



Massachusetts Family Institute

MFI Brief

HB140/SD1502



In HB140, the legislature is facing a bill which would **restrict the rights of minors with unwanted sexual attractions or gender confusion to seek out their treatment** of choice and not be labeled as lesbian, gay, bisexual, transgender or queer (LGBTQ). HB140, sponsored by Rep. Kay Khan, would make it illegal for children and their parents to receive counseling from licensed mental health professionals to help address unwanted sexual attractions.

“A psychiatrist shall not withhold information that the patient needs or reasonably could use to make informed treatment decisions...”

-Section 1(a) of the American Psychiatric Association Guidelines for Ethical Treatment

Some minors seek counseling to help resolve or reduce unwanted same-sex attractions. By **prohibiting counselors from providing the help requested by their clients**, counselors would be forced to either violate the law or violate their ethical obligations for client treatment.

In addition, both parents and counselors would be forced by this bill to ignore or violate their sincerely held religious beliefs on issues regarding children and human sexuality.

HB140 would cut off treatment for minors who are currently receiving therapy, thereby denying them their desired treatment and causing them a regression in progress and unnecessary confusion and anxiety.

Because this bill is broadly written, it would also prevent minors from receiving counseling treatment for many sexual behaviors and habits, including pornography addiction, premarital sexual activity, masochism, sadism, transvestism, and relational issues.

The bill would also deny treatment sought by many abuse victims, as minor counseling clients often assert that abuse, trauma, neglect, and unfulfilled gender-identity needs influenced their unwanted same-sex attractions.

An identical bill was passed in California in 2012, but is the subject of federal

litigation due to concerns that it **violates the First Amendment’s guarantee of freedom of speech.** In 2013, New Jersey’s governor Chris Christie signed a similar bill into law, which was also the subject of a law suit to prevent it from going into effect.

Bills like HB140 are opposed by groups such as the National Association for Research and Therapy of Homosexuality and the American Association of Christian Counselors, a group of approximately 50,000 professional counseling members.

SD1502 stands out from laws passed in other states in that there is an additional provision categorizing this type of counseling as “child abuse.” For example, if parents took a gender-confused daughter to a licensed mental health professional to help her feel comfortable in her own skin, the therapist would lose their license and the **parents could lose their daughter** to a Dept. of Children and Families intervention due to “child abuse.”

Please oppose this ban on sexual orientation and gender identity counseling, and protect these critical mental health services for children and their parents.

Not everyone who experiences sexual attractions to members of the same-sex or concurrent attractions to both sexes wants these attractions. Additionally, not everyone who experiences sexual affections in various expressions of transgenderism wants these. Denying this treatment discriminates against children by labeling them against the convictions of their conscience and negates the beliefs that guide their lives. The Legislature should safeguard the rights of all people with unwanted sexual attractions to seek out their treatment of choice and protect them from being labeled against their will as lesbian, gay, bisexual, transgender or queer.

VOTE “NO” ON HB140/SD1502