



Testimony of American Property Casualty Insurance Association

House Judiciary Committee

House Bill 1209 - Conversion Therapy - Prohibitions and Causes of Action

March 4, 2026

Unfavorable

The American Property Casualty Insurance Association (APCIA) is a national trade organization whose members write approximately 71 % of insurance market in Maryland. House Bill 1209 would clarify that injury as a result of conversion therapy would be recognized as an action for health care malpractice as well stating what insurers can charge for coverage for such a provider, extending the statute of limitation (SOL) to 20 years and also removing the noneconomic caps for these types of malpractice suits. APCIA's concerns centers not on the ramifications of conversion therapy but rather concerns about setting certain precedents for removing the noneconomic damage caps and dictating fees which must meet certain standards under the insurance code and extending the SOL to 20 years.

In brief, eliminating the noneconomic damage caps for a specific type of treatment sets a hazardous precedent that could result in numerous patients with medical liability claims being treated differently not because of differences in their actual damages, but solely based on the public perception of the treatment.

In addition, creating an insurance surcharge related to conversion therapy creates an unnecessary administrative burden on medical liability insurers. If the desire of the state is to create a conversion therapy fund, it would be more appropriate to do so utilizing licensing fees for the healthcare practitioners who provide such therapy than for insurers making collections for the fund.

Finally, greatly extending or eliminating the statute of limitations regarding conversion therapy is of concern. It ensures that lawsuits will be filed in circumstances where essential evidence and witnesses' memories will have been lost to time, preventing necessary facts from being available to adequately adjudicate the claim. Reasonable statutes of limitations exist specifically to avoid such circumstances to ensure that evidence relevant to both claimant and defendant is available to help prove or disprove the claim.

For these reasons, APCIA urges the Committee to provide an unfavorable report on House Bill 1209.

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