

THE BILL TO BAN CONVERSION THERAPY

AN ACT RELATIVE TO ABUSIVE PRACTICES TO CHANGE SEXUAL ORIENTATION AND GENDER IDENTITY IN MINORS

LEAD SPONSORS: REP. KAY KHAN AND SEN. MARK MONTIGNY

WHAT IS CONVERSION THERAPY?

Sexual orientation / gender identity change efforts include attempts to reduce or eliminate same-sex attraction and transgender identity like using shame to instill self-loathing; aversive conditioning, *e.g.* inducing nausea or administering electric shocks; and hypnotizing subjects to impose change.



FRAUDULENT PRACTICES

A New Jersey jury found claims that “conversion therapy” can reduce or eliminate same-sex attraction constituted consumer fraud. The practice is deemed quackery and universally condemned by leading professional organizations.

WHAT WILL THE BILL DO?

This bill will ban deceptive conversion practices that can lead to depression, substance abuse, social withdrawal, and suicidality.

The law will:

- ✓ Prohibit any licensed mental health professional from forcing minors to change sexual orientation or gender identity.
- ✓ Require state mandatory reporters to report cases of suspected instances of the use of conversion therapy with a minor.
- ✓ Define advertisements promoting conversion therapy as deceptive practices violating consumer protections.

WHAT WILL THE BILL NOT DO?

This bill is designed to protect minors from harmful, fraudulent and abusive practices. The law will not:

- ✗ Infringe First Amendment rights – according to the two federal circuit courts of appeal that have ruled on the issue.
- ✗ Prohibit the practice of professionally accepted therapies.
- ✗ Apply to any adult, age 18 or older, seeking to change their sexual orientation and/or gender identity.
- ✗ Apply to sexual orientation/gender identity change efforts conducted by non-licensed religious or faith-based counselors.

JURISDICTIONS BANNING CONVERSION THERAPY

California • Oregon • New Jersey • Washington D.C. • Illinois • Vermont

NOTABLE QUOTES

AMERICAN PSYCHIATRIC ASSOCIATION

"The potential risks of reparative therapy are great, including depression, anxiety and self-destructive behavior, since therapist alignment with societal prejudices against homosexuality may reinforce self-hatred already experienced by the patient."

— American Psychiatric Association, Position Statement on Therapies Focused on Attempts to Change Sexual Orientation, 2000



"If [conversion therapy] is ineffective, which is supported by substantial evidence, it would not be unreasonable for a legislative body to conclude that a minor would blame herself if her counselor's efforts failed."

— King v. Governor of New Jersey, 767 F.3d 216, 238 (3rd Cir. Ct. App. 2014)

ORGANIZATIONS CONDEMNING CONVERSION THERAPY

AIDS Action Committee
American Academy of Nursing
American Academy of Pediatrics
American Academy of Physician Assistants
American Association for Marriage and Family Therapy
American Association of School Administrators
American Counseling Association
American Federation of Teachers
American Medical Association
American Psychiatric Association
American Psychoanalytic Association
American Psychological Association

American School Counselor Association
American School Health Association
Child Welfare League of America
The Interfaith Alliance
Keshet
National Association of School Psychologists
National Association of Secondary School Principals
National Association of Social Workers
National Education Association
Pan American Health Organization
United Nations Committee Against Torture
United Nations High Commissioner for Human Rights

COALITION TO BAN CONVERSION THERAPY IN MASSACHUSETTS

Anti-Defamation League
Anti-Violence Project of Massachusetts
Boston Alliance of Gay, Lesbian, Bisexual, & Transgender Youth
Boston Bar Association
Boston Children's Hospital
Children's League of Massachusetts
Human Rights Campaign
Jewish Community Relations Council
LGBTQ Advocates and Defenders
Massachusetts Commission on LGBTQ Youth

Massachusetts Gay and Lesbian Political Caucus
Massachusetts Psychiatric Society
Massachusetts Psychological Association
Massachusetts Society for the Prevention of Cruelty to Children
National Association of Social Workers
National Center for Lesbian Rights
Massachusetts Transgender Political Coalition
MassEquality
PFLAG
SEIU509: MA Union for Human Service Workers & Educators

For more information, please contact the Offices of Rep. Kay Khan (617-722-2011) or Sen. Mark Montigny (617-722-1440).