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Chair Susan Humphries and the Members of the House Committee on Judiciary

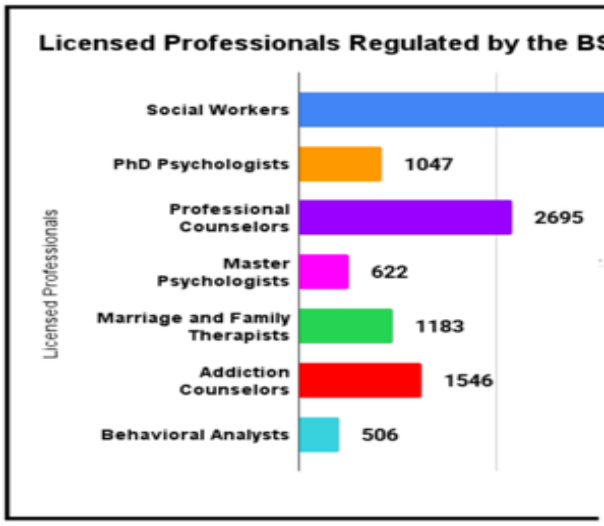
RE: Written Only Proponent Testimony – HB 2480 – hearing January 29th

Thank you for the opportunity to provide written testimony. Last Session, SB 128 – a companion bill to HB2480 received overwhelming support in the Senate and passed 40-0. The bill was passed out favorably out of this Committee, but the full House ran out of time at the end of the Session to vote on the bill.

The Behavioral Health Workforce in Kansas

Currently the State of Kansas has seven licensed behavioral health professions regulated under the Behavioral Sciences Regulatory Board.

Social workers provide the majority of behavioral health services in Kansas and across the nation. Social workers have been licensed at three levels of practice in Kansas since 1974 - baccalaureate (LBSW), the master level (LMSW), and the independent clinical specialist social worker (LSCSW).



Board Members	Number of Seats
Social Workers	2
PhD Psychologists	2
Professional Counselors	1
Master Psychologists	1
Marriage and Family Therapists	1
Addiction Counselors	1
Behavioral Analysts	0
Public Members	4

The Need for Licensed Social Workers in Public Defense Steadily Increases

Social workers possess a distinct skill set that can assist attorneys in supporting their clients through current legal challenges and preparing them for future success post-case resolution. Individuals facing criminal charges are less inclined to re-offend when social workers facilitate access to essential mental health services, substance abuse treatment, or other resources tailored to their individual needs (whether social workers provide these services directly or assist clients in connecting with other professionals).

In fact, both Washburn University and the University of Kansas offer a dual degree program for students interested in pursuing a Master of Social Work (MSW) and Juris Doctor (JD). Social workers who obtain an MSW and subsequently pursue a law degree often encounter conflicting ethical obligations. A dual degree graduate will need to make a decision between practicing as a licensed attorney or as a licensed social worker due to the inherent conflicts between the scope of practices.

Attorney – Social Worker Partnership Limited by Ethical Conflicts

A major conflict when working in both law and social work is the potential clash between the legal requirement to disclose information and the ethical obligation to maintain client confidentiality. The Attorneys' ethical obligations mandate confidentiality between client and all members of legal team. Social workers with mandatory reporting requirements cannot fully participate on legal teams. Thus – under current law, the professional obligations of attorneys and social workers are at odds with one another. When social workers operate within a legal defense team, their statutorily mandated reporting requirements are not superseded by attorney-client confidentiality.

Lastly, I believe that exempting licensed social workers from mandatory reporting requirements should only occur in a very limited and narrow circumstances.

Thank you for allowing me to offer written-only support for HB 2480 and please feel to reach out to me at beckyfast@heartlandsocialwork.com and 785-550-4891.

Sincerely –

Becky Fast

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