

118TH CONGRESS
2D SESSION

S. 3949

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

IN THE SENATE OF THE UNITED STATES

MARCH 14, 2024

Ms. BUTLER (for herself, Ms. SMITH, Mr. MARKEY, Mr. CASEY, Mr. WELCH, Mr. PADILLA, Mr. MERKLEY, Mr. BOOKER, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pride In Mental
5 Health Act of 2024”.

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

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

6 **“SEC. 5200. GRANTS FOR MENTAL HEALTH SERVICES FOR**
7 **LGBTQ+ YOUTH.**

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

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

19 “(1) to provide behavioral health and crisis
20 intervention resources for lesbian, gay, bisexual,
21 transgender, queer or questioning, nonbinary,
22 intersex, and Two Spirit youth, including trauma-in-
23 formed care;

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

1 “(3) to develop and disseminate behavioral
2 health and crisis intervention resources for lesbian,
3 gay, bisexual, transgender, queer or questioning,
4 nonbinary, intersex, and Two Spirit youth, and their
5 families and caregivers;

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

10 “(5) to collect data with respect to the behav-
11 ioral health of lesbian, gay, bisexual, transgender,
12 queer or questioning, nonbinary, intersex, and Two
13 Spirit youth;

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

18 “(7) to provide for the integration within school
19 systems of behavioral health services for lesbian,
20 gay, bisexual, transgender, queer or questioning,
21 nonbinary, intersex, and Two Spirit youth;

22 “(8) to establish and implement behavioral
23 health patient navigator programs for lesbian, gay,
24 bisexual, transgender, queer or questioning, non-

1 binary, intersex, and Two Spirit youth, and their
2 families; and

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

8 “(c) LIMITATION.—

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

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

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

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

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

22 “(iii) that such efforts are harmless or
23 without risk to individuals receiving such
24 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 behavioral health of lesbian, gay, bisexual,
6 transgender, queer or questioning, nonbinary,
7 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 Health, Education, Labor, and Pensions of the Sen-
9 ate and the Committee on Energy and Commerce of
10 the House of Representatives.”.

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