



Frequently Asked Questions: Conversion Therapy Ban

What is conversion therapy?

Conversion therapy is any number of discredited, debunked practices aiming to change someone's sexual orientation or gender identity. The goal is to make LGBTQ people identify as straight and cisgender or refrain from behaviors associated with LGBTQ+ identities or non-traditional gender roles. Every major professional health association in the United States has made a statement against the practice of conversion therapy.

What protections do Virginia minors have?

Senator Scott Surovell's Senate Bill [245](#) and Delegate Patrick Hope's House Bill [386](#) ban the practice of conversion therapy on minors by licensed professionals. Anyone who is licensed by the Virginia Department of Health Professions that practices conversion therapy can face disciplinary action. The law also bans the use of state funds for conducting conversion therapy.

How can I file a complaint if I have experienced conversion therapy as a minor at the hands of a licensed professional?

You can [file a complaint here](#) with the Department of Health Professions' Enforcement Division.

Can a minor report a violation without a legal guardian's involvement?

Anyone can submit a complaint about an unethical practice like conversion therapy.

What happens after I report the violation?

Complaints are processed upon receipt and the source is notified by letter of the status of their complaint. When information received by the Department of Health Professions indicates a violation of law or regulation within the Agency's jurisdiction may have occurred, it is the responsibility of the Enforcement Division to obtain whatever additional information is needed to prove or disprove that a violation has occurred. Information is gathered and submitted to the appropriate Health Regulatory Board for consideration and action. The Board initially decides whether the evidence is sufficient to indicate that a violation of a law or regulation may have occurred. If the evidence is not sufficient for that purpose, the case is then closed and no further action is taken. If the Board does find there is sufficient evidence to indicate that a violation of law or regulation may have occurred, a determination is made (following the Administrative Processes Act) whether the accused has violated a law or regulation, and if so, the Board imposes disciplinary action. [Click here](#) to see a detailed explanation of the disciplinary process.

Who counts as a provider for this law?

This legislation only applies to individuals licensed by the Department of Health Professions acting in an official capacity. This includes anyone licensed under the Boards of Counseling, Psychology, Nursing, Medicine, and Social Work, among others.

Does the law apply to teachers that advise students on many issues?

This legislation only applies to individuals licensed by the Department of Health Professions acting in an official capacity. School counselors may fall under this umbrella only if they are licensed mental or medical providers, such as a social worker, therapist, nurse, or doctor. Teachers acting in their capacity as a teacher would not fall under this law.

Can I still make a complaint if I am an adult now but experienced conversion therapy as a minor?

Yes.

If I experienced conversion therapy before this law got enacted, can I still file a complaint?

This law only covers actions that take place on or after July 1, 2020. However, you can still file a complaint since many boards of health professions already passed guidances saying their licensed practitioners not use conversion therapy. Even without guidance, an argument can be made that the provider should have known the practice was unethical.

If I suspect a violation of the law, what should I do?

If you suspect a minor has undergone conversion therapy, you can [file a complaint here](#) with the Department of Health Professions' Enforcement Division.

Can a private organization still offer conversion therapy? If so, are there specific requirements placed on them?

No licensed professional can offer conversion therapy to minors, whether they are at a private or public institution, nor can state funds be used to promote or offer conversion therapy.

Does this ban apply to religious organizations who practice conversion therapy in a non-clinical capacity?

No, this law only applies to professionals who operate under a license from the Virginia Department of Health Professions.

What should I do if I suspect an organization that receives state funding is offering conversion therapy?

You can report mismanagement of state funds at the State Fraud, Waste, and Abuse Hotline at (800) 723-1615 or [file a complaint online here](#) with the Office of the State Inspector General.

What effect will this legislation have on Virginians over 18 years of age who experienced conversion therapy after the law was enacted?

This legislation sends an important message that the Commonwealth of Virginia does not support conversion therapy and that licensed professionals practicing it on minors, who cannot truly consent to this harmful and unscientific practice, should face disciplinary action for the harm they cause. This law does not prohibit licensed professionals from attempting conversion therapy on a consenting adult.

Are there ramifications for non-licensed individuals attempting to perform conversion therapy?

This law only applies to licensed individuals practicing conversion therapy on minors.

If a minor tells a guidance counselor that they have been subjected to conversion therapy, would this be a mandatory reporting situation?

Hospitals, other health care institutions, or assisted living facilities as defined under Virginia law are required to report unethical conduct such as practicing conversion therapy on minors when a licensed professional is involved. It is unclear at this time if conversion therapy is legally considered child abuse or not.

Can minors who are survivors of conversion therapy sue? What about adults?

This legislation does not explicitly create a private right of action; nor does it preclude individuals who have been subjected to conversion therapy from bringing a lawsuit. For example, some conversion therapy survivors in various parts of the country have successfully sued under theories that conversion therapy is fraudulent or unfair business practice.

What are the consequences for violating this law?

Individuals licensed by the Department of Health Professions can face disciplinary action, including losing their license if they practice conversion therapy on minors

Can a person report a violation anonymously?

Yes.

Will the police be involved?

No. These complaints only go to the Department of Health Professions' enforcement division and the relevant Board of Health.

Is Virginia's law similar to other states and jurisdictions?

Yes. Most states and localities laws banning the practice of conversion therapy only apply to its practice on minors by licensed professionals.

Sources:

[Virginia Department of Health Professions](#)

[Office of the State Inspector General](#)

[Born Perfect Campaign](#)

[The Trevor Project](#)

[Seattle Office of Civil Rights](#)

Senate Bill [245](#) and House Bill [386](#)

Collaborators

Thank you to [The Trevor Project](#) for offering their expertise to review and provide feedback on this information sheet.

About Equality Virginia

Equality Virginia (EV) is the leading advocacy organization in Virginia seeking equality for lesbian, gay, bisexual, and transgender people. EV believes in a truly inclusive Commonwealth where all are equally valued, regardless of sexual orientation or gender identity, and a Virginia that is a safe, welcoming, and equal place for lesbian, gay, bisexual, and transgender individuals and their families to live, work, and play.

For more information, check out www.equalityvirginia.org or reach out to info@equalityvirginia.org.

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