

Tennessee bill may become grounds for LGBT discrimination



On Wednesday, April 27, 2016, Tennessee Governor Bill Haslam signed a [bill](#) into law

that effectively allows therapists in the state of Tennessee to discriminate against patients whose religious values conflict with their own.

The first amendment to bill HB 1840 states that “no counselor or therapist... shall be required to counsel or serve a client as to goals, outcomes, or behaviors that conflict with the sincerely held principles of the counselor or therapist.” Refusing to provide services may not result in civil cause of action or criminal prosecution, according to the bill.

The bill does state that the counselor or therapist must refer any patient to whom he/she refuses treatment to another therapist.

Political context

In the wake of an executive order signed by Louisiana Governor John Bel Edwards, which forbids employment discrimination against members of the LGBT community, HB 1840 seems to many like an affront to progress on the issue of LGBT civil rights. Like Bel Edwards, governors in Georgia, North Carolina, and Virginia have taken political action against LGBT discrimination.

The [American Counseling Association \(ACA\)](#) has been vocal in its disapproval of the legislation. “Not only does this law invalidate ACA’s code of ethics,” said CEO Richard Yep, “– making Tennessee the only state in the nation to do so – it limits the basic services clients have access to, many of whom live in rural areas with few alternatives.”

The organization expressed a commitment to fighting against similar legislation in other states, as well as working to ensure that “counselors who improperly or unethically refuse services to clients in need continue to be held accountable.”

Governor Haslam defended by bill by arguing that “it is reasonable to allow these professionals to determine if and when an individual would be better served by another counselor better suited to meet his or her needs.”

For more information/questions regarding any legal matters, please email info@nelsonhardiman.com or call 310.203.2800.