§ 6531-a. Additional definition of professional misconduct; mental health professionals. 1. Definitions. For the purposes of this section:

a. "Mental health professional" means a person subject to the provisions of article one hundred thirty-one of this title.

b. "Sexual orientation change efforts" (i) means any practice by a mental health professional that seeks to change an individual's sexual orientation, including, but not limited to, efforts to change behaviors, gender identity, or gender expressions, or to eliminate or reduce sexual or romantic attractions or feelings towards individuals of the same sex; and (ii) shall not include counseling for a person seeking to transition from one gender to another, or psychotherapies that: (A) provide acceptance, support and understanding of patients or the facilitation of patients' coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices; and (B) do not seek to change sexual orientation.

2. It shall be professional misconduct for a mental health professional to engage in sexual orientation change efforts upon any patient under the age of eighteen years, and any mental health professional found guilty of such misconduct under the procedures prescribed in title two-A of article two of the public health law shall be subject to the penalties prescribed in section two hundred thirty-a of the public health law, as added by chapter six hundred six of the laws of nineteen hundred ninety-one.