



New York State Psychiatric Association, Inc.

Area II Council of the American Psychiatric Association
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MEMORANDUM IN SUPPORT WITH RECOMMENDATIONS

A-6983-A (Glick)

AN ACT to amend the education law, in relation to prohibiting mental health professionals from engaging in sexual orientation change efforts with a patient under the age of eighteen years and expanding the definition of professional misconduct with respect to mental health professionals

New York State Psychiatric Association (NYSPA), the medical specialty society of more than 4,000 psychiatrists practicing in New York State, would like to express its strong support for this bill. This bill would prevent mental health professionals from providing sexual orientation change efforts to minors under eighteen by defining such activities as professional misconduct.

NYSPA strongly supports the spirit and intent of this legislation. This bill well represents the position of many professional and medical societies against sexual orientation change efforts. American Psychiatric Association (APA) published a 2013 position statement entitled "Issues Related to Homosexuality," in which it confirmed that APA "*does not believe that same-sex orientation should or needs to be changed, and efforts to do so represent a significant risk of harm by subjecting individuals to forms of treatment which have not been scientifically validated and by undermining self-esteem when sexual orientation fails to change. No credible evidence exists that any mental health intervention can reliably and safely change sexual orientation; nor, from a mental health perspective does sexual orientation need to be changed.*"

Although we strongly support the bill, we would like to suggest an amendment to the language of the bill in order to expand the definition of professional misconduct to include *offering* to provide sexual orientation change efforts as well as the actual provision of such services. Therefore, we would suggest revising Section 2 to read: "*It shall be professional misconduct for a mental health professional to engage in or offer to engage in sexual orientation change efforts . . .*" The definition of professional misconduct should include offering to provide treatment to change the sexual orientation of minors as well as actually engaging in such activity.

NYSPA strongly supports the protection of all LGBT minors by prohibiting sexual orientation change efforts and recommend further strengthening the bill by adding to the definition of professional misconduct offering to engage in sexual orientation change efforts.

February __, 2014