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NASW dismayed, disappointed by anti-LGBT Legislation

Association says legislation must be repealed or vetoed

WASHINGTON, D.C. -- The National Association of Social Workers (NASW) is both dismayed and disappointed by the legislative actions taken by Mississippi, North Carolina, and Tennessee to deny equal treatment of LGBT individuals and families. The following is a brief summary of each law:

Mississippi Protecting Freedom of Conscience from Government Discrimination Act (HB 1523)

The stated purpose of the law is to protect from discrimination claims anyone who believes that marriage is between one man and one woman, that sexual relations are reserved solely for marriage, and that the terms male and female pertain only to a person's genetics and anatomy at birth. The law allows individuals (including those working in publicly funded courts and services), businesses, and religious organizations to use religion to discriminate against LGBT persons and their families. Examples range from the right to refuse marriage certificates refusing to employ a person and/or rent or sell a person property. Also, medical professionals can refuse to provide health care if a patient seeks treatment, counseling and surgery related to "sex reassignment or gender identity transitioning[1].

Tennessee LGBT Anti-Counseling Legislation (SB-1556)

The Tennessee anti-LGBT law declares that no person providing counseling or therapy services (in private practice) shall be required to counsel or serve a client as to goals, outcomes, or behaviors that conflict with a sincerely held religious belief of the counselor or therapist. Furthermore, the bill provides immunity from liability for counselors and therapists who refuse

to counsel a client when doing so is in conflict with a sincerely held religious belief of the counselor or therapist.

North Carolina Public Facilities Privacy & Security Act (HB DRH40005-TC-1B)

The North Carolina Facilities Privacy and Security Act, which was passed by the North Carolina legislature, requires schools and public agencies to have gender-segregated bathrooms and to prevent people from using a bathroom that doesn't correspond to their biological sex. Further, the law states individuals cannot bring any civil action based upon the state's employment or public accommodation nondiscrimination protections. It states that cities and counties are prohibited from writing non-discrimination ordinances that protect LGBT people or veterans. This trend in legal discrimination is growing, with 13 other states considering similar legislation.

NASW Position

NASW believes that these laws, passed under the guise of "religious freedom" or to "protect children," must be vetoed or repealed. Taken separately or collectively, all three laws are objectionable and are an affront to the progress we have made toward protecting the civil and human rights of all Americans.

While NASW respects diversity of many types, various freedoms and rights are subject to reasonable limitations and religious expression does not automatically trump other legitimate interests. **NASW has joined** allied mental health provider groups to voice concern that such laws violate their professions' policies and the **NASW Code of Ethics**. NASW believes that discrimination and prejudice directed against any group is damaging to the social, emotional, and economic well-being of the affected group and of society as a whole.

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The National Association of Social Workers (NASW), in Washington, DC, is the largest membership organization of professional social workers with 130,000 members. It promotes, develops, and protects the practice of social work and social workers. NASW also seeks to enhance the well-being of individuals, families, and communities through its advocacy.

