



The Commonwealth of Massachusetts

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State Representative Kay Khan
Joint Committee on Children, Families and Persons with Disabilities
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Testimony Support for H.97, An Act Relative to Abusive Practices to Change Sexual Orientation
and Gender Identity in Minors

Chair Flanagan and members of the committee, I wish to offer testimony in support for a bill that I have sponsored: **H.97, An Act Relative to Abusive Practices to Change Sexual Orientation and Gender Identity in Minors**. This bill will ban the cruel practice of ‘conversion therapy’ that attempts to change a child’s sexual orientation or gender identity.

Whenever children and their families are struggling with life issues, including sexual orientation or gender identity exploration and formation, they should have access to the best mental and medical health services that aid children in developing coping skills, build social support, and reinforces positive development.

Conversion therapy assumes that homosexuality or transgender identity is a mental disorder or rests on the *a priori* assumption that the patient should change his or her sexual orientation or gender identity. The American Psychological Association says such practices “create an environment in which prejudice and discrimination can flourish.” Since 1973 homosexuality was eliminated by the American Psychiatric Association as a mental disorder and in 2009 at their annual convention, a resolution was adopted that stated that mental health professionals should avoid telling clients they can change their sexual orientation through therapy or other treatments.

Most minors in Massachusetts dealing with sexual orientation or transgender issues do receive positive care and supportive services they need. However, a small minority, are subject to ‘therapeutic practices’ that aim to change and ‘heal’ the children from their ‘afflictions.’ These practices can inhibit healthy development in children and have been described by health and social work organizations as detrimental to children’s mental and physical needs. Children in our state who are exploring their sexuality or gender identity deserve access to supportive tools and services and should not be subject to harmful pseudo-scientific practices.

The proposed bill will specifically prohibit any licensed medical, mental health or human services professional from engaging in conversion therapy to ‘heal’ minors. It will also establish reporting procedures for cases in which minors are being subjected to conversion therapy and define advertisements for this type of service as deceptive. I want to be clear that this bill does allow all medical, psychological, and therapeutic practices that aim to legitimately help children who are struggling with gender identity dysphoria or related issues, to continue to operate. This bill in no way hinders licensed mental health professionals from intervening to prevent unlawful or unsafe sexual practices.

17% of LGBT populations live in states that have laws banning conversion therapy for minors (California and New Jersey plus Washington D.C.) and 83% of the LGBT population live in states with no laws banning conversion therapy for minors (48 states). The Circuit Courts in both California and New Jersey upheld the laws, stating that they did not violate freedom of speech or religious rights, explaining that the harmfulness of this practice gave the states authority to “legitimately protect” minors. 18 other states have proposed similar legislation and President Obama and his administration have publicly come out against this harmful practice. Additionally, there has been a resolution introduced in Congress to ban conversion therapy. Massachusetts prides itself on being a progressive leader on issues of social equality for all citizens, regardless of sexual orientation or gender identity. It is critically important that we ensure children struggling with these issues receive high quality assistance and are not subjected to damaging unscientific practices that are confusing and detrimental to children’s health.

I respectfully request that the committee adopt a favorable report on H.97 as expeditiously as possible. Thank you for your consideration on this important matter.