

February 24, 2020

The Honorable Gene Suellentrop, Chairperson  
Senate Committee on Public Health and Welfare  
Statehouse, Room 441B-E  
Topeka, Kansas 66612

Dear Senator Suellentrop:

**SUBJECT:** Fiscal Note for SB 367 by Senate Committee on Public Health and Welfare

In accordance with KSA 75-3715a, the following fiscal note concerning SB 367 is respectfully submitted to your committee.

SB 367 would prohibit the use of conversion therapy with an individual under 18 years of age by any licensee of the Board of Healing Arts, Board of Nursing and Behavioral Sciences Regulatory Board. Any practice of conversion therapy by a person licensed by these boards with an individual under the age of 18 would constitute unprofessional conduct, subject to discipline by the respective board. This bill would not apply to any religious leader or official of any religious denomination in the performance of such leader's or official's religious duties.

SB 367 defines conversion therapy as any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same sex or gender. The bill would clarify that conversion therapy does not include any practice or treatment that: provides assistance to an individual undergoing gender transition; provides acceptance, support and understanding to an individual's gender expressions or sexual or romantic attractions or feelings toward individuals of the same sex or gender; or facilitates 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, so long as the practice or treatment does not seek to change the individual's sexual orientation or gender identity.

The Behavioral Sciences Regulatory Board indicates the enactment of SB 367 would have no fiscal effect on revenues or expenditures. The Board of Healings Arts indicates SB 367 would increase its expenditures by \$24,525 in FY 2021 to hire 0.50 Special Investigator FTE position to

respond to complaints. The Board of Nursing estimates SB 367 would increase its expenditures by approximately \$1,000 update and publish rules and regulations and communicate the changes to licensees. Any fiscal effect associated with SB 367 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in cursive script, reading "L. L. Campbell".

Larry L. Campbell  
Director of the Budget

cc: Max Foster, Behavioral Sciences  
Susan Gile, Board of Healing Arts  
Jill Simons, Board of Nursing