

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

ENGROSSED HOUSE BILL NO. 1430

Introduced by

Representatives VanWinkle, K. Anderson, Bolinske, Christianson, Frelich, Hoverson, Kasper,
Koppelman, Louser, Heilman

Senators Paulson, Castaneda

- 1 A BILL for an Act to create and enact a new section to chapter 43-41 of the North Dakota
2 Century Code, relating to the regulation of social workers.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 43-41 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Ethics - Caring for individuals questioning sexuality or gender identity.**

7 1. ~~For purposes of this section, "conversion therapy" means any treatment with the goal~~
8 ~~of changing the sexual orientation or gender identity of an individual. The term~~
9 ~~includes medication, psychotherapy, electroshock therapy, and aversion therapy.~~

10 ~~2. It is an ethical violation for a licensee to conduct conversion therapy.~~

11 ~~3. It is not an ethical violation for a licensed clinical social worker to counsel a licensee to~~
12 ~~offer an individual who is questioning their the individual's sexuality or gender and~~
13 ~~wants to align their sexuality or gender a treatment plan or counseling plan that aligns~~
14 ~~with heterosexuality or the individual's personal or spiritual beliefs biological sex.~~

15 4.2. As a condition of engaging in practices or treatment under this section, a licensee:

16 a. ~~Shall ensure the practice or treatment is in alignment with the individual's self-~~
17 ~~determination;~~

18 ~~b. Shall disclose to the individual being treated the nature of the treatment or~~
19 ~~practices; and~~

- 1 | e.b. Must have received authorization from the individual being treated, or that
- 2 | individual's parent or guardian, to engage in the practices or treatments.

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4 **SECTION 1.** A new section to chapter 43-41 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Ethics - Caring for individuals questioning sexuality or gender identity.**

- 7 1. It is not an ethical violation for a licensee to offer an individual questioning the
8 individual's sexuality or gender a treatment plan or counseling plan that aligns with
9 heterosexuality or the individual's biological sex.
- 10 2. As a condition of engaging in practices or treatment under this section, a licensee:
11 a. Shall disclose to the individual being treated, or that individual's parent or
12 guardian, the nature of the treatment or practices; and
13 b. Must have received authorization from the individual being treated, or that
14 individual's parent or guardian, to engage in the practices or treatments.