

House Behavioral Health Subcommittee
June 7, 2023
House Bills 4616 and 4617: Support

The American Civil Liberties Union of Michigan supports HB 4616 and 4617, which would protect LGBTQ youth from “conversion therapy,” a range of dangerous and discredited practices that falsely claim to change a person’s sexual orientation or gender identity.

Many organizational experts in youth development, health, and mental well-being, including the American Academy of Child and Adolescent Psychiatry, the American Academy of Pediatrics, the American College of Physicians, and the American Medical Association have opposed conversion therapy (also known as “reparative therapy”) on the basis that it is harmful and not an evidence-based practice. ¹

The United States Courts of Appeals has repeatedly upheld conversion therapy bans, both in California and Washington, reinforcing that these bans do not infringe on the First Amendment. Washington’s ban, passed in 2018 and upheld in 2021 by a local district court and again in 2022 by the 9th Circuit Court of Appeals, is nearly identical to the bills in front of you today. In his opinion on the case, Circuit Judge Ronald Gould wrote, “States do not lose the power to regulate the safety of medical treatments... merely because those treatments are implemented through speech rather than through scalpel.”² Similar to Washington’s ban, HB 4616 and 4617 would regulate professional conduct, not constitutionally protected speech.

No child should be subjected to the dangerous and torturous practice of “conversion therapy.” Therapy should be a place for learning, growth, and exploration – not shame and judgement. Being a member of the LGBTQ community is not something that needs to be cured, changed, or hidden. The ACLU of Michigan supports HB 4616 and 4617 and urges this committee to do the same.

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¹ Human Rights Campaign. *Policy and Position Statements on Conversion Therapy*.
<https://www.hrc.org/resources/policy-and-position-statements-on-conversion-therapy>

² *Tingley v. Ferguson*, 47 F 4th 1055 (9th Cir 2022)