

Testimony: HB 2498

February 1, 2012

House Corrections and Juvenile Justice

Presented by Sky Westerlund, LMSW

The Kansas Chapter, National Association of Social Workers (KNASW) is the professional association working on behalf of the profession and practice of social work in Kansas. Social workers have been licensed to practice at three levels of expertise since 1976. These are the baccalaureate (LBSW), the master (LMSW), and the clinical social worker (LCSW). Licensure provides public trust and professional accountability for any of the work that is done by a social worker. There are over 6000 social workers practicing in the majority of the 105 counties in Kansas. The practice of social work is inclusive across many fields of interest including adoptions, addictions, child welfare, domestic violence, corrections, hospitals and health, hospice and palliative care, mental health, community based prevention, schools, veterans and military, and more.

KNASW supports this legislation that creates a structure for mental health diversion programs across the state.

Diversion can be an effective way to demand accountability for criminal behavior while providing intervention to address underlying issues that likely contributed to violating the law.

KNASW has identified a gap in HB 2498 that must be remedied. The definition for "case manager" includes the option that the person could be either an employee of the community mental health center or contracted by the community mental health center. Anyone contracted to provide service should be licensed by the Behavioral Sciences Regulatory Board. The licensure would assure that the individual has met public trust and is professionally accountable for their service as a contract employee of the community mental health center. Without professional licensure, it would be possible for anyone who so desires to develop an unregulated and unaccountable service and market it to the community mental health center. Professional licensure of the contracted persons creates an avenue for practitioners in the private sector to provide service in a mental health diversion program.

KNASW suggests the following amendment to clarify between case managers who are employed staff and the case manager who is contracted staff:

Page 1, Lines 16-19

- (a) "Case manager" means an employee of, or contracted by, a community mental health center who, at the direction of the mental health diversion supervisor, administers, monitors and oversees a defendant's participation in a mental health diversion program. *If the individual is contracted with the community mental health center, the individual must be licensed to practice in Kansas as a licensed psychologist or licensed baccalaureate social worker or licensed master social worker or licensed specialist clinical social worker or licensed marriage and family therapist or licensed clinical marriage and family therapist or licensed professional counselor or licensed clinical professional counselor or licensed master level psychologist or licensed clinical psychotherapist.*

We urge your support of this amendment language. Thank you.

House Corrections and Juvenile Justice
Committee
2012 Session
Date 2-1-12
Attachment # 5-1