



TESTIMONY on HB 1332
from the
NATIONAL ASSOCIATION OF SOCIAL WORKERS—NORTH DAKOTA CHAPTER
to the
ND House Human Services Committee
January 24, 2023

Chairman Weisz and members of the House Human Services Committee:

The Board of Directors and Advocacy Committee of the NASW-ND submit this testimony in opposition to House Bill 1332. We appreciate the opportunity to share our perspective.

The North Dakota Chapter of the National Association of Social Workers (NASW-ND) is a membership association representing social workers in the state of North Dakota. The mission of NASW-ND is to strengthen and protect the practice of social work in North Dakota and to advance sound and equitable social policy. Our opposition to HB 1332 is solidly grounded in our organization’s mission.

NASW-ND strongly opposes HB 1332 for the following reasons:

1. In 2021, the ND Board of Social Work Examiners added the following language to Administrative Code 75.5-02-06.1-01: “... *it is a violation of the code of ethics for a social worker licensed by the board to engage in any practices or treatments that attempt to change or repair...sexual orientation or gender identity...*”¹ [i.e., “conversion or reparative therapies”].

HB 1332 asserts that it is ***not*** an ethical violation for social workers to engage in the pseudotherapy commonly called “conversion therapy” or “reparative therapy.” Since none of the sponsors of the bill are social workers (according to their legislative biographies), they are presuming to know and understand the nature and standards of ethical social work practice. They are wrong in their presumption. **It *is* an ethical violation for licensed social workers to engage in “conversion or reparative therapies” for the following reasons:**

- a. ***“Conversion or reparative therapy” is an ineffective pseudotherapy.*** Peer reviewed studies indicate that there is no credible evidence that “conversion therapies” are effective in changing sexual orientation.² Given the evidence against the efficacy of “conversion therapies,” if licensed social workers practice “conversion therapies,” they may be held legally liable for its ineffectiveness given that “conversion therapies” violate the social work profession’s code of ethics and standard of care (because these “therapies” are ineffective and harmful). HB 1332 essentially asks social workers to ignore their profession’s ethical and clinical standards of practice.
- b. ***“Conversion or reparative therapy” is a dangerous pseudotherapy.*** Valid and reliable studies show that “conversion therapies” are actually harmful, demonstrating an association between the experience of “conversion therapy” and adverse health effects such as anxiety, depression, suicidal ideation, and suicide attempts.^{3, 4}
- c. ***“Conversion or reparative therapy” is a discredited pseudotherapy.*** The National Association of Social Workers was one of the first mental health associations to condemn this discredited activity. All major U.S. mental health and medical associations including, but not limited to, the American Academy of Pediatrics, the American Medical Association, the American Psychiatric Association, and the American Psychological Association publicly recognize the dangers of sexual orientation and gender identity change efforts.^{5, 6}

2. **HB 1332 is an attack on the education, judgment, and practice of licensed professional social workers in North Dakota.** Trained, licensed, and experienced social workers, not legislators, are best able to determine the nature of effective and ethical social work practice. The North Dakota Board of Social Work Examiners and the North Dakota Chapter of the National Association of Social Workers both acknowledge the dangerous and unethical nature of “conversion or reparative therapy” and both consider it unethical social work practice.

3. **HB 1332 countermands the legislative rulemaking process.** The bill will overturn a portion of North Dakota [Administrative Code 75.5-02-06.1-01](#). On June 8, 2021, testimony was given by the ND Board of Social Work Examiners to the ND Legislative Rules Committee in support of this section of the Administrative Code. On that day, a majority of the Administrative Rules Committee voted in favor of this

Administrative Code section. This bill to make an “end run” around the Administrative Rules Committee undermines the orderly function and credibility of the legislative process itself.

The NASW-ND respectfully requests that members of the House Human Services Committee vote Do Not Pass on this bill.

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Notes:

¹ [Code of Ethics](#)

² [Research on "conversion therapies"](#)

³ [Summary of findings on "conversion therapy"](#)

⁴ [Ending "Conversion Therapy"](#)

⁵ [Lies and Dangers of "Reparative Therapy"](#)

⁶ [American Psychological Association](#); [American Psychiatric Association](#)