Dear Mr. Spinks, Ms. Canseco, and Mr. Brown:

It has come to my attention that the Texas State Board of Social Worker Examiners (TSBSWE) recently voted favorably on a rule that modified the Texas Social Worker's Code of Conduct and removed protections for persons with disabilities and LGBTQIA+ individuals seeking social work services in Texas. This rule will result in social workers having the ability to refuse their services on the basis of disability, sexual orientation, and gender identity and expression. I am, respectfully, requesting that the BHEC work with the TSBSWE to reinstate the anti-discrimination protections in the Social Worker’s Code of Conduct.

Chapter 505 of the Texas Occupations Code gives the TSBSWE the explicit statutory authority to propose and adopt rules regarding “the scope of practice and standards of care and ethical practice for social work.” This clearly includes the ability to define anti-discrimination protections under the Code of Conduct.

The Code of Conduct is the guide which serves as the foundation for the profession in Texas and these changes directly contradict the spirit of the profession of social work. Nondiscrimination on the basis of disability, sexual orientation, and gender identity and expression are well established facets of the ethical...
practices of social. Social workers across the state often serve vulnerable Texans at risk of or who have already experienced significant adversities. It is well documented that LGBTQIA+ people in Texas experience discrimination in employment and housing, face greater instances of bullying in school, and experience adverse health outcomes as a result.

Finally, I must express how particularly disappointing it is that this move was made in the midst of a worldwide health crisis. COVID-19 has disrupted the economic and social stability of many individuals and families across Texas and the world. Pandemics bring not only physical suffering for those infected, but also feelings of shock, loss, panic, grief, and anxiety to both victims and survivors. Increased stressors faced during an emergency like food insecurity, loss of family income, and interruptions in schooling only make matters worse. Vulnerable and marginalized populations are at very high risk for bearing the brunt of the pandemic. By definition, social work includes identifying and addressing challenges in areas such as home life, employment, finances, and relationships. COVID-19 has impacted all of those areas and social workers are key to supporting Texans throughout the pandemic.

At any time, but particularly during a worldwide health emergency, permitting social workers to refuse services to vulnerable Texans because of personal or political beliefs is akin to systemic discrimination and entirely unacceptable. I urge you to reverse the rule change and reinstate the former Social Worker’s Code of Conduct.

Sincerely,

Gina Hinojosa
Texas State Representative, District 49