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 now 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.

SB70 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.