

Approved 2-25-92
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by SENATOR ROY M. EHRLICH at
Chairperson

10:00 a.m./p.m. on February 19, 1992 in room 526-S of the Capitol.

All members were present except:

Committee staff present:

Emalene Correll, Legislative Research
Bill Wolff, Legislative Research
Norman Furse, Revisor's Office
Jo Ann Bunten, Committee Secretary

Conferees appearing before the committee:

Mary Ann Gabel, Behavioral Science Regulatory Board
Gene Johnson, Kansas Association of Alcohol and Drug Program Directors
Dennis Gilhousen, Valley Hope Association, Norton
Tom Gregoire, Counselor and student

Chairman Ehrlich called the meeting to order at 10:00 a.m.

The Chairman asked for consideration of the minutes of February 11, 12, and 13, 1992. Senator Hayden made the motion to approve the minutes as presented, seconded by Senator Walker. The motion carried.

The Chairman called for Committee bill requests. No requests were made.

Staff briefing and hearing on:

SB 458 - Licensure of alcohol and other drug abuse counselors.

Staff briefed the Committee on **SB 458**, a carry-over bill from the 1991 Session.

Mary Ann Gabel, Executive Director of the Behavioral Sciences Regulatory Board, submitted written testimony and stated the board supports the efforts to protect the public through the registration of qualified practitioners to practice as alcohol and other drug abuse counselors. However, the board does have questions and concerns regarding the administration of this act in the following sections: New Sec. 2(b) (2), (c) and (f); New Sec. 3(b) and (c); New Sec. 4(a) and (b); New Sec. 5(b) and (c) and New Sec. 6(a). Ms. Gabel stated the board questions whether it is the Legislature's intent to permit private, independent or autonomous practice by this group, and if so, to advise the Legislature that the education and experience requirements for this group of practitioners are far less stringent than those of other regulated professional groups under the board's jurisdiction, who are prohibited from practicing independently. (Attachment 1) Committee discussion followed regarding curriculum and credentialing of counselors. Staff stated that **SB 458** was introduced in anticipation of the Secretary of Health and Environment's credentialing report, and this bill does not reflect the recommendations of the Credentialing Committee.

Gene Johnson, Kansas Alcohol and Drug Addiction Counselors Association, submitted written testimony and appeared in support of **SB 458**. Mr. Johnson noted that a considerable amount of language had been left out of the published bill and provided the Committee with a corrected copy. Mr. Johnson stated that after several unsuccessful attempts to become certified, this bill would provide qualified and regulated alcohol and drug counselors through the registration process for the citizens of Kansas. (Attachment 2)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 526-S, Statehouse, at 10:00 a.m./~~p.m.~~ on February 19, 1992

Submitting written testimony and appearing in support of the registration of alcohol and drug abuse counselors in Kansas were Dennis Gilhousen, Valley Hope Association, and Tom Gregoire, counselor and student at K.U. (Attachments 3 and 4)

Because of the time frame, the Chairman announced that the Committee would accept written testimony from the remaining conferees. Written testimony was received from Chip Wheelen, Kansas Medical Society (Attachment 5); Iris Heckman, Washburn University, (Attachment 6); John Graber, Mirror, Inc., (Attachment 7); Beverly Metcalf, Mirror, Inc., (Attachment 8); and Ron Eisenbarth Alcoholism and Drug Addiction Counselors Association, (Attachment 9).

The Chairman announced that **SB 458** would be referred to a sub-committee to study changes in the language of the bill, and appointed Senator Langworthy, Chairman; Senator Walker, Ranking Minority member, Senator Salisbury and Senator Hayden.

The Chairman recognized Senator Strick who introduced his three pages that assisted at the Committee meeting.

The meeting was adjourned at 11:00 a.m. The next meeting of the Committee is scheduled for February 20, 1992, 10:00 a.m., Room 526-S.

SENATE
PUBLIC HEALTH AND WELFARE COMMITTEE

DATE 2-19-92

(PLEASE PRINT)
NAME AND ADDRESS

ORGANIZATION

George Goebel 1111 14th St TK Shovel Annette Siebert Carla Nolata Dorothy Judy Beelome Alfred Hixon Katie Keph Manny Hall 1933 E. FRONTIER OLATHE, 66062 Sharon Hoffman Topeka Baril Covey Tom Buhl John Drou Chip Wheeler Diana Duncan Audrey F. Drake 6217 West 64th Terr. Mission, Ks. 66202 615 Country Club Terr Medved Huskness Lawrence Ks. 66049 Mary Moffet 3429 SE Shorewood Dr Topeka Ks 66605	AARP-SLC-CCTF OKS EXCEL KANSAS LEGAL SERVICES KAHA SRS SRS Clinicare KINH - AARP CCTF AARP(CCTF) / Ks Council SHL KINH KCDC KRTA KHA KAHA Ks Medical Society Nursing Student KINH KINH JAAA KINH
---	--

SENATE
PUBLIC HEALTH AND WELFARE COMMITTEE

DATE 2-19-92

(PLEASE PRINT)
NAME AND ADDRESS

ORGANIZATION

(PLEASE PRINT) NAME AND ADDRESS	ORGANIZATION
Donna Elliott ^{13223 W 58th St Shawnee, Ka} KINH	KINH
Lee Cannon ^{10420 W. 65th St Shawnee, Ks 66203 20250. Const}	KINH
Beth J. Lynn ^{Emporia, 115 66801}	KINH
Alice L. Lilligan ^{127 Union St Emporