THE BILL TO BAN CONVERSION THERAPY

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

S. 62 / H. 1190

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

"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
- Bay State Stonewall Democrats
- Child Welfare League of America
- DignityUSA
- The Interfaith Alliance
- Keshet
- Massachusetts School Nurse Organization
- National Association of School Psychologists
- National Association of Secondary School Principals
- National Association of Social Workers
- National Education Association
- Pan American Health Organization
- Unitarian Universalist Association
- 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
- Bay State Stonewall Democrats
- Boston Alliance of Gay, Lesbian, Bisexual, & Transgender Youth
- Boston Bar Association
- Boston Children's Hospital
- Children's League of Massachusetts
- GLBTQ Legal Advocates and Defenders
- Human Rights Campaign
- Jewish Community Relations Council
- 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
- Unitarian Universalists Association