

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5623

By Delegates Pritt, Flanigan, Hornbuckle, and Young

[Introduced February 16, 2026; referred to the
Committee on Health and Human Resources then the
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
 2 designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, and §16-67-5, relating to creating the
 3 Youth Mental Health Protection Act; stating a purpose; defining terms; prohibiting
 4 conversion therapy and referral services for conversion therapy; and providing for
 5 disciplinary actions against providers who violate the article.

Be it enacted by the Legislature of West Virginia:

ARTICLE 67. YOUTH MENTAL HEALTH PROTECTION ACT.

§16-67-1. Purpose.

1 The purpose of this article is to protect children from conversion therapy, also known as
 2 sexual orientation change efforts or reparative therapy.

§16-67-2. Definitions.

1 For the purposes of this article:

2 "Conversion therapy" means any practices or treatments that seek to change an
 3 individual's sexual orientation or gender identity, including efforts to change behaviors or gender
 4 expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals.

5 "Mental health provider" means a clinical psychologist licensed under §30-21-1 et seq. of
 6 this code; a school psychologist licensed under §30-21-1 et seq. of this code; a psychiatrist
 7 licensed under §30-3-1 et seq. of this code; a clinical social worker or social worker licensed under
 8 §30-30-1 et seq. of this code; a marriage and family therapist or associate marriage and family
 9 therapist licensed under §30-31-1 et seq. of this code; a professional counselor or clinical
 10 professional counselor licensed under §30-31-1 et seq. of this code; or any students, interns,
 11 volunteers, or other persons assisting or acting under the direction or supervision of any of these
 12 licensed professionals.

§16-67-3. Prohibition on conversion therapy.

1 A mental health provider may not engage in conversion therapy with a person under the
 2 age of 18.

§16-67-4. Referral services related to conversion therapy.

1 A mental health provider may not refer any current or former client or patient to any
2 individual, within this state or within any other state, for the purpose of engaging in conversion
3 therapy. This prohibition includes referrals to any individual practicing or engaging in conversion
4 therapy in person or by telephone, electronic communication, or any other form of direct or indirect
5 communication with a client or patient.

§16-67-5. Discipline.

1 Conversion therapy on a person under the age of 18 by a mental health provider or any
2 referral made by a mental health provider to a third party practicing conversion therapy constitutes
3 unprofessional conduct and a first offense. Mental health providers found to have engaged in
4 conversion therapy or found to have referred a current or former client or patient under the age of
5 18 to an individual for the purpose of engaging in conversion therapy for a second time shall be
6 subject to discipline by the licensing entity or disciplinary review board with competent jurisdiction
7 and shall be given a written warning from the appropriate licensing entity and referred to a training
8 or education program.

NOTE: The purpose of this bill is to protect children from conversion therapy, also known as sexual orientation change efforts or reparative therapy.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.