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FISCAL NOTE

Drafting Number: LLS 18-0839 Date: March 9, 2018
Prime Sponsors: Rep. Rosenthal; Michaelson Jenet; Sen. Fenberg; Guzman Bill Status: House Public Health Care and Human Services
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Bill Topic: PROHIBIT CONVERSION THERAPY MENTAL HEALTH PROVIDER

- Summary of Fiscal Impact: State Revenue, State Expenditure (minimal), State Transfer, TABOR Refund, Local Government, Statutory Public Entity

This bill prohibits physicians specializing in psychiatry or a licensed, certified, or registered mental health provider from performing conversion therapy on a patient under the age of 18. This bill will increase state workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the introduced bill.

Summary of Legislation

This bill prohibits physicians specializing in psychiatry and licensed, certified, or registered mental health providers from engaging in conversion therapy with a patient under the age of 18. The bill defines conversion therapy as any practice that seeks to change an individual's sexual orientation or gender identity. This includes efforts to change behaviors or gender expressions or eliminate or reduce sexual or romantic attractions towards individuals of the same sex. The bill excludes psychotherapies that provide acceptance, support, and understanding for the facilitation of an individual's coping, social support, and identity exploration and development, or psychotherapies that provide assistance to a person undergoing gender transition. Violations of this prohibition are classified as unprofessional conduct for these professions.

State Expenditures

The bill will increase workload in the Division of Regulatory Agency (DORA) for the professional boards that oversee the professions that are prohibited from using conversion therapy. Boards will need to conduct investigations, hold hearings, and take disciplinary action against any violators. Workload will increase for the Office of Administrative Court (OAC) in the Department of Personal and Administration to the extent that more complaints are referred to the OAC. Generally, the fiscal note assumes that regulated psychiatrists and mental health providers will have a high level of compliance and will not engage in prohibited practices. Workload will also increase to conduct outreach and educate professionals. These workload increases are expected to be minimal and can be accomplished within existing appropriations.

Effective Date

The bill takes effect August 8, 2018, if the General Assembly adjourns on May 9, 2018, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Information Technology
Regulatory Agencies

Judicial
Personnel

Law