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February 22, 2022

To: The Honorable Shane E. Pendergrass  
Chair, Health and Government Operations Committee

From: The Office of the Attorney General's Health Education and Advocacy Unit

Re: House Bill 982 (Health Occupations-Faith-Based Counseling-Exemption):  
Oppose

The Office of the Attorney General opposes House Bill 982 which would authorize faith-based counselors (FBC) to be exempt from any licensure, regulation, and most oversight by the Department of Health, unlike all other counselors engaging professionally and for compensation in their respective licensing category.

This bill is misguided as it rejects the licensing scheme that was established because "(a) The General Assembly finds that the profession of counseling and therapy profoundly affects the lives and health of the people of this State. (b) The purpose of this title is to protect the public by: (1) Setting qualifications, education, training, and experience standards for counselors and therapists; and (2) Promoting high professional standards for the practice of counseling and therapy." *See* MD Code, Health Occupations, § 17-102. If counselors are engaging professionally, and for compensation, they should not be exempt because they are religiously affiliated.

The bill provides that FBC would only provide services that "are exclusively religious in nature" and "include only nonmedical treatment methods such as prayer, moral guidance, spiritual counseling, and scriptural study." We have significant concerns about religious or faith-based rationales for counseling practices which shame a person's sexual orientation or gender identity and can result in substantial harm, in particular conversion therapy which has been prohibited by Maryland law since 2018. We oppose this bill to the extent it purports to give a State imprimatur to FBC who would not be

subject to licensing and regulatory laws that ensure evidence-based practice and patient protections in Maryland. Without this bill, persons interested in religious counseling may still speak to a religious authority at a religious institution.

We urge the committee to give the bill an unfavorable report.

cc: Sponsor