

TESTIMONY IN OPPOSITION TO HB 1430

Jamie Belgarde, LMSW

Chairman Ruby and Members of the Human Services Committee:

My name is Jamie Belgarde. I am an enrolled member of the Mandan, Hidatsa, and Arikara Nation. I am a descendant of the Turtle Mountain Band of Chippewa Indians. I am a licensed Master of Social Work, and I am employed at the Turtle Mountain Recovery Center located in Belcourt, North Dakota. **I am strongly opposed to HB 1430 because it does not align with the cultural beliefs of Native American people and could potentially cause further harm on the identity of Native American youth.**

HB 1430 states it is NOT an ethical violation to offer a treatment plan or counseling plan that aligns with heterosexuality or the individual's biological sex. This practice does not align with the cultural beliefs of Native Americans on gender and sexual expression.

A term commonly known amongst Native American/Alaskan Native people to describe a person's gender identity and/or sexual orientation is called "two-spirit". Two-spirited people can be described as male, female, or intersex. Two-spirited people can also identify as straight, gay, bisexual, transgender, or non-binary. The identity of two-spirited people has been an acceptable identity within the Native American culture. Individuals that identify as two-spirited continue to experience challenges with the colonial view on gender and sexual expression.

Native American people have faced abuse, oppression, and persecution for practicing their cultural traditions. From 1883 to 1978, the United States government made it illegal for Native Americans to practice their cultural traditions and ceremonial customs. Because of this persecution against traditional practices, many tribes lost the language of their ancestors as well as the ceremonial customs that would have been passed down from generation to generation.

Not honoring Native American culture would go against the social work core value of cultural competency. It is the social workers responsibility to learn about the culture of the populations that they serve, and to find culturally relevant practices that align with the Indigenous cultural beliefs. Historically, Native American people have had their identity forcefully stripped away and altered to fit into a more "acceptable" mold dictated by a colonialistic idea. Native Americans were stolen from their families and were forced into boarding schools where their entire identity was violently removed and recreated to fit into dominant society. "Kill the Indian, Save the Man" is a well-known slogan from this egregious time period. The residual negative impacts of this era are still being felt today by Indigenous people.

Increased reports of mental health issues amongst Native American populations compared to their counterparts have been identified in a wide array of research studies. There are disproportional rates of Native American youth and adolescents in studies related to suicide and suicide ideation. These numbers have steadily been increasing over recent years at astonishing rates.

In 2021, the ND Board of Social Work Examiners deemed the forms of counseling practices or treatments mentioned in HB 1430 as ethical violations for social workers under the Administrative Code 75.5-02.06.1-01. Because of this decision from the NDBSWE and my cultural background, I respectfully urge the Committee to vote **Do Not Pass** on HB 1430.

Thank you for your consideration,

Jamie Belgarde, LMSW