

ORDINANCE NO.: 5220

A SECOND AMENDED ORDINANCE to create Sec. 32-191 of the Code of Ordinances of the City of La Crosse prohibiting Conversion Therapy.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 32-191 is hereby created to read as follows:

Sec. 32-191. – Conversion Therapy Prohibited.

(a) Intent and Purpose.

- (1) This Ordinance is adopted to protect the health, safety and welfare of the people of the City of La Crosse, especially the physical and psychological well-being of minors, including non-binary, lesbian, gay, bisexual and transgender youth, and to protect them against the exposure to serious harms caused by conversion therapy.
- (2) It is the well documented, prevailing opinion of the medical and psychological community that conversion therapy has not been shown to be effective and that it creates a potential risk of serious harm to those who experience it.
- (3) The prevailing opinion of the medical and psychological community is documented in position statements, articles and reports published by the following organizations: the American Psychological Association, the American Psychiatric Association, the American School Counselor Association, the American Academy of Pediatrics, the American Medical Association, the National Association of Social Workers, the American Counseling Association, the American Psychoanalytic Association, the American Academy of Child and Adolescent Psychiatry and the Pan American Health organization.
- (4) In particular, the Task Force on Appropriate Therapeutic Responses to Sexual Orientation of the American Psychological Association conducted a systematic review of peer reviewed journal literature on sexual orientation change efforts, and issued a report in 2009. The report concluded that conversion therapy has not been demonstrated to be effective and that there have been anecdotal reports of harm, including depression, suicidal thoughts or actions, and substance abuse.
- (5) In addition, other organizations concluded that homosexuality and bisexuality are not illnesses and do not require treatment (American School Counselor Association), being transgender is not a mental disorder, conversion therapy can promote guilt and anxiety (American Academy of Pediatrics), and it may contribute to an enduring sense of stigma and self-criticism (American Psychoanalytic Association).

(b) Definitions. In this section:

"Conversion therapy" means any practices or treatments offered or rendered to patients ~~consumers for a fee~~, including psychological counseling, that seeks to change a person's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy

does not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

~~"Person" means any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization.~~

"Medical or mental health professional" means any individual who is licensed by a local, state, or federal, or other regulatory body to engage in a profession related to physical or mental health, including any students, interns, trainees, apprentices, or assistants who provide medical or mental health services under the auspices, guidance, or supervision of a licensed medical or mental health professional.

(c) Conversion Therapy Prohibited. It is unlawful for any medical or mental health professional ~~person to practice~~ engage in conversion therapy with anyone under 18 years of age.

(d) Referral to State. Allegations that a medical or mental health professional is in violation of this section shall be submitted in writing. The City shall refer the written allegations to the State of Wisconsin Department of Safety and Professional Services, which regulates therapy services and professional counseling, for investigation and other actions it deems appropriate.

SECTION II: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION III: This ordinance shall take effect and be in force from and after its passage and publication.

_____/s/_____
Mitch Reynolds, Mayor

_____/s/_____
Nikki M. Elsen, City Clerk

Passed: 9/8/2022
Approved: 9/9/2022
Published: 9/17/2022