



# CITY OF HOUSTON

**Sylvester Turner**

Mayor

P.O. Box 1562  
Houston, Texas 77251-1562

Telephone – Dial 311  
[www.houstontx.gov](http://www.houstontx.gov)

October 19, 2020

Gloria Canseco  
Presiding Officer  
Texas Behavioral Health Executive Council  
333 Guadalupe St., Ste. 3-900  
Austin, Texas 78701

**Re: Removal of protections against discrimination for sexual orientation, disability, gender identity and gender expression from the Social Work Code of Conduct**

Dear Ms. Canseco,

I would like to express my emphatic opposition to the Texas State Board of Social Worker Examiners' (TSBSWE) decision to accept language from Governor Greg Abbott removing protections against discrimination for sexual orientation, disability, gender identity and gender expression from the Social Work Code of Conduct.

The National Association of Social Workers (NASW) Code of Ethics states in section 4.02:

*Social workers should not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical ability.*

Federal courts have recently held that LGBTQ persons are protected from nondiscrimination based on sex and gender. This would clearly preclude social workers in Texas from discriminating against LGBTQ people. The Code of Conduct is the guide which serves as the foundation for the profession in Texas, and sexual orientation, gender identity and gender expression should receive protected status.

Moreover, eliminating protections against discrimination for Texans with disabilities on the backdrop of the 30<sup>th</sup> anniversary of the landmark Americans with Disabilities act (ADA), is not only deplorable but also unlawful. Title III of the ADA explicitly prohibits discrimination based on disability in the activities of places of public accommodations. The Governor's recommendation and TSBSWE's subsequent action only serves to further marginalize a

population of Texans that already lacks quality access to culturally competent mental health services.

The Code of Conduct was developed with input from the public. Any changes to the Code should also require public input, not imposed by executive fiat. These changes should be posted in the Texas Register for public comment.

We are in the midst of a global pandemic that leaves many feeling isolated and anxious. Badly needed mental health resources should not be withheld from the LGBTQ and disability communities, especially at a time like this. I implore you to reconsider this change and open the process to public comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Sylvester Turner". The signature is fluid and cursive, with a large initial "S" and a long, sweeping tail.

Sylvester Turner  
Mayor