
Fourth Session, Forty-first Parliament
68 Elizabeth II, 2019
Legislative Assembly of British Columbia

BILL M _____

**SEXUAL ORIENTATION AND GENDER
IDENTITY PROTECTION ACT**

Mr. Andrew Weaver

Explanatory Note

This Bill prohibits

- the provision of conversion therapy to minors by health professionals, as a hospital service or professional service, and by persons in a position of trust or authority,
- the payment or reimbursement of the cost of conversion therapy provided as a hospital service or professional service, and
- the expenditure of public funds for the provision of conversion therapy.

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**SEXUAL ORIENTATION AND GENDER IDENTITY
PROTECTION ACT**

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HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Definitions

1 In this Act:

“**conversion therapy**” means counselling, behaviour modification techniques or the administration or prescription of medication or any other practice, treatment or service provided with the purported objective of changing a person’s sexual orientation or gender identity or expression, but does not include

- (a) services that provide acceptance, support or understanding of a person or that facilitate a person’s coping, social support or identity exploration or development, or
- (b) a gender-confirming surgery or any related service;

“**health professional**” means

- (a) a medical practitioner, or
- (b) a person authorized to practise a designated health profession within the meaning of the *Health Professions Act*;

“**hospital**” means a hospital within the meaning of the *Hospital Act* or the *Hospital Insurance Act*;

“**hospital service**” means an in-patient service or an outpatient service that is provided in a hospital;

“**minor**” means a person under 19 years of age;

“**professional service**” means a service provided by a health professional within the health professional’s scope of practice;

“**scope of practice**” means the roles and functions authorized for a health professional by the health professional’s governing statute, including counselling, providing behaviour modification techniques, administering and prescribing medication and any other purported treatment.

Certain hospital services and professional services prohibited

- 2 (1) A health professional must not, within the health professional’s scope of practice, provide to a minor any hospital service or professional service that would constitute conversion therapy.
- (2) Despite any other Act or regulation, a parent, guardian, substitute decision maker or representative decision maker may not give consent on a minor’s behalf to the provision by a health professional of any hospital service or professional service that would constitute conversion therapy.

Person in position of trust or authority

- 3 (1) A person in a position of trust or authority in relation to a minor must not provide conversion therapy to the minor.
- (2) Despite any other Act or regulation, a parent, guardian, substitute decision maker or representative decision maker may not give consent on a minor’s behalf to the provision of conversion therapy by a person in a position of trust or authority in relation to the minor.

Not insured service

- 4 Despite any other Act or regulation, the provision of conversion therapy as a hospital service or professional service is not an insured service for which a beneficiary or other person may be paid or reimbursed.

Expenditure of public funds prohibited

- 5 The expenditure of public funds to or on behalf of a person for the provision of conversion therapy is prohibited.

Power to make regulations

- 6 (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.
- (2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations defining, for the purposes of this Act, any word or expression used but not defined in this Act.
- (3) A regulation under this section may prescribe different regulations for different persons or classes of persons.

Commencement

7 This Act comes into force on the date of Royal Assent.