

# 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

California, Connecticut, Oregon, Nevada, New Jersey, Washington D.C., Illinois, Vermont, New Mexico.

## 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

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

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