

Proposed Forty-fifth Amendment to 11 NYCRR 52 (Insurance Regulation 62)

(ALL MATERIAL IS NEW)

Subdivision 52.16(n) is added as follows:

(n)(1) As used in this subdivision:

(i) *Mental health professional* means a person subject to the provisions of Education Law Article 131, 153, 154, or 163; or any other person designated as a mental health professional pursuant to law, rule, or regulation.

(ii) *Conversion therapy*:

(a) means any practice by a mental health professional that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors, gender expressions, or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same sex.

(b) Conversion therapy shall not include counseling or therapy for an individual who is seeking to undergo a gender transition or who is in the process of undergoing a gender transition, that provides acceptance, support, and understanding of an individual or the facilitation of an individual's coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, provided that the counseling or therapy does not seek to change sexual orientation or gender identity.

(2) No policy or certificate shall provide coverage for conversion therapy rendered by a mental health professional to an individual under the age of 18 years.