

118TH CONGRESS
2D SESSION

H. R. 10172

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

NOVEMBER 19, 2024

Mr. THANEDAR (for himself, Mr. BERA, Ms. BROWNLEY, Ms. CASTOR of Florida, Ms. CHU, Mr. CORREA, Ms. DAVIDS of Kansas, Ms. DELBENE, Mr. DELUZIO, Mr. EVANS, Ms. LOIS FRANKEL of Florida, Mr. FROST, Mr. GRIJALVA, Mrs. HAYES, Mr. JOHNSON of Georgia, Mr. KRISHNAMOORTHY, Ms. LEE of Pennsylvania, Mr. LIEU, Mr. LYNCH, Ms. MOORE of Wisconsin, Mr. MORELLE, Mr. MOSKOWITZ, Mr. MOULTON, Mr. NEGUSE, Ms. NORTON, Ms. OMAR, Mr. PETERS, Mr. QUIGLEY, Ms. SCANLON, Ms. SCHAKOWSKY, Mr. SOTO, Mr. STANTON, Mr. TAKANO, Ms. TLAIB, Mr. TONKO, Mr. TORRES of New York, Mr. VARGAS, Ms. VELÁZQUEZ, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

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 (86), by striking “and”
7 at the end;

8 (B) in paragraph (87), by striking the pe-
9 riod at the end and inserting “; and”; and

10 (C) by inserting after paragraph (87) the
11 following new paragraph:

12 “(88) 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 (uu)) furnished to an
17 individual enrolled under the plan (or a waiver of
18 such plan).”; and

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

21 “(uu) **CONVERSION THERAPY; GENDER IDENTITY;**
22 **PERSON; SEXUAL ORIENTATION.**—For purposes of sub-
23 section (a)(88) 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 amend-
11 ed—

12 (1) in paragraph (26), by striking “or” at the
13 end;

14 (2) in paragraph (27), by striking the period at
15 the end and inserting “; or”; and

16 (3) by inserting after paragraph (27) the fol-
17 lowing new paragraph:

18 “(28) with respect to any amount expended for
19 conversion therapy (as defined in section 1902(uu))
20 on or after the date described in section
21 1902(a)(88).”.

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