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## STATEMENT ON DISCRIMINATION

April 11, 2016

**Clinical social workers do not, in any of their capacities, practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, religion, color, national origin, gender, sexual orientation, age, socioeconomic status, or physical or emotional disability. (CSWA Code of Ethics, Section VI(a), 1997.)**

The Clinical Social Work Association (CSWA) has been stunned in recent days by news about the passage in several states of legislation designed to enable discrimination. As noted above, our Codes of Ethics clearly state that we should never support discrimination.

Social work is one of the earliest professions to insist upon mutual respect and oppose discrimination in all its forms, regardless of where it occurs. The National Association of Social Workers (NASW) has almost identical language in their Code of Ethics (NASW Code of Ethics, Section 4.02, 1996).

The state laws referenced below, passed or about to be passed by their respective legislatures, are completely at odds with the social work values we cherish, as well as those implicit in our country's Bill of Rights. It is hard to believe that in April 2016, at a point in time when so much has been accomplished in terms of respecting the rights of all citizens regardless of differences, there are still such efforts to strip "others" – in this case LGBT individuals – of these rights. Here are the states which have taken steps to allow discrimination against LGBT individuals, including by clinical social workers and other mental health professionals:

- *Mississippi*: HB 1523, signed into law by Gov. Phil Bryant, allows privately-held businesses and government employees to deny services to LGBT people on the basis of religious objections. This law could lead to a huge increase in discrimination against the LGBT community, in a state that has seen intense discrimination against people of color in the past.
- *North Carolina*: HB 2, the Public Facilities Privacy and Security Act, signed into law by Gov. Pat McCrory, nullifies a local ordinance that protected transgender people who use public restrooms based on their gender identity, and prohibits any local expansion of state laws on discrimination. Also prohibited by this law are the rights of LGBT citizens to file complaints when their human rights are violated in the workplace.
- *Tennessee*: a bill making its way to Gov. Bill Haslam's desk would allow any therapist to deny treatment based on the his/her own beliefs. The bill counters a two-year-old ACA code of ethics update which prohibits counselors from refusing to treat someone due to personal beliefs. Though the LGBT community is the clear target, the scope of the bill is so broad that treatment could be denied because of an individual clinician's personal beliefs about marriage, drug addiction, war, etc. This law would apply to social workers, and any social worker denying treatment would be in clear violation of our professional code of ethics.
- *Georgia*: State legislators passed a discriminatory bill similar to Mississippi's HB23. We commend Georgia's Gov. Nathan Deal for having the courage to use his veto.

Balancing the right to religious freedom with the civil rights of LGBT citizens as well as with the right to practice as ethical mental health clinicians is complicated and requires respect for all the parties involved. These recent attempts to legalize discrimination undermine the values upon which clinical social work is based (and indeed on which our democracy is built); as such, they should be rejected by all clinical social workers.

CSWA strongly opposes implementation of any laws enabling discrimination against LGBT individuals and/or others whose rights are being denied, and will support clinical social workers in remaining true to our professional values and our Code of Ethics.