

To: Members of the House Human Services Committee
From: Kim Fountain, PhD, Pride Center of Vermont
Date: April 7, 2016
Re: S.132: Banning conversion therapy on minors

Pride Center of Vermont strongly supports S.132, which proposes to prohibit licensed mental health care providers from practicing conversion therapy on patients younger than 18 years of age. Pride Center of Vermont works across the state with and for lesbian, gay, bisexual, transgender, and HIV affected individuals to create safe and supportive communities through direct services, public policy advocacy, and education.

Conversion Therapy has been discredited and identified as a harmful course of action directed against a highly vulnerable population. As noted by the *Born Perfect Project* of the National Center for Lesbian Rights, “The state has a strong interest in ensuring that licensed health care providers follow professional standards of competence and do not engage in dangerous practices that have no scientific basis and put patients at risk of severe and long-lasting damage.”¹ Supporting conversion therapy on minors sends a message that the state agrees with parents and therapists who feel they can change a person’s sexuality and/or gender identity on the premise that there is something wrong with that person’s self identification as LGBTQ.

Similar to older forms of electroconvulsive shock therapies and institutionalizations, the conversion therapies used today are equally devoid of scientific validity. As far back as 2000, the American Psychiatric Association published a statement concluding that: “In the last four decades, ‘reparative’ therapists have not produced any rigorous scientific research to substantiate

¹ <http://www.nclrights.org/our-work/bornperfect/> accessed February 4, 2016.

their claims of cure.”² All the leading medical and mental health associations in the United States have similarly repudiated conversion therapy and have released similar statements.

Courts Have Upheld the Authority of States to Regulate the Harmful Practice of Conversion Therapy. Here I will cite the expert testimony of Janson Wu, Executive Director of Gay and Lesbian Advocates & Defenders in his testimony before the New Hampshire General Court Health, Human Services, and Elderly Affairs Committee on February 2, 2016. Mr. Wu stated, “The two federal appeals courts that have addressed this type of legislation have upheld the state’s authority to regulate the practice of health care and in particular to ban harmful conversion therapy. In *Pickup v. Brown* and *Welch et al*, the U.S. Court of Appeals for the Ninth Circuit ruled that a California law prohibiting state-licensed therapists from trying to change the sexual orientation or gender expression of a patient under 18 years old be enforced.³ Similarly, in *King v. Governor of N.J.*, the U.S. Court of Appeals for the Third Circuit affirmed that New Jersey law prohibiting conversion therapy was constitutional.⁴”

The Vermont legislature clearly has the authority to pass this law, the moral obligation to support vulnerable youth,, and the right to regulate the practice of healthcare.

² <http://www.nclrights.org/bornperfect-the-facts-about-conversion-therapy/> accessed February 4, 2016

³ Just the Facts Coalition. *Just the Facts about Sexual Orientation and Youth: A Primer for Principals, Educators, and School Personnel*, 6-7. Washington, D.C.: American Psychological Association, 2008.

⁴ *See King v. Governor of N.J.*, 767 F. 3d 216 (3d Cir. 2014)