activity license required by § 19-2602 of this Code, subject to the procedures set forth in and established by the Department pursuant to that Section.

(4) Repeat Offenders. Any person who commits, on more than one occasion, a violation of this Section, shall be guilty of a separate offense of Repeat Violation, and for each Repeat Violation, shall be subject to a fine of not more than one thousand (1,000) dollars, or imprisonment for not more than ninety (90) days, or both. A person shall be guilty of a Repeat Violation regardless whether the second or subsequent violation occurs before or after a judicial finding of a first or previous violation. Each violation, after the first, shall constitute a separate Repeat Violation offense.

Explanation:

Italics indicate new matter added.