

**Testimony**  
**Administrative Rules Committee**  
**of the**  
**North Dakota Legislative Council**  
**Representative Bill Devlin, Chairman**  
**Tuesday, June 8, 2021**

Chairman Devlin and members of the committee, my name is Bianca Bell, and I am the Chair of the North Dakota Board of Social Work Examiners (Board). I am here today representing the North Dakota Board of Social Work Examiners. I am here today to seek approval for a proposed amendment to 75.5-02-06.1.

On March 05, I appeared before the committee seeking approval for rule changes prompted by the 2019 legislative session. Prior to the close of the meeting, it was decided that a portion of the proposed changes would be held over by the committee. At that time the board was asked to work with the committee's Legal Division Director to make recommended changes to the wording of the proposed amendments.

On March 24, 2021, the board held a Special Meeting to discuss changes recommended by the committee specifically removing the sentence "It is also a violation of the code of ethics..." and changing the sentence to read "In addition to the ethical responsibilities under the national association of social workers 2017 code of ethics, it is an ethical violation...".

The board has agreed to adopt the changes recommended by the committee and is here today to seek approval for the proposed amendment.

- **Section 75.5-02-06.1. Ethical responsibilities to clients**, is amended to include.

In addition to the ethical responsibilities under the national association of social workers 2017 code of ethics, it is an ethical violation for a social worker licensed by the board to engage in any practices or treatments that attempt to change or repair the sexual orientation or gender identity of lesbian, gay, bisexual, transgender, and questioning individuals, commonly referred to as conversion or reparative therapy.

As used in this section, "conversion or reparative therapy" means any practices or treatments that seek to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion or reparative therapy does not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

Thank you for your time. This concludes my testimony, and I will stand for any comments you may have.

Prepared by:  
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## CHAPTER 75.5-02-06.1 CODE OF ETHICS

### Section

75.5-02-06.1-01 Ethical Responsibilities to Clients

75.5-02-06.1-02 Ethical Responsibilities to Colleagues [Repealed]

75.5-02-06.1-03 Ethical Responsibilities in Practice Settings [Repealed]

75.5-02-06.1-04 Ethical Responsibilities as Professionals [Repealed]

75.5-02-06.1-05 Ethical Responsibilities to the Social Work Profession [Repealed]

### **75.5-02-06.1-01. Ethical responsibilities to clients.**

The board adopts the national association of social workers 2017 code of ethics.

In addition to the ethical responsibilities under the national association of social workers 2017 code of ethics, it is an ethical violation for a social worker licensed by the board to engage in any practices or treatments that attempt to change or repair the sexual orientation or gender identity of lesbian, gay, bisexual, transgender, and questioning individuals, commonly referred to as conversion or reparative therapy.

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**History:** Effective April 1, 1998; amended effective April 1, 2021.

**General Authority:** NDCC 43-41-09

**Law Implemented:** NDCC 43-41-09

### **75.5-02-06.1-02. Ethical responsibilities to colleagues.**

Repealed effective April 1, 2021.

### **75.5-02-06.1-03. Ethical responsibilities in practice settings.**

Repealed effective April 1, 2021.

### **75.5-02-06.1-04. Ethical responsibilities as professionals.**

Repealed effective April 1, 2021.

### **75.5-02-06.1-05. Ethical responsibilities to the social work profession.**

Repealed effective April 1, 2021.