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## SCHOOL-BASED HEALTH CLINICS

Oregon parents and guardians have the primary right to guide the education and health care services their minor children receive. Parents/guardians are the final authority in deciding what is best for their children and have the right to expect full disclosure of any and all services, content and materials disseminated to their child while at school. Parents' Rights in Education (PRIE) advocates for these parental rights. These rights extend to those services received at a School-Based Health Clinic (Center) SBHC. Not only in Oregon, but across the country, parents, guardians and communities are expressing their concerns relating to the intrusion into the health care of their children through SBHCs.

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### What is a School-Based Health Clinic (SBHC)?

A school-based health clinic is a business operating within a school district which provides health care and mental health care to minors without parental knowledge or consent, and is funded with your tax dollars. The SBHC is NOT accountable to the school, administration, community or parents. They have access to a captive audience of children, on and off school grounds. They report only to the State Program Office (SPO) in Salem, Oregon. Students' medical records are under their control. School Based Health Clinic sponsors and proponents often deceive schools and communities by promising them that the clinic can be designed to reflect community values. This is proven to be untrue when examining the Standards for Certification document '*minimum requirements*' which must be followed in order for the clinic to receive funding.<sup>1</sup>

The questions below are intended to help parents and guardians protect the health and safety of their children while in school. Each question is preceded by a statement regarding what SBHCs can do to your child without your knowledge or consent and what parents/guardians should know about their School Board's duty and responsibility to control the educational environment for all students.

***A 'School Based Health Clinic/Center' can perform an Invasive Physical Exam on your child which may include a genital examination, such as 'Tanner Screenings'.<sup>2</sup> Injections and/or Insertions can be administered to your child at a SBHC without your knowledge or consent. Legal Definition of Invasive Physical Exam: "Any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, injection, insertion into body, but does not include a hearing, vision or scoliosis screening." An invasive exam can be done without parental consent or knowledge.<sup>3</sup>***

What is included in my child's wellness exam or sports physical—including any physical or mental screening? How and when will parents be notified of the scheduling of such exams and are parents offered the opportunity



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to opt their child out of these exams? Will parents be notified of their right to be present when their child is receiving a physical exam? Please provide accurate and complete information in writing, and in a timely manner.

What injections and/or insertions can a SBHC give my child without my knowledge or consent--on or off school property (*in the case of a SBHC referral*)? Specifically, to what agencies which may be off-school property can the SBHC refer my child? Please provide accurate and complete information in writing, and in a timely manner.

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***Reproductive services/contraceptive care can be accessed at any age...on or off school grounds. These services can include: IUD, abortion, Plan B (morning after pill) , LARCs (long-acting reversible contraceptive) or sterilization. <sup>4</sup>***

Specifically, what reproductive services/contraceptive care can be provided to my child at the SBHC, on or off school property? How can parents or the school board know whether or not there has been compliance with the **Informed Consent Law** <sup>5</sup> when a minor is injected with Depo Provera or any other contraceptive treatment? (**ORS 677.097**) What assurance does the school board or do parents have that school employees and/or SBHC employees are in compliance with the **Mandatory Reporter Law**? <sup>6</sup> Please provide accurate and complete information in writing, and in a timely manner.



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***Mental health evaluation and treatment are available at an Oregon SBHC without parental knowledge or consent at age 14 years. <sup>7</sup>***

How and when will I be informed if my child has accessed mental health services at the SBHC, or if my child has been referred to an off-school-property agency for mental health care? Please provide accurate and complete information in writing, and in a timely manner.

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***Gender Reassignment (sex change) including mental health counseling/transgender conditioning beginning at age 14; puberty blockers, chest binders, surgery/genital mutilation, voice coaching— at age 15, <sup>8,9,10,11,12</sup> can be provided or referred without parental knowledge or consent. Transgender Conditioning has been determined to be “child abuse” by the American College of Pediatricians (ACPeds) and by psychologists including Dr. Paul McHugh at Johns Hopkins Research Hospital.***

***The suicide rate and the attempted suicide rate does not change after minors or adults have gone through the ‘sex reassignment’ process.***



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Will the SBHC provide or refer students for these potentially dangerous, life altering services for my child without my knowledge or consent? What specific off school-ground agencies might be given access to my child for any gender or reproductive services for Oregon SBHCs? Please provide accurate and complete information in writing, and in a timely manner.

What SBHC mental health care treatment, standard or policy is in place to treat a minor for the mental trauma resulting from Transgender Conditioning or the trauma of having had an abortion as a result of a SBHC referral or any other abortion provider? What mental health treatment is provided for minors in order to learn of mental disorders which may be present before they are guided down the path of 'transgender conditioning'? Please provide accurate and complete information in writing, and in a timely manner.

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***SBHCs are exempt from civil liability should your child be harmed by services/treatment received at a SBHC. In 2013, Oregon's Senate Bill 491 exempted SBHCs from liability should your child be harmed while in their care.***<sup>11</sup>

Who is liable if my child is harmed as a result of services or treatment at a SBHC...School Board? Administration? Parents? Medicaid? Oregon Department of Education? Oregon Health Authority? What recourse do I have as a parent/guardian in such a case? Please provide accurate and complete information in writing, and in a timely manner.

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***It is the law, ORS 677.097, that minors who are accessing health care, including at an SBHC must give 'Informed Consent' . They must acknowledge having received, accurately and completely, the following information:***<sup>12</sup>

- 1. Description of treatment***
- 2. Alternative treatments available***
- 3. Description of any risks.***

***However, there is no way to know if the 'Informed Consent' law is being violated by SBHCs because they are not accountable to the school board or the public. They are not accountable to the parents/guardians of the children who are counseled, examined, treated or medicated Parents have the right to know if their child is being medically or mentally molested while in the care of the school. This surely falls under the purview, responsibility, duty and liability of the school board which makes all the decisions about what will or will not happen within their school district jurisdiction.***<sup>13</sup> ***Local control is essential.***

What is the SBHCs written policy that is in place for "Informed Consent" regarding possible side effects from insertion, injections, treatments, or transgender conditioning/counseling my child may receive at the SBHC? Please provide accurate and complete information in writing, and in a timely manner.

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***School-Based Health Clinics control my child's health records. A SBHC "must have a written policy/policies set forth and in place for release of information and/or access to medical records to parents when requested by parents."*** Section C.4 SBHC Standards<sup>14b</sup>

Who has access to my child's medical records; to whom are they given and how can I access them? Please provide the (required) Policy which allows parents access to their child's medical records. Please provide accurate and complete information in writing, and in a timely manner.

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***Superintendents were not hired, nor are they qualified to make health care decisions for my child. School Boards were not elected, nor are they qualified to make health care decisions for my child. Neither is qualified to approve nor has the legal right to hand off that important responsibility to others in the educational environment for which Boards and Administrators ARE responsible.*** <sup>14</sup>

Please provide the school district policy and/or law which allows strangers to usurp my parental right to make health care decisions for my child? Please provide accurate and complete information in writing, and in a timely manner.



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***Intrusive School Surveys: Healthy Teen Survey; Student Wellness Survey; School Climate Survey. Each school year, Oregon students in the 6th, 8th and 11th grade are asked to complete a survey with questions ranging from the student's drug and alcohol use, perceived sexual orientation, to suicide attempts and personal and family mental health. GLSEN (Gay Lesbian Straight Education Network) promotes their 'School Climate Survey' with the purpose of exposing any, according to GLSEN, 'unacceptable' criticism of LGBT students.***

***The results of any of these surveys can be interpreted and used to declare an urgent, but possibly unjustified, need for grant monies to address perceived problems. Drug and alcohol abuse are appropriate for assessment and prevention, but much of the survey content is developmentally inappropriate and an intrusion into student and family privacy. Perceived results of these surveys can be used to attempt to justify the need for a school-based health clinic. Each of these surveys is unscientific.*** <sup>15,16,17</sup>

Does your school district administer the Healthy Teen Survey, the Student Wellness Survey and/or the School Climate Survey? Does the school board make the decision to administer these surveys in an open meeting? Has each one of the school board members read all current surveys in their entirety before authorizing their implementation to students? How and when are parents notified when any of these surveys is scheduled? Is this notification given in a timely manner or are parents/guardians asked to sign an 'all-inclusive' permission slip at the beginning of the school year? Are parents provided an opt out form for their student? Please provide accurate and complete information in writing, and in a timely manner.

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***If you have a School Based Health Clinic operating in your school district, your school board will have voted to authorize its establishment. The school board has the duty and responsibility to evaluate the SBHC in their jurisdiction and to decide whether or not its 'contract' should be renewed. This decision cannot be made without accountability on the part of the SBHC. "A certified***



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**SBHC must renew its certification no later than October 1 each year via the program's online Operational Profile forms in order to remain certified." [Section A.2 (iv)(c)] 'Standards' doc.**

Please provide the contract or inter-agency agreement which authorizes a SBHC or Wellness Clinic in our school district, and any and all reports generated by the SBHC which are *contractually required* to be given to the school district. Did the school board members read and understand the entire contract, and are they familiar with the Oregon Health Authority's 'SBHC Standards for Certification' document? Has the SBHC been held accountable for contractual requirements, including any reports to be submitted to the school district? Please provide the minutes of the school board meeting in which the action was taken. How will the public be notified regarding the public meeting in which the certification renewal will be discussed and voted on? Please provide accurate and complete information in writing, and in a timely manner.

How are SBHC services being promoted or advertised in our schools? Posters? Health Fairs? Flyers? Classroom promotion? Are 'Peer Educators' part of any promotion or classroom presentations? Please provide accurate and complete information in writing and in a timely manner.

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***The school can sign your child up for Medicaid. This can occur even if your school district does not have a SBHC. Events such as 'Health Fairs', 'Healthfests' or similar school-sponsored events may also provide your child with health care, mental health care, or injections/immunizations without parental consent or knowledge.***

How can a SBHC sign my child up for Medicaid or offer/provide medical/dental or mental health services without my knowledge or consent? Is this done during school hours and/or at school sponsored events? How do you inform parents/guardians when this will be occurring? Please provide accurate and complete information in writing, and in a timely manner.

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***The Oregon Health Authority and pediatricians who are part of the "Patient Centered Primary Care Institute" are part of a concerted effort to establish minor children as the 'primary patient' in order to collect Medicaid monies or other insurance. Children are even encouraged to make their own health care appointments, and parents are sidelined. This is being done in a willful effort to avoid parental involvement. This effort was the focus of a September 23, 2014 Webinar entitled, 'Enhancing Adolescent Well-Visits: Getting Them In, Setting the Stage, and Implementing Strength & Risk Screening Tools.' Colleen Reuland, MS; Kristin Case, Multnomah County SBHC; and RJ Gillespie, OPIP, The Children's Clinic presented this webinar. <sup>18</sup>***

What is the (name of school and clinic sponsors) SBHC's role in this effort to establish minors as the 'primary patient' while excluding parents? What accountability and/or liability do the SBHC and the School District Board of Directors bear in this scheme? Please provide accurate and complete information in writing, and in a timely manner .



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***SBHCs may be accessed by adults who are not part of the school system. This can present a serious safety issue for students. An adult stranger can wait alongside your child in the school clinic or otherwise come in contact with students without parental or school staff knowledge.***

What policy or personnel are in place to keep students safe when adult strangers are on school grounds accessing the SBHC? Please provide accurate and complete information in writing, and in a timely manner.

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***Most communities have health clinics with operating hours which are convenient for access before or after school/work hours for family/child access to health care. (Urgent Care, etc.) This allows for quality, accessible and convenient health care and just as importantly, for essential parental control.***

Are there health clinics in the community which are available to provide family/child access to health care during, after or before school hours, and available after or before parent work hours so that parents can be in charge of their child's health care? Please provide accurate and complete information in writing, and in a timely manner.



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***The SBHC may be actively promoting their services to your child while in school, even in the classroom. This often includes instruction to the children that it is not necessary to inform their parents on the information they are receiving.***



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How are the SBHC services/treatments being promoted in your school? Are children being accessed by school or clinic staff at school events? In the classroom? In the school halls? In the parking lots at after-school activities? Are children being told they do not have to inform their parents regarding they may be receiving?

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***When asked in February, 2014, to support the claim that school-based health clinics improve academic achievement, raise graduation rates and lower absenteeism, interim SBHC director, Tammy Alexander, admitted that Oregon has no such data. SBHCs have been operating for over 25 years with no empirical data to support their claims of effectiveness.***

What empirical evidence does your school district have which assures them that the SBHC treating, medicating and counseling our children is necessary or effective? How much instruction/seat time is displaced while students take time to access the SBHC or access clinics/agencies to which they are referred? Please provide accurate and complete information in writing, and in a timely manner.



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***Quality control of health care providers and their record of treatment quality is very important when allowing providers access to touch, treat, medicate or counsel our children. Parents and guardians can access this information regarding providers when they (parents) are in control of their child's health care, but have no way of knowing the quality of the provider when they are sidelined from involvement as they are with a School-Based Health Clinic. [ The Oregon Medical Board monthly, 'Board Action Report' for healthcare licensee/provider quality control.] <sup>19</sup> (name of licensee, location of practice, status of disciplinary action for malpractice or other)***

What standard or policy is in place which assures the School Board and Administration of the quality of the health care providers operating in your SBHC? What information is specifically provided to parents/guardians which assures them that their children are being treated safely and legally, and by top quality providers? Are state health care provider records (Oregon Medical Board) regularly accessed for any malpractice or other issues regarding providers on or off school grounds? Please provide accurate and complete information in writing, and in a timely manner.

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**PRIE can provide an OPT-OUT form for parents who wish to opt their child out of accessing an SBHC. They have the right to deny the school or SBHC staff access to their child for treatment or counseling.** <sup>20</sup>

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## Conclusion

All parents and guardians want to know who has access to their children while in the care of their school. With virtually no accountability to the school board, administration, parents or community, a School-Based Health Clinic should not be allowed access to a captive audience of children. School-based health clinics are unnecessary and ineffective. They drive a wedge between parent and child, and between the school and the community they serve. Children and their families can access and receive quality health care in community based clinics or private clinics, which are open before and after school and/or work hours. Parents and guardians are the primary decision-makers for their child's health care and education. Since 1925, in the court case, *Pierce v. Society of Sisters, State of Oregon*, it has been determined that "The child is not the mere creature of the state...".

Parents and guardians need to be aware that SBHCs and schools nation-wide, are engaged in a collaborative effort to control children's health care through the public education system and without parental consent. They are further aided by state legislators who enact laws at the behest of state agencies and special interest non-profits to diminish parental rights. One of their goals has been to enact laws that transfer the health care decisions of your child from you to your child. "Minor Rights" do not trump parents' legal rights. SBHCs are also signing your child up for Medicaid often without parental knowledge or consent.

Parents can expect, in a timely manner, answers to any and all of the questions posed in this document. Parents have the right to expect complete disclosure of any and all materials, medical treatment, mental treatment or counseling given or offered to their children while in the care of the school. Parental involvement is the key to student success.

Parents have the right to insist on accountability and transparency from any agency or business operating within their school's jurisdiction.

A list of parental legal rights, Federal Rights, Constitutional Rights and Oregon State Statutes are provided in this document's Resources/References <sup>14a</sup>

## Definitions

**U.S. Code (USC):** federal statutes from bills passed by Congress

**Code of Federal Regulations (CFR):** regulations enacted through rulemaking by federal agencies

**Oregon Revised Statutes (ORS):** state statutes from bills passed by the Legislature

**Oregon Administrative Rules (OAR):** regulations enacted through rulemaking by state agencies

## References



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## **Oregon Laws and Oregon Health Authority Documents/Publications which endanger health and safety of children marked in RED**

1. **Oregon Health Authority's 'Oregon SBHC Standards for Certification' document**  
<https://public.health.oregon.gov/HealthyPeopleFamilies/Youth/HealthSchool/SchoolBasedHealthCenters/Documents/CertificationStandards2014.pdf>
2. **Tanner Screening 'Stages' (document with illustrations)** <http://healthvermont.gov/family/toolkit/tools%5CJ-1%20CARD%20Tanner%20Stages.pdf>
3. New York parents testimony regarding 'Tanner Screenings'-- invasive exams for children (video)  
<http://wivb.com/2014/04/29/parents-question-sexually-invasive-physical-exams-in-schools/>
4. **CCare (Contraceptive Care—Oregon Health Authority) Valentine Cards (and related CCare recommendation to "use all year"** <http://www.parentsrightsined.net/perch/resources/3.-screenshot-2014-05-12-20.22.36-1.png>
5. Informed Consent Law: ORS 677.097 <http://www.oregonlaws.org/ors/677.097>
6. Mandatory Reporter Law (Oregon House Bill 2059 [2009]: In addition to 'Mandatory Reporters', "All citizens have a responsibility to protect those who cannot protect themselves. Members of the general public may report suspected abuse and neglect if they choose." 1-855-5030SAFE (7233)  
[http://www.oregon.gov/DHS/abuse/Pages/mandatory\\_report.aspx](http://www.oregon.gov/DHS/abuse/Pages/mandatory_report.aspx)  
Oregon Minor Consent to Sex Law <http://www.oregonlaws.org/ors/163.315>
7. **Minor Rights: Access and Consent to Health Care-- Not a legal document**  
<http://www.oregonlaws.org/ors/109.640>  
<http://www.oregonlaws.org/ors/109.675>  
<http://www.oregonlaws.org/ors/109.610>
8. American College of Pediatricians <https://www.acpeds.org/>
9. Walt Heyer's website ( includes list of his books and publications for helping gender-confused)  
<http://www.sexchangeregret.com>
10. Health Evidence Review Commission (HERC) <http://www.oregon.gov/oha/herc/FactSheet/gender-dysphoria.pdf>
11. **Oregon Senate Bill 491 (2013) (Exempting SBHCs from liability for harming minors)**  
<https://olis.leg.state.or.us/liz/2013R1/Downloads/MeasureDocument/SB491>
12. Informed Consent Law <http://www.oregonlaws.org/ors/677.097>
13. Oregon School Boards' Duty and Responsibility <http://www.oregonlaws.org/ors/332.072>
- 14a. Parental/Guardian Legal Rights <http://www.parentsrightsined.net/perch/resources/201504even-the-law-recognizes-parents-know-beststatuessb.pdf>
- 14b. <https://public.health.oregon.gov/HealthyPeopleFamilies/Youth/HealthSchool/SchoolBasedHealthCenters/Documents/CertificationStandards2014.pdf>



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15. Oregon Health Authority's 'Healthy Teen Surveys'

<https://public.health.oregon.gov/BirthDeathCertificates/Surveys/OregonHealthyTeens/Documents/2015/2015%20OHT%20Survey%20-%20Grade%208.pdf>

<https://public.health.oregon.gov/BirthDeathCertificates/Surveys/OregonHealthyTeens/Documents/2015/2015%20OHT%20Survey%20-%20Grade%2011.pdf>

16. Oregon Health Authority's 'Student Wellness Survey' <https://oregon.pridesurveys.com> (see 'questionnaire')

17. Gay Lesbian Straight Education Network's (GLSEN) 'School Climate Survey' (we need to scan in)

18. **September 23, 2014 Webinar: 'Enhancing Adolescent Well-Visits: Getting Them In, Setting the Stage, and Implementing Strength & Risk Screening Tools'**

[https://www.youtube.com/watch?v=nzZcr\\_p8w0&feature=youtu.be](https://www.youtube.com/watch?v=nzZcr_p8w0&feature=youtu.be)

19. Oregon Medical Board monthly 'Board Action Report' for healthcare licensee/provider quality control.

<https://techmedweb.omb.state.or.us/Clients/ORMB/Public/VerificationRequest.aspx> (name of licensee, location of practice, status of disciplinary action for malpractice or other)

## Resources

Child Protection League Action <http://www.cplaction.com>

Dr. Miriam Grossman website <http://www.miriamgrossmanmd.com/>

Dr. Miriam Grossman 'Shocked' (1st chapter of 'You're Teaching My Child What?!')

<http://parentsrightsined.net/perch/resources/youre-teaching-my-child-whatchapter-02shocked.pdf>

'The War On Children' documentary (Includes 'Oregon Story' by Parents Rights In Education) Documentary:

<http://www.comprehensivesexualityeducation.org/>

HIPAA Law <https://www.hhs.gov/hipaa/for-professionals/privacy/laws-regulations/>

FERPA Law <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

CDC report, 2015 Sexually Transmitted Disease/Infection rise in homosexuals and

Sexual Rights groups <http://www.cdc.gov/nchhstp/newsroom/2015/std-surveillance-report-press-release.html>

Walt Heyer's website ( includes list of his books and publications for helping gender-confused)

<http://www.sexchangeregret.com>

Walt Heyer's Blog [www.waltheyer.com](http://www.waltheyer.com)

Alliance Defending Freedom; Student Physical Privacy Policy

[www.adfmedia.org/files/studentphysicalprivacypolicy.pdf](http://www.adfmedia.org/files/studentphysicalprivacypolicy.pdf)

Sex Abuse Survivors testimony re: 'Safe Bathrooms' (video)

[www.adflegal.org/safe-bathrooms](http://www.adflegal.org/safe-bathrooms)

Planned Parenthood's Sex Ed: Bad for teens; bad for parents

<http://liveactionnews.org/planned-parenthood-bad-teens-parents/>

Dr. Paul McHugh's article (Transgender conditioning NEVER appropriate for



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Children, and is 'Child Abuse') <http://www.cnsnews.com/commentary/j-matt-barber/american-college-pediatricians-transgender-conditioning-child-abuse>

Questions for School Administrators'

<https://illinoisfamily.org/education/questions-for-schools-on-transgender-policies-and-practices/>

Study Shows That Giving Condoms Results In More Teen Births, Not Less

[www.caffeinatedthoughts.com/2016/06/free-condoms-in-school](http://www.caffeinatedthoughts.com/2016/06/free-condoms-in-school)

[www.vox.com/2016/6/15/11925792/school-condoms-teen-births](http://www.vox.com/2016/6/15/11925792/school-condoms-teen-births)

**Oregon Senate Bill 856 (2015) (Mandating sex abuse recognition and prevention program for K-12- students and adults)**

<https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/SB856/Enrolled>

**Oregon House Bill 2307 (2015) ( Prohibiting 'reparative therapy for minors)**

<https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB2307/Introduced>