



The Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness

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The Honorable Dan Frankel
Chair, House Committee on Health
326 Main Capitol Building
P.O. Box 202023
Harrisburg, PA 17120-2023

RE: Support for House Bill (“HB”) 575, Protection of Minors from Conversion Therapy Act

Dear Chair Frankel,

On behalf of the Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness (the “Commission”), we write to convey our support for HB 575 (Protection of Minors from Conversion Therapy Act). This legislation would prohibit mental health professionals from engaging in the practice of conversion therapy with individuals under the age of 18. Since March 20, 2023, HB 575 has been in the House Committee on Health (“Committee”). The Committee has neither convened a hearing nor reported on this bill. We respectfully urge the Committee on Health to consider HB 575 and take the appropriate measures to move it through Committee, facilitating its passage.

The Commission was established in 2005 by the three branches of Pennsylvania’s government to implement the recommendations from a 2003 Pennsylvania Supreme Court study on racial and gender bias in the justice system.¹ In its introduction, the study noted “concerns regarding bias against . . . gay, lesbian, bisexual, and [transgender] individuals” and suggested that government officials “consider . . . addressing the needs of these groups, in light of the similarity of issues and solutions in the context of race, ethnicity, and gender.”² The Commission has since focused on ending discrimination against LGBTQ+ Pennsylvanians. Through its LGBTQ+ Rights Committee, the Commission is working to secure the passage of non-discrimination statutes, regulations, and ordinances for LGBTQ+ individuals.

HB 575 takes an important step toward combating conversion therapy, a practice that aims to change the sexual orientation or gender identity or expression of LGBTQ+ children. All mainstream medical

¹ See Final Report of the Pennsylvania Supreme Court Committee on Racial and Gender Bias in the Justice System, available at <https://pa-interbranchcommission.com/wp-content/uploads/2022/01/FinalReport.pdf>.

² *Id.* at 15 n.2.

and mental health organizations, including the American Psychiatric Association, American Academy of Pediatrics, American Academy of Child Adolescent Psychiatry, American Association for Marriage and Family Therapy, American Medical Association, National Association of Social Workers, World Psychiatric Association, and the American College of Physicians, among many others, have rejected conversion therapy, citing its dangerous impact on the mental health of members of the LGBTQ+ community.³ It is because of these harms that the practice has frequently been referred to as conversion *abuse* rather than therapy.⁴

The harmful consequences of conversion abuse are well-documented. In 2022, the Trevor Project, a nonprofit organization focused on suicide prevention efforts for LGBTQ+ individuals, published a peer-reviewed study on conversion therapy. The study captured the experiences of nearly 34,000 LGBTQ+ youth ages 13-24 across the United States. It found that 45% of LGBTQ+ youth seriously considered attempting suicide in the past year, and 17% of respondents reported being threatened with or subjected to conversion therapy.⁵ It also determined that conversion abuse was a key predictor and cause of suicidality in LGBTQ+ youth. Youth who underwent conversion therapy were more than twice as likely to report having attempted suicide.⁶

LGBTQ+ youth's negative experiences with conversion therapy render them less likely to seek out appropriate mental health resources in the future,⁷ even though it is precisely LGBTQ+ youth who need these resources the most. In its study, the Trevor Project found that 73% of LGBTQ+ youth reported experiencing symptoms of anxiety, and 58% cited symptoms of depression.⁸ When LGBTQ+ individuals lack access to or are discouraged from accessing appropriate mental health treatment, they are more susceptible to substance abuse and negative mental health outcomes.

