

.....  
(Original Signature of Member)

115TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend title XIX of the Social Security Act to prohibit payments under the Medicaid program for conversion therapy, and for other purposes.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

Mr. SEAN PATRICK MALONEY of New York introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend title XIX of the Social Security Act to prohibit payments under the Medicaid program for conversion therapy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prohibition of Med-  
5 icaid Funding for Conversion Therapy Act.”.

1 **SEC. 2. PROHIBITION ON MEDICAID PAYMENTS FOR CON-**  
2 **VERSION THERAPY.**

3 (a) IN GENERAL.—Section 1902 of the Social Secu-  
4 rity Act (42 U.S.C. 1396a) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (82), by striking “and”  
7 at the end;

8 (B) in paragraph (83), by striking the pe-  
9 riod at the end and inserting “; and”; and

10 (C) by inserting after paragraph (83) the  
11 following new paragraph:

12 “(84) provide that, beginning with the first day  
13 of the first quarter that begins on or after the date  
14 of enactment of this paragraph, no payment may be  
15 made under the plan with respect to conversion ther-  
16 apy (as defined in subsection (nn)) furnished to an  
17 individual enrolled under the plan (or a waiver of  
18 such plan) on or after such first day.”; and

19 (2) by adding at the end the following new sub-  
20 section:

21 “(nn) CONVERSION THERAPY; GENDER IDENTITY;  
22 PERSON; SEXUAL ORIENTATION.—For purposes of sub-  
23 section (a)(84) and this subsection:

24 “(1) CONVERSION THERAPY.—The term ‘con-  
25 version therapy’—

1           “(A) means any practice or treatment by  
2           any person that seeks to change another indi-  
3           vidual’s sexual orientation or gender identity,  
4           including efforts to change behaviors or gender  
5           expressions, or to eliminate or reduce sexual or  
6           romantic attractions or feelings toward individ-  
7           uals of the same gender, if such person receives  
8           monetary compensation in exchange for any  
9           such practice or treatment; and

10           “(B) does not include any practice or  
11           treatment, which does not seek to change sexual  
12           orientation or gender identity, that—

13           “(i) provides assistance to an indi-  
14           vidual undergoing a gender transition; or

15           “(ii) provides acceptance, support,  
16           and understanding of a client or facilita-  
17           tion of a client’s coping, social support,  
18           and identity exploration and development,  
19           including sexual orientation-neutral inter-  
20           ventions to prevent or address unlawful  
21           conduct or unsafe sexual practices.

22           “(2) GENDER IDENTITY.—The term ‘gender  
23           identity’ means the gender-related identity, appear-  
24           ance, mannerisms, or other gender-related character-

1       istics of an individual, regardless of the individual's  
2       designated sex at birth.

3           “(3) PERSON.—The term ‘person’ means any  
4       individual, partnership, corporation, cooperative, as-  
5       sociation, or any other entity.

6           “(4) SEXUAL ORIENTATION.—The term ‘sexual  
7       orientation’ means homosexuality, heterosexuality, or  
8       bisexuality.”.

9       (b) CONFORMING AMENDMENT.—Section 1903(i) of  
10      the Social Security Act (42 U.S.C. 1396b(i)) is amended  
11      by inserting after paragraph (8) the following new para-  
12      graph:

13           “(9) with respect to any amount expended for  
14      conversion therapy (as defined in section 1902(nn))  
15      on or after the date described in section  
16      1902(a)(84); or”.