

118TH CONGRESS  
1ST SESSION

# H. R. 3850

To amend title V of the Public Health Service Act to ensure protections for lesbian, gay, bisexual, and transgender youth and their families.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2023

Ms. DAVIDS of Kansas (for herself, Mr. SORENSEN, Mr. TORRES of New York, Mr. POCAN, Ms. CRAIG, Mr. TAKANO, Ms. BALINT, Mr. ALLRED, Ms. BARRAGÁN, Mr. BLUMENAUER, Ms. BONAMICI, Mr. CARBAJAL, Mr. CASTEN, Ms. CHU, Mr. CLEAVER, Ms. DEAN of Pennsylvania, Mr. ESPAILLAT, Mr. EVANS, Ms. GARCIA of Texas, Mr. GOMEZ, Mr. BOWMAN, Mr. GRIJALVA, Mr. HIGGINS of New York, Ms. NORTON, Ms. JACOBS, Mr. KEATING, Mr. KILMER, Mr. KIM of New Jersey, Ms. LEE of California, Ms. LEGER FERNANDEZ, Ms. MCCOLLUM, Ms. MOORE of Wisconsin, Mr. MOULTON, Mrs. NAPOLITANO, Mr. QUIGLEY, Ms. SÁNCHEZ, Ms. SCANLON, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. STEVENS, Ms. TITUS, Ms. TOKUDA, Mr. TRONE, Ms. WILLIAMS of Georgia, and Ms. WILSON of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend title V of the Public Health Service Act to ensure protections for lesbian, gay, bisexual, and transgender youth and their families.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Pride In Mental  
3 Health Act of 2023”.

4 **SEC. 2. GRANTS FOR MENTAL HEALTH SERVICES FOR**  
5 **LGBTQ+ YOUTH.**

6 Subpart 3 of part B of title V of the Public Health  
7 Service Act (42 U.S.C. 290bb–31 et seq.) is amended by  
8 adding at the end the following:

9 **“SEC. 5200. GRANTS FOR MENTAL HEALTH SERVICES FOR**  
10 **LGBTQ+ YOUTH.**

11 “(a) IN GENERAL.—The Secretary, acting through  
12 the Assistant Secretary for Mental Health and Substance  
13 Use (referred to in this section as the ‘Secretary’), shall  
14 establish a program under which the Secretary will award  
15 grants to eligible entities to assess and improve lesbian,  
16 gay, bisexual, transgender, queer or questioning, non-  
17 binary, intersex, and Two Spirit youth mental health and  
18 substance abuse outcomes.

19 “(b) USE OF FUNDS.—An eligible entity receiving a  
20 grant under this section shall use funds received through  
21 such grant—

22 “(1) to provide mental and behavioral health  
23 and crisis intervention resources for lesbian, gay, bi-  
24 sexual, transgender, queer or questioning, non-  
25 binary, intersex, and Two Spirit youth, including  
26 trauma-informed care;

1           “(2) to provide cultural competency training for  
2 caregivers;

3           “(3) to develop and disseminate mental and be-  
4 havioral health and crisis intervention resources for  
5 lesbian, gay, bisexual, transgender, queer or ques-  
6 tioning, nonbinary, intersex, and Two Spirit youth,  
7 and their families and caregivers;

8           “(4) to develop and disseminate evidence-based  
9 practices to be added to the Evidence-Based Prac-  
10 tices Resource Center of the Substance Abuse and  
11 Mental Health Administration;

12           “(5) to collect data with respect to the mental  
13 and behavioral health of lesbian, gay, bisexual,  
14 transgender, queer or questioning, nonbinary,  
15 intersex, and Two Spirit youth;

16           “(6) to issue school bullying prevention guide-  
17 lines with respect to lesbian, gay, bisexual,  
18 transgender, queer or questioning, nonbinary,  
19 intersex, and Two Spirit youth;

20           “(7) to provide for the integration within school  
21 systems of mental and behavioral health services for  
22 lesbian, gay, bisexual, transgender, queer or ques-  
23 tioning, nonbinary, intersex, and Two Spirit youth;

24           “(8) to establish and implement mental and be-  
25 havioral patient navigator programs for lesbian, gay,

1 bisexual, transgender, queer or questioning, non-  
2 binary, intersex, and Two Spirit youth, and their  
3 families; and

4 “(9) to create and disseminate family accept-  
5 ance and support models for lesbian, gay, bisexual,  
6 transgender, queer or questioning, nonbinary,  
7 intersex, and Two Spirit youth, and their families  
8 and caregivers.

9 “(c) LIMITATION.—

10 “(1) IN GENERAL.—An eligible entity selected  
11 to receive a grant under this section shall agree, as  
12 a condition on receiving the grant that such funds  
13 shall not be used—

14 “(A) to provide conversion therapy to any  
15 individual;

16 “(B) to advertise for the provision of con-  
17 version therapy and claim in such advertising—

18 “(i) to change another individual’s  
19 sexual orientation or gender identity;

20 “(ii) to eliminate or reduce sexual or  
21 romantic attractions or feelings toward in-  
22 dividuals of the same gender; or

23 “(iii) that such efforts are harmless or  
24 without risk to individuals receiving such  
25 therapy;

1           “(C) to knowingly assist or facilitate the  
2           provision of conversion therapy to an individual  
3           if such person receives compensation from any  
4           source in connection with providing conversion  
5           therapy; or

6           “(D) to promote or direct an individual to  
7           conversion therapy resources or providers.

8           “(2) CONVERSION THERAPY DEFINED.—In this  
9           subsection, the term ‘conversion therapy’—

10           “(A) means any practice or treatment by  
11           any person that seeks to change another indi-  
12           vidual’s sexual orientation or gender identity,  
13           including efforts to change behaviors or gender  
14           expressions, or to eliminate or reduce sexual or  
15           romantic attractions or feelings toward individ-  
16           uals of the same gender, if such person—

17           “(i) receives monetary compensation  
18           in exchange for such practice or treatment;  
19           or

20           “(ii) instead of, or in addition to, re-  
21           ceiving monetary compensation in ex-  
22           change for such practice or treatment di-  
23           rectly, receives monetary compensation in  
24           exchange for a product or service that is  
25           integral to the provision of such practice or

1 treatment by such person, unless such  
2 product or service is protected by the First  
3 Amendment to the Constitution; and

4 “(B) does not include any practice or  
5 treatment, which does not seek to change sexual  
6 orientation or gender identity, that—

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

9 “(ii) provides acceptance, support,  
10 and understanding of a client or facilita-  
11 tion of a client’s coping, social support,  
12 and identity exploration and development,  
13 including sexual orientation-neutral inter-  
14 ventions to prevent or address unlawful  
15 conduct or unsafe sexual practices.

16 “(d) REVIEW OF REPORTS.—

17 “(1) IN GENERAL.—Not later than 1 year after  
18 the date of the enactment of this section, the Sec-  
19 retary shall review, and update as necessary, the re-  
20 ports and publications listed on the internet website  
21 of the Substance Abuse and Mental Health Adminis-  
22 tration as of the date of the enactment of this sec-  
23 tion that are focused on lesbian, gay, bisexual,  
24 transgender, queer or questioning, nonbinary,  
25 intersex, and Two Spirit individuals.

1           “(2) PRIORITY.—In reviewing reports and pub-  
2           lications under paragraph (1), the Secretary shall  
3           prioritize updating older reports and commissioning  
4           new reports that fill information gaps with respect  
5           to the mental and behavioral health of lesbian, gay,  
6           bisexual, transgender, queer or questioning, non-  
7           binary, intersex, and Two Spirit individuals.

8           “(e) FEDERAL SURVEY.—The Secretary shall develop  
9           and conduct a Federal survey measuring serious psycho-  
10          logical distress, mental illness, mental health, and mental  
11          health care among lesbian, gay, bisexual, transgender,  
12          queer or questioning, nonbinary, intersex, and Two Spirit  
13          youth. In developing such survey, the Secretary may con-  
14          sider integrating such survey as an enhanced feature of  
15          the National Survey on Drug Use and Health.

16          “(f) REPORT.—

17                 “(1) IN GENERAL.—Not later than 180 days  
18                 after the date of the enactment of this section, the  
19                 Secretary shall, in consultation with the Director of  
20                 the National Institute of Mental Health and the As-  
21                 sistant Secretary for the Administration for Children  
22                 and Families, commence a report on mental health,  
23                 mental health care, and cultural competency in men-  
24                 tal health care for lesbian, gay, bisexual,  
25                 transgender, queer or questioning, nonbinary,

1 intersex, and Two Spirit youth in foster care and  
2 who are beneficiaries of other social services pro-  
3 grams subject to Federal oversight.

4 “(2) SUBMISSION TO CONGRESS.—Not later  
5 than 2 years after the date of the enactment of this  
6 section, the Secretary shall submit the report re-  
7 quired under paragraph (1) to the Committee on  
8 Energy and Commerce of the House of Representa-  
9 tives and the Committee on Health, Education,  
10 Labor, and Pensions of the Senate.”.

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