

**MEDICAL SOCIETY**  
of the  
**STATE OF NEW YORK**

Morris Auster, Esq.  
Senior Vice President /  
Chief Legislative Counsel

*Division of Governmental Affairs*  
**MEMORANDUM IN SUPPORT**

Passed Assembly

A. 3977 (GLICK)

On Senate Higher Education Committee  
Agenda

S. 263 (HOYLMAN)

An ACT to amend the education law, in relation to prohibiting mental health professionals from engaging in sexual orientation change efforts with a patient under the age of eighteen years and expanding the definition of professional misconduct with respect to mental health professionals.

This measure would establish his bill would prohibit a mental health professional, from engaging in sexual orientation change efforts, with a patient under 18 years of age. The bill would provide that any sexual orientation change efforts attempted on a patient under 18 years of age by a licensed mental health professional shall be considered unprofessional conduct and shall subject the provider to discipline by the provider's licensing entity.

The American Medical Association has policy that states, in part, that it (a) believes that the physician's nonjudgmental recognition of patients' sexual orientations, sexual behaviors, and gender identities enhances the ability to render optimal patient care in health as well as in illness. In the case of lesbian gay bisexual and transgender (LGBT) patients, this recognition is especially important to address the specific health care needs of people who are or may be LGBT; (b) is committed to taking a leadership role in: (i) educating physicians on the current state of research in and knowledge of LGBT Health and the need to elicit relevant gender and sexuality information from our patients; these efforts should start in medical school, but must also be a part of continuing medical education; (ii) educating physicians to recognize the physical and psychological needs of LGBT patients; (iii) encouraging the development of educational programs in LGBT Health; (iv) encouraging physicians to seek out local or national experts in the health care needs of LGBT people so that all physicians will achieve a better understanding of the medical needs of these populations; and (v) working with LGBT communities to offer physicians the opportunity to better understand the medical needs of LGBT patients; and (c) opposes, the use of "reparative" or "conversion" therapy for sexual orientation or gender identity. (*Health Care Needs of Lesbian Gay Bisexual and Transgender Populations H-160.991*)

*For the above reasons, the Medical Society of the State of New York supports this measure and urges its enactment.*

*Respectfully submitted,*

*Division of Governmental Affairs*

*PFC/Support*  
*5/4/18*