



Myth Busting: Municipal Conversion Therapy Ban

Isn't a conversion "therapy" ban preempted on the city level?

- No! Cities in Minnesota can provide safety for LGBTQ youth by banning conversion "therapy" through human rights complaints resulting in non-criminal citations. Cities in MN are preempted from banning conversion therapy through medical licensing boards. Once Minnesota passes a statewide ban, a cities ban will still be useful for the city to fine providers that are using harmful and discredited practices.

What is preemption and why isn't the city preempted from banning conversion therapy?

- In Minnesota, preemption boils down to three factors:
 1. "the legislature has fully and completely covered the subject matter"
 - The legislature has not covered the subject matter (conversion "therapy") because the Senate has not taken up the issue.
 2. "the legislature has clearly indicated that the subject matter is solely of state concern"
 - Although licensing IS mandated by state, we are NOT seeking to revoke licenses just serve citations for harmful and discredited practices through the city's human rights department, or equivalent department.
 3. "the subject matter itself is of such a nature that local regulation would have unreasonably adverse effects on the general populace"
 - A municipal conversion "therapy" ban would use the least prohibitive measures needed. No adverse effects would be created. The only people affected by the enforcement of the ordinance would be providers using discredited and harmful practices and they would only be affected for those specific practices. More importantly, young people would be protected from the harm of conversion "therapy."

Doesn't this violate religious exemption laws or first amendment rights?

- No! The municipal ban would specifically be addressing licensed mental health professionals. We know conversion "therapy" is sometimes practiced in faith spaces, however clergy practicing their spiritual beliefs would not be affected by the ban.
- It is important that cities ban conversion "therapy" by licensed providers and cities are within their rights to protect the youth in their communities.

Is conversion therapy still a problem? Are there even clinics that do this? How is conversion therapy being tracked/billed currently?

- While it is impossible to know the exact number of conversion therapy providers and survivors, we have found dozens of providers in our state. Because homosexuality and transgender identities are not a disease, disorder, or illness, the conversion therapy providers are billing public and private insurance using broad diagnosis codes including, depression and anxiety. The

[William's Institute study](#) estimates that 700,000 people have undergone conversion therapy in the United States.

Aren't these bans being legally challenged on the state/municipal level?

- There are over a hundred city and state bans currently in effect. Just 1 state and 2 municipalities that are currently challenged, due to the way that the bill is constructed and written.
- The language used in the municipal ban that cities in MN are creating, has been stated time and time again as being bulletproof because it is limited to licensed medical providers and the limited population, minors, that it protects.

I can see why you want to ban physically violent therapy but talk therapy versions of conversion therapy don't hurt people, right?

- Wrong. We've seen time and time again that talk therapy causes harm just as physically violent therapy does. In talk therapy, we see a spike in depression, anxiety, and suicidal ideation. Survivors face a lifetime of post traumatic stress, higher risk of addiction, high risk sexual behavior and difficulty building intimacy. At the end of the day, conversion "therapy" will always do harm and have zero results. Licensed medical providers have no business selling it in Minnesota cities.

This is not City Business/The city should focus on other issues.

- A city should always be concerned with making the lives of all community members better and what better way to do that than to protect our youth! By focusing on banning conversion "therapy", we are telling youth that they matter and that we care about them.

This should just be a support statement/resolution not an ordinance

- A supportive statement is a good step forward but an ordinance can speak volumes to where the heart and soul of the city is. By fully supporting an ordinance, you are taking active steps to say that you want the best for your community members and you will always choose action rather than symbolic resolutions.

This is not enforceable (any truth to this?)

- Every city is different and unique. Cities sometimes already have the process for reporting, reviewing, and citing. If not, they can be created. By citing those practicing conversion therapy, we can not only track perpetrators but also work to educate people on how to recognize the signs of symptoms of youth endangered by conversion "therapy."

What about parental rights?

- Parents know how to best protect their kids. We're not asking the city to parent for them. We want parents to continue to grow and love their children, and cities that allow harmful and discredited therapeutic practices do not provide children with the advantage they need to continue to develop their sense of self. It allows parents to fall into traps that take their money and hurt their kids.