



## Legislation Details

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<b>File #:</b>	15-1668	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Passed	
<b>File created:</b>	6/2/2017	<b>In control:</b>		City Council	
<b>On agenda:</b>	6/21/2017	<b>Final action:</b>		7/19/2017	
<b>Enactment date:</b>		<b>Enactment #:</b>		15382	

**Title:** Bill 40 Committee of the Whole, forwarded favorably Amending Part III, Business Regulation and Taxation Code, Title One Businesses and Licensing Code, of the City of Allentown Code by Creating Article 320, Appropriate Mental Health Services, which would prohibit licensed professionals from engaging in counseling, practices, or treatments that seek to change a minor's sexual orientation or gender identity.

AMENDMENT: Add a new section 320.04 entitled: Enforcement: Investigation of Complaints of Violation, Notice and Hearing to read as follows and lettering the current existing paragraph d (copies of the amended version are at the back of the room and on the website).

(a) There is hereby established a Complaint Administrator to investigate complaints for the violation of Section 320.02 of this Ordinance. A Licensed Mental Health Professional shall be nominated by the Mayor and confirmed by City Council to serve in this capacity.

(b) Neither the Complaint Administrator nor the Appropriate Mental Health Services Appeals Board, established under Section 320.05 of this Ordinance, shall have the ability to compel the production of records or any materials that are made confidential by federal or state law or that are protected from disclosure by a lawful privilege, unless a valid waiver of the privilege is made.

(c) The Complaint Administrator and the Appropriate Mental Health Services Appeals Board, established under Section 320.05 of this Ordinance, shall not divulge confidential or privileged information that is disclosed during the Enforcement process under this Section 320.04 to anyone outside the Enforcement process.

(d) Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing conducted by an appeals board. The notice shall be mailed, postage prepaid, to the licensee at the licensee's last known address at least five days prior to the date set for hearing.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Bill 40 Appropriate Mental Health Ordinance, 2. Bill 40 - Amended Version, 3. Legal Memo Bill 40, 4. LRS 2017-045 Continuation- Explanation for Need of Amendments, 5. National Task Force Letter to Legislators on FTC Complaint - June 5 2017, 6. Letter-Pennsylvania Psychiatric Society, 7. Letter-KidsPeace, 8. Ordinance #15382

Date	Ver.	Action By	Action	Result
7/19/2017	1	City Council	approved	Pass
7/12/2017	1	City Council	recommended for approval	Pass