



Ms. Gloria Canseco, Presiding Officer
Mr. Darrel D. Spinks, Executive Director
Texas Behavioral Health Executive Council
333 Guadalupe St., Ste. 3-900 Austin, TX 78701
Via email to General@bhec.texas.gov

Dear Ms. Canseco and Mr. Spinks,

As national organizations committed to ending legislation, policies and rules that discriminate against certain groups or classes of people - we write to you to voice our deep objection to the action of the Behavioral Health Executive Council and the State Board of Social Work Examiners that stripped protections for lesbian, gay, bisexual, transgender, and queer (LGBTQ) citizens and people with disabilities from the social work code of conduct.

The [American Psychological Association \(APA\)](#), [Family Equality](#), the [National Association of Social Workers \(NASW\)](#) and the [Center for Disability Rights \(CDR\)](#) are among the largest and leading national organizations in the fight against discrimination against vulnerable and under-protected people. Though the Texas decision to strip from the social work code of conduct's language explicitly written to shield LGBTQ and disabled people from discriminatory treatment was a local one, it has significant national implications. Over recent years, there have been far too many federal, state, and local governmental actions that were clearly designed to allow providers and agencies to selectively deny services to groups such as LGBTQ foster parents and the disabled. This represents a resurgence of discrimination we had thought was a relic of the past. Discriminatory policies that deprive LGBTQ people's rights and privileges available to heterosexual and cisgender people, or that fail to protect from potential bias or violence, are associated with increased stress levels that can result in harmful health outcomes.

The rationale for amending the Texas Social Work Code of Conduct decision is built on a shaky foundation. To justify removing anti-discrimination language from the code of ethics because its expressed prohibitions on discrimination against disabled and LGBTQ communities are *redundant* since these groups are protected by other laws and regulations is not supportable. A case in point is that the Civil Rights Act of 1964 does not expressly include LGBTQ people as a protected class. While the American Disabilities Act (ADA) and its amendments and the Rehabilitation Act provides comprehensive anti-discrimination protections for the disabled, there continues to be widespread biases directed at many people with physical, cognitive, intellectual disabilities, as well as mental illness.¹ We are concerned that the removal of these protections will negatively impact the health and wellbeing of these communities and discourage the utilization of mental health services and supports. Accordingly,

¹ Sue, D. W. (Ed.). (2010). *Microaggressions and marginality: Manifestation, dynamics, and impact*. John Wiley & Sons.

we call on the Texas Behavioral Health Executive Council and the Board of Social Work Examiners to undo Governor Abbott's directive to remove the protective language from the Code of Conduct.

To reiterate, this action that removes explicit anti-discrimination protections from an official document is not simply a state issue. It is assuredly of national concern. Therefore, we ask you to repeal your action that singled out people with disabilities and LGBTQ people for removal from discrimination prohibitions. Second, we ask the Council/Board to approve a Statement of Principle rejecting discrimination of any kind in all areas of your purview.

If you have any questions, please contact Mel Wilson at Mwilson.NASW@socialworkers.org

Sincerely,

A handwritten signature in black ink, reading "Melvin H. Wilson". The signature is written in a cursive style with a long horizontal flourish at the end.

Melvin H. Wilson, LCSW, MBA
Senior Policy Advisor
National Association of Social Workers

CC: Governor Greg Abbott