

February 7, 2019

The Honorable Senator Steve Lathrop
Chairperson, Judiciary Committee
Nebraska State Capitol, Warner Chamber
1455 K Street
Lincoln, Nebraska, 68509

Re: SUPPORT for LB 167, Testimony in support of legislation to protect minors from the harmful practice of conversion therapy.

Dear Chairperson Lathrop and Members of the Judiciary Committee:

American Atheists and Nebraska Secular Democrats, on behalf of their constituents in Nebraska, thank you for holding a hearing on LB167, a vital measure that will protect young people in Nebraska from harmful conversion therapy. Conversion therapy consists of dangerous and discredited practices, often religiously based, that falsely claim to change a person's sexual orientation or gender identity or expression. We urge you to swiftly pass this important legislation.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the "wall of separation" between government and religion created by the First Amendment. We strive to create an environment where atheism and atheists are accepted as members of our nation's communities and where casual bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building and work to end the stigma associated with being an atheist in America. As advocates for the health, safety, and well-being of all Americans, American Atheists objects to efforts to subordinate medical care to the religious beliefs of providers and institutions.

Nebraska Secular Democrats is an organization of Nebraskans of various faith and no faith established in 2018 to help atheists be better represented in our government. Our organization has 58 public members of various sexualities, but at least 10 more who can't join publicly due to fear of abuse. We join American Atheists in gratitude for this opportunity to protect our communities.

Conversion therapy consists of practices, sometime performed by licensed mental health providers, which seek to change an individual's sexual orientation or gender identity or expression. These practices are based on religious beliefs rather than medical facts, such as the false idea that being lesbian, gay, bisexual, transgender, or queer (LGBTQ) is a mental illness that needs to be cured. This idea which has been rejected by every major medical and mental health group for decades. Conversion therapy does not include therapies that provide acceptance, support, or understanding of LGBTQ identities; that assist a person undergoing a gender transition; that facilitate coping, social support, or identity exploration; or that address unlawful conduct or unsafe sexual practices.

This legislation would enact professional standards for state-licensed health care providers to clarify that conversion therapy is not an acceptable professional practice when applied to young people under age 18, and it subjects those who conduct such practices to disciplinary action. Moreover, LB 167 provides explicit protection for consumers against unfair business practices relating to conversion therapy. Specifically, the bill clarifies that conducting conversion therapy in exchange for monetary compensation is a fraudulent or deceptive trade practice. Finally, the bill would prevent Nebraska from expending state funds to support conversion therapy, including health coverage for conversion therapy and grants or contracts to organizations that conduct or refer individuals to conversion therapy.

While there is no credible evidence that conversion therapy can change a person's sexual orientation or gender identity or expression, it is clear that conversion therapy poses devastating health risks for LGBTQ young people. These dangerous practices can lead to depression, decreased self-esteem, substance abuse, homelessness, and even suicidal behavior,¹ and for this reason the nation's leading mental health organizations have criticized them.² Unfortunately, professional rules have not kept up with this widespread understanding, and some licensed mental health providers continue to engage in conversion therapy, often justifying these dangerous practices based on their religious beliefs. Researchers estimate that 20,000 LGBTQ youth ages 13-17 will receive conversion therapy from a licensed mental health professional before the age of 18.³

This same study also estimates that 57,000 such LGBTQ youth will receive conversion therapy from a religious or spiritual advisor before age 18. Although this bill does not prevent conversion therapy practiced by unlicensed religious organizations as long as there is no monetary compensation, American Atheists condemns those practices as well. No young person should be subject to abuse or mistreatment based on the religious beliefs of their caretakers.

Young people experience conversion therapy as a form of family rejection, and LGBTQ youth who experience family rejection face increased health risks. In one study, such youth were 8.4 times more likely to report having attempted suicide, 5.9 times more likely to report high levels of depression, and 3.4 times more likely to use illegal drugs compared with peers who had not experienced such rejection.⁴ On the other hand, family acceptance has been shown to be an important protective factor that can help to prevent suicidal behavior and mental health issues. Providers who engage in conversion therapy with the validation indicated by a state license can mislead families about the risks involved, leading to

¹ American Psychological Association, Task Force on Appropriate Therapeutic Responses to Sexual Orientation. (2009). *Report of the American Psychological Association Task Force on Appropriate Therapeutic Responses to Sexual Orientation*. Available at <http://www.apa.org/pi/lgbcc/publications/therapeutic-resp.html>.

² For example, the American Psychological Association, American Medical Association, American Academy of Pediatrics, American Counseling Association, American Psychiatric Association, American Association for Marriage and Family Therapy, and many others have position statements criticizing conversion therapy.

³ Mallory C, Brown TNT, and Conron KJ. (2018). *Conversion Therapy and LGBT Youth*. The Williams Institute. Available at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Conversion-Therapy-LGBT-Youth-Jan-2018.pdf>.

⁴ Caitlin Ryan, et al. (2009). Family Rejection as a Predictor of Negative Health Outcomes in White and Latino Lesbian, Gay, and Bisexual Young Adults. *Pediatrics* 346 (2009).

negative psychological outcomes and irreparable damage to the whole family. This legislation is needed to protect families from these damaging practices.

Thank you for the opportunity to testify in favor of this important bill to protect the health and well-being of young people in Nebraska. If you should have any questions regarding our support for LB 167, please contact Alison Gill at 908.276.7300 x9 or by email at agill@atheists.org and Joseph Couch at 402.641.6322 or by email at joseph.couch@nebraskaseculardemocrats.org.

Sincerely,



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cc: All Members of the Nebraska Judiciary Committee