

BOARD BILL NUMBER 152FS

PRIMARY SPONSOR: Alderwoman Ingrassia

DATE OF INTRODUCTION: November 8, 2019

BOARD BILL SUMMARY:

The proposed ordinance will prohibit medical and mental healthcare providers in the City of St. Louis from providing conversion therapy, also known as reparative therapy, ex-gay therapy, or sexual orientation and gender identity change efforts to a minor, regardless of whether the provider receives compensation in exchange for such services, and providing penalties for the violation of said prohibition. The proposed ordinance authorizes the Health Department to receive, investigate, and refer to the City Counselor complaints of alleged violations for prosecution in municipal court.

The intended community impact of the proposed ordinance is unknown at this time.

Prepared by: Louis Galli

Legal Counsel, Board of Aldermen

**BOARD BILL NO. 152FS INTRODUCED BY: ALDERWOMAN CHRISTINE
INGRASSIA**

1 An ordinance prohibiting licensed medical and mental healthcare providers from providing
2 conversion therapy, also known as reparative therapy, ex-gay therapy, or sexual orientation and
3 gender identity change efforts to a minor, ~~regardless of whether the provider receives~~
4 ~~compensation in exchange for such services~~, and providing penalties for the violation of said
5 prohibition; and authorizing the Director of the Health Department to receive, investigate, and
6 refer to the City ~~6-BB-Counselor~~ for ~~prosecution in municipal court~~ complaints of alleged
7 violations of the provisions of this ordinance, and containing an emergency clause.

8 **WHEREAS**, conversion therapy, also known as reparative therapy, ex-gay therapy, or
9 sexual orientation and gender identity change efforts, is a range of discredited practices aimed
10 at changing one's sexual orientation or gender identity; and

11 **WHEREAS**, a national community of professionals in education, social work, health,
12 mental health and counseling, including the American Academy of Child and Adolescent
13 Psychiatry (AACAP), have determined that there is no scientifically valid evidence that
14 supports the practice of conversion therapy; and

15 **WHEREAS**, such professionals have determined that there is no evidence that
16 conversion therapy is effective or that an individual's sexual orientation or gender identity can
17 be changed by conversion therapy; and

18 **WHEREAS**, such professionals have also determined that conversion therapy is not
19 only ineffective, but is substantially dangerous to an individual's mental and physical well-

1 being and has also been shown to contribute to depression, self-harm, low self-esteem, family
2 rejection and suicide; and

3 **WHEREAS**, fifteen states, including Washington, DC, have enacted laws or
4 regulations to ban conversion therapy against minors by licensed medical providers, and many
5 bills have been filed in similar states, including Missouri's Youth Mental Health Preservation
6 Act; and

7 **WHEREAS**, the City of St. Louis has a responsibility to protect the health, safety, and
8 welfare of all people in our community, especially the physical and psychological well-being
9 of minors, including LGBTQIA youth; and

10 **WHEREAS**, the Board of Aldermen desires to ensure St. Louis is a city that is open
11 and affirming to all, including LGBTQ individuals and families; and

12 **WHEREAS**, as a city that strives to respect and celebrate its diversity, the Board of
13 Aldermen affirms that being LGBTQIA is not a disorder, disease, illness, deficiency or
14 shortcoming.

15 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

16 **SECTION ONE. Definitions.**

17 As used in this Ordinance the following terms shall have the meanings prescribed below in this
18 Section One.

19 1. *Conversion therapy* means any practice or treatment that seeks to change an individual's
20 sexual orientation or gender identity, including efforts to change behaviors or gender

1 expressions or to eliminate or reduce sexual or romantic attractions or feelings toward
2 individuals of the same gender. Conversion Therapy shall not include counseling that provides
3 support and assistance to a person undergoing gender transition, or counseling that provides
4 acceptance, support and understanding of a person or facilitates a person's coping, social
5 support, and development, including sexual orientation-neutral treatment interventions to
6 prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does
7 not seek to change sexual orientation or gender identity. Conversion therapy is sometimes
8 commonly known or referred to as reparative therapy, sexual orientation or gender identity
9 change efforts, or ex-gay therapy.

10 2. Complaint means a written allegation that a provider has violated or is in violation of this
11 Ordinance.

12 3. Department of Health means the City of St. Louis Department of Health.

13 4. Gender identity or expression means the gender-related identity, appearance, expression,
14 behavior or mannerisms or other gender-related characteristics of an individual, with or without
15 regard to the individual's designated sex at birth.

16 5. Minor means any person under eighteen (18) years of age.

17 6. Provider means any licensed medical or mental healthcare professional including, but not
18 limited to, licensed professional counselors, licensed psychologists, licensed clinical social
19 workers, provisional licensed professional counselors, provisional and temporary licensed
20 psychologists, licensed and provisional licensed marital and family therapists, psychiatrists,
21 certified substance abuse counselors, certified school counselors, behavior analysts and any

1 other medical or mental healthcare professional licensed under Chapters 334 and 337 of the
2 Revised Statutes of Missouri.

3 7. Sexual orientation means the practice of homosexuality, heterosexuality, asexuality, and
4 bisexuality, or some combination thereof, by consenting adults, or as perceived by others, but
5 not including sexual practice between an adult and a minor.

6 **SECTION TWO. Prohibited practice.**

7 It shall be unlawful for any provider to provide conversion therapy or reparative therapy to a
8 minor, ~~if the~~ regardless of whether the provider receives compensation in exchange for such
9 services.

10 **SECTION THREE. Health Department Functions, Duties and Authorities**

11 The City of St. Louis Health shall have the following functions, duties and authorities regarding
12 the investigation of alleged violations of this Ordinance and its enforcement:

- 13 • To adopt rules, regulations and guidelines pertaining to the submission, receipt,
14 investigation and disposition, and referral for prosecution of complaints consistent with
15 the provisions of this Ordinance.
- 16 • To receive and investigate complaints alleging a provider has violated or is in violation
17 of this Ordinance.
- 18 • To cooperate with other organizations, public and private to discourage the practice of
19 conversion therapy for minors.
- 20 • ~~To refer potential violations of this Ordinance to the City Counselor for prosecution in~~
21 ~~municipal court.~~

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SECTION FOUR. Complaints

Any individual who claims to be aggrieved by a violation of this Ordinance may file a written complaint with the Department of Health stating the name and address of the provider alleged to have committed such violation, the particulars thereof, and such other information as may be required by the Department of Health. All complaints must be filed within one-hundred and eighty days of the date of the alleged violation.

SECTION FIVE. Penalty for Violation

Any provider found to be in violation of this Ordinance shall be subject to a fine of not more than five-hundred dollars (\$500.00) ~~or a term of imprisonment of not more than ninety (90) days or both fine and imprisonment.~~

SECTION SIX. Emergency Clause. This being an Ordinance necessary for the immediate preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore this Ordinance shall become effective immediately upon its passage and approval by the Mayor.