While these outcomes are tragic on an individual level, they also yield preventable *economic* harms. A recent study published in a peer-reviewed medical journal found that the total annual cost of conversion therapy among LGBTQ+ youth in the United States is estimated at \$650.16 million, with associated harms, such as substance abuse and suicide attempts, totaling an estimated economic burden of \$9.23 billion.⁹ It concluded that “in addition to being detrimental from a clinical and humanistic standpoint,

³ Human Rights Campaign Foundation, *Just as They Are: Protecting Our Children from the Harms of Conversion Therapy* 1, 11-13 (Sept. 2017), available at <https://hrc-prod-requests.s3-us-west-2.amazonaws.com/files/assets/resources/just-as-they-are-sept2017.pdf>

⁴ See, for instance, Cory W. Lee, *A Failed Experiment: Conversion Therapy as Child Abuse*, 27 *Roger Williams University L. Rev.* 32 (2022).

⁵ The Trevor Project, *2022 National Survey on LGBTQ Youth Mental Health* 1, 4 (May 4, 2022), available at https://www.thetrevorproject.org/survey-2022/assets/static/trevor01_2022survey_final.pdf [hereinafter *Trevor Project Survey*].

⁶ *Id.* at 19.

⁷ Res. & Evaluation Group at Pub. Health Mgmt. Corp. and Bradbury-Sullivan LGBT Community Ctr., *2022 Pennsylvania LGBTQ Health Needs Assessment* 1, 2 (Jan. 2023) (noting that nearly half of the Assessment's LGBTQ+ respondents fear seeking healthcare services because of past or potential negative reactions from healthcare providers).

⁸ *Trevor Project Survey*, *supra* note 4, at 8.

⁹ Anna Forsythe et al., AMA, *Humanistic and Economic Burden of Conversion Therapy Among LGBTQ Youths in the United States*, 176 *JAMA Pediatrics* 493, 497 (Oct. 18, 2021), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8902682/>.

[conversion abuse] and [its] harmful effects among LGBTQ[+] youth in the US are estimated to cost billions of dollars each year.”¹⁰


Recognizing the negative personal and economic consequences of conversion therapy, 25 states, the District of Columbia, and Puerto Rico, as well as thirteen cities¹¹ and two counties¹² in our Commonwealth, have passed statutes or ordinances protecting LGBTQ+ youth from conversion therapy.¹³ In 2022, former Governor Wolf also issued an executive order, entitled “Protecting Pennsylvanians from Conversion Therapy and Supporting LGBTQIA+ Pennsylvanians.”¹⁴ The Executive Order directs state agencies to update their policies to better support LGBTQIA+ employees and Pennsylvanians and to ensure that state funds, programs, contracts, and other resources are not used to advance or endorse conversion therapy.¹⁵ While these measures are certainly important, the Executive Order, which can be rescinded by any administration, does not ensure that the practice will be banned in the future.

Accordingly, we urge you to take the appropriate measures to facilitate the passage of HB 575. If you have any questions concerning this matter, we would be happy to discuss them with you at your convenience.

Respectfully,



Kaitlyn Burns, Esq.
Chair, LGBTQ+ Rights Committee



Maraleen Shields, Esq.
Executive Director



Brendan Bertig, Esq.
Staff Attorney

cc: The Hon. Kathy L. Rapp, Minority Chair, House Committee on Health
The Hon. Jessica Benham, Prime Sponsor, HB 575
Members of the House Committee on Health
Pennsylvania Interbranch Commission Members
Interbranch Commission’s LGBTQ+ Rights Committee Members

¹⁰ *Id.* at 494.

¹¹ *Pennsylvania’s Equality Profile, Movement Advancement Project*, available at https://www.lgbtmap.org/equality_maps/profile_state/PA (denoting Philadelphia and Allegheny Counties and the cities of Allentown, Bellefonte Borough, Bethlehem, Doylestown Borough, Erie, Middletown Township, Newtown Township, Pittsburgh, Reading, Scranton, State College, Yardley Borough, and York as having passed such laws) (last updated Oct. 11, 2023).

¹² *Id.*

¹³ Pa. Exec. Order 2022-02 1, 3 (Aug. 16, 2022), available at <https://www.oa.pa.gov/Policies/eo/Documents/2022-02.pdf>.

¹⁴ *Id.*

¹⁵ *Id.*