



2025 HB 1430
Senate Human Services Committee
Senator Judy Lee, Chairman
March 11, 2025

Madam Chairman Lee and members of the Senate Human Services Committee, I am Melissa Hauer, General Counsel/VP, of the North Dakota Hospital Association (NDHA). I testify in opposition of House Bill 1430 and ask that you give the bill a **Do Not Pass** recommendation.

The bill defines conversion therapy as any treatment with the goal of changing the sexual orientation or gender identity of an individual, including medication, psychotherapy, electroshock therapy, and aversion therapy. The amended bill provides contradictory statements about whether conversion therapy may be conducted by social workers. It first provides that it is an ethical violation for a social worker to conduct conversion therapy. The bill then goes on to state that it is not an ethical violation for a social worker to offer an individual questioning the individual's sexuality or gender a treatment plan or counseling plan that aligns with heterosexuality or the individual's biological sex licensed. It would purportedly allow a clinical social worker to counsel an individual who is questioning their sexuality or gender and wants to align their sexuality or gender with the individual's personal or spiritual beliefs. In other words, conversion therapy is acceptable as long as the individual being treated claims to want it.

There are numerous studies that have concluded that conversion therapy is not only ineffective but often harmful to the patient. A significant Cornell University study¹ reviewed 47 peer-reviewed studies and concluded "... there is no credible evidence that sexual orientation can be changed through therapeutic intervention." And further, "There is also powerful evidence that trying to change a person's sexual orientation can be extremely harmful. Taken together, the overwhelming consensus among psychologists and

¹ <https://whatweknow.inequality.cornell.edu/topics/lgbt-equality/what-does-the-scholarly-research-say-about-whether-conversion-therapy-can-alter-sexual-orientation-without-causing-harm/>

psychiatrists who have studied conversion therapy or treated patients who are struggling with their sexual orientation is that therapeutic intervention cannot change sexual orientation.”

[According to a study](#) published in 2022 in the medical journal JAMA Pediatrics which analyzed 28 earlier studies about conversion therapy, the practice has been discredited by every major professional mental health association. The assumption that someone’s sexual orientation or gender identity can be changed is not based on medical or scientific evidence.² In fact, the practice can lead to serious harm. The study found that people who undertook conversion therapy had serious psychological distress, had significantly higher rates of substance use problems and depression, and attempted suicide more.

These treatments not only are associated with psychological harm but also violate the Code of Ethics of the National Association of Social Workers. The National Association of Social Workers (NASW) specifically states that sexual orientation, gender identity, and gender expression are irrefutable forms of identity and therefore condemns all forms of conversion practices. Further, NASW states: “These practices stand in direct conflict with NASW’s professional code of ethics, and these practices represent a significant risk of harm by subjecting individuals to forms of treatment.”³

The bill’s stated reason for allowing this treatment – an individual’s spiritual or personal beliefs – is not an acceptable reason to deviate from the underlying science that informs professional practice nor the ethical code that governs professional practice in behavioral health. The bill states, as a condition of engaging in such treatment, a social worker “shall ensure the practice or treatment is in alignment with the individual’s self-determination.” It appears this is referring to a situation where an individual is dissatisfied with his or her gender or sexuality and seeks treatment with the purpose of changing that sexual orientation. The bill attempts to define this approach to treating patients as acceptable if it aligns with the patient’s personal or spiritual beliefs. Personal or spiritual beliefs, however, do not allow a professional to deviate from the standard of practice of a profession or engage in a practice that professional ethics code prohibits.

² [American Medical Association.](#)

³ <https://www.socialworkers.org/Practice/LGBTQIA/Sexual-Orientation-and-Gender-Diversity>

Mainstream mental health and medical associations have reached a consensus that conversion therapy is harmful and should not be practiced. In addition to NASW, organizations that have formally rejected the practice include: American Academy of Child and Adolescent Psychiatry⁴; American Academy of Pediatrics⁵; American Medical Association⁶; and the American Psychoanalytic Association⁷.

The unfounded misconception of sexual orientation and gender identity “conversion” persists today. Not only is the practice ineffective at achieving its declared goals, but evidence shows that conversion therapy can be harmful, increasing suicidal behaviors and causing significant psychological distress, anxiety, self-blame, intrusive imagery and sexual dysfunction. Treatment should emphasize nonjudgmental recognition of and respect for patients' sexual orientations, sexual behaviors, and gender identities which are essential elements in rendering optimal patient care. This recognition is especially important to address the specific health care needs of people who are or may be LGBTQ since they often experience disparities in access to care, as well as an already heightened risk for depression, suicide, domestic violence and victimization.

For these reasons, we oppose the bill and hope that you will give it a **Do Not Pass** recommendation. Thank you.

Respectfully Submitted,

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4 American Academy of Child & Adolescent Psychiatry, *Conversion Therapy*, (Feb. 2018), https://www.aacap.org/AACAP/Policy_Statements/2018/Conversion_Therapy.aspx.

5 American Academy of Pediatrics, *Ensuring Comprehensive Care and Support for Transgender and Gender-Diverse Children and Adolescents*, 142 *Pediatrics* (Aug. 2023), <https://publications.aap.org/pediatrics/article/142/4/e20182162/37381/Ensuring-Comprehensive-Care-and-Support-for?autologincheck=redirected>.

6 American Medical Association, *Advocating for the LGBTQ Community*, <https://www.ama-assn.org/delivering-care/population-care/advocating-lgbtq-community> (last visited July 26, 2024).

7 American Psychoanalytic Association, *American Psychoanalytic Association Denounces Court Decision on Conversion Therapy*, (Nov. 25, 2020) <https://apsa.org/wp-content/uploads/2022/10/Conversion-Therapy-Statement-1.pdf>.