

Resolution 26-109
Prioritizing Child Safety in Custody Decisions
FMA Medical Student Section

Whereas, Parental Alienation (PA), rooted in the discredited Parental Alienation Syndrome (PAS) theory developed by Dr. Richard Gardner, describes a child's rejection of one parent allegedly caused by the other's manipulation; though integrated into custody litigation to prevent irrational parental rejection, research shows PA is frequently invoked to undermine abuse allegations, often resulting in custody awards to allegedly abusive parents and serious harm to children, including anxiety, depression, PTSD, and suicidality;^{1,2,4,14,15,16,21} and

Whereas, Family court-ordered reunification treatment and camps like Turning Points for Families emerged based on PAS and forcibly isolate children until they convincingly show affection for the alienated parent—frequently an alleged abuser—while denying discussions of past abuse, prohibiting contact with their preferred parent, and dismissing their trauma as false or due to brainwashing;^{8,9,10} and

Whereas, Reunification treatment and camps lack empirical support for their effectiveness and have raised significant ethical concerns regarding the psychological well-being of children subjected to these interventions;¹⁵ and

Whereas, In response, multiple states—including Arizona, California, Colorado, Pennsylvania, and Utah—have passed laws limiting or banning reunification programs, in alignment with the federal *Keeping Children Safe From Family Violence Act* (“Kayden’s Law”), which incentivizes states to enact legislation that protects children from harmful custody proceedings like reunification programs;^{11,12,13,17,18,19,20} and

Whereas, Florida’s own data underscore the urgency: in 2023, Florida reviewed 237 child fatalities; in 2020, over 106,000 domestic violence crimes were reported, a figure that has since increased; and unlike five other states, Florida has no statute regulating court-ordered reunification therapy, leaving children without evidence-based protections where abuse has been alleged;²² and

Whereas, Major medical and legal institutions—including the United Nations Human Rights Council, the American Psychiatric Association, the American Psychological Association, and the World Health Organization—have rejected PAS as a valid diagnosis or scientific concept due to lack of evidence, and it is not included in the DSM-5;^{3,4,5,6} and

Whereas, The National Council of Juvenile and Family Court Judges advised under evidentiary standards that family courts not accept PAS as testimony in custody cases;⁷ therefore be it

RESOLVED, That our Florida Medical Association (FMA) support efforts to strengthen child custody laws and judicial practices in a manner that prioritizes the safety, well-being, and best interests of children in cases involving allegations or findings of family violence, including but not limited to the use of qualified expert testimony, evidence-based assessment and intervention practices, trauma-informed training for judicial and related professionals, and meaningful consideration of documented histories of abuse, coercive control, and domestic violence in child custody determinations.

Fiscal Note:

Description	Amount	Budget Narrative
5 Staff hours	\$475	Can be accomplished with current staff
Total	\$475	\$0 added to the operating budget

Fiscal notes are an estimate of the cost to implement a given Resolution. All Resolutions that are adopted by the House of Delegates will be referred to the FMA Committee on Finance and Appropriations for fiscal consideration.

Reference Committee: I – Health, Education, and Public Policy

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RELEVANT FMA POLICY

P 90.017 Penalties for Caretakers Withholding Information from Physicians/Health Care Professionals Caring for a Child

The Florida Medical Association supports legislation that would make it a crime for caretakers to purposely withhold and/or provide false or misleading information to treating physicians/health care professionals regarding the true nature of a child's injury or condition. (Res 12-313, HOD 2012) (Reaffirm HOD 2022)

P 90.026 Direct Access by Child Abuse Pediatricians to Patient Care

The Florida Medical Association supports legislation to allow Child Abuse Pediatricians to be directly consulted by hospital medical teams concurrently with statutorily required DCF notification. (Res 23-316, HOD 2023)

P 420.042 Trauma-Informed Care Learning Communities

The Florida Medical Association recognizes that there is a significant relationship between cumulative Adverse Childhood Experiences and numerous health, social, and behavioral problems throughout a person's lifespan, including substance use disorders and premature death; the FMA encourages communities in Florida to adopt the principles and practices of trauma-informed care learning prevention and intervention programs. (Res 17-102, HOD 2017) (Reaffirmed HOD 2025)

RELEVANT AMA POLICY

Family and Intimate Partner Violence H-515.965

Our AMA (1) believes that all forms of family and intimate partner violence (IPV) are major public health issues and urges the profession, both individually and collectively, to work with other interested parties to prevent such violence and to address the needs of survivors. Physicians have a major role in lessening the prevalence, scope and severity of child maltreatment, intimate partner violence, and elder **abuse**, all of which fall under the rubric of family violence. To support physicians in practice, our AMA will continue to campaign against family violence and remains open to working with all interested parties to address violence in US society.

Within the larger community, our AMA (4)... believes that state and county medical societies should convene or join state and local health departments, criminal justice and social service agencies, and local school boards to collaborate in the development and support of violence control and prevention activities. [CSA Rep. 7, I-00; Reaffirmed: CSAPH Rep. 2, I-09; Modified: CSAPH Rep. 01, A-19; Modified: Speakers Rep. 02, I-24]

Promoting Physician Awareness of the Correlation Between Domestic Violence and Child Abuse D-515.982

Our American Medical Association will work with members of the Federation of Medicine and other appropriate organizations to educate physicians on (1) the relationship between domestic violence and child **abuse** and (2) the appropriate role of the physician in treating patients when domestic violence and/or child **abuse** are suspected. [Res. 415, A-09; Reaffirmed: CSAPH Rep. 01, A-19]

Child Protection Legislation H-60.948

The AMA opposes **legislation** that would: (1) hinder, obstruct or weaken investigations of suspected child and adolescent abuse, and (2) hamper or interfere with **child protection** statutes. [Sub. Res. 219, I-97; Reaffirmed: BOT Rep. 33, A-07; Reaffirmed: BOT Rep. 22, A-17]

Youth Residential and Other Treatment Program Regulation H-60.896

1. Our American Medical Association recognizes the need for licensing standards for all youth residential treatment facilities (including private and juvenile facilities) as well as other treatment facilities (including wilderness therapy programs and other programs aimed at treating behavioral and mental health issues in youths) to ensure basic safety and well-being standards for youth.
2. Our AMA supports recommendations including, but not limited to, patient placement criteria and clinical practice guidelines, as developed by nonprofit health care medical associations and specialty societies, as the standard for regulating youth residential treatment and other relevant youth programs.
3. Our AMA a) opposes the use of any non-evidence-based therapies, and any abusive measures, in Youth Residential and Other Treatment Programs, b) supports that only appropriately qualified and certified child and adolescent medical and mental health professionals provide clinical services to participants, and c) supports oversight and review by licensed physicians, mental health professionals, and any other appropriate healthcare professionals.
4. Our AMA supports efforts to improve information sharing between states on promising practices for preventing and addressing maltreatment in residential facilities.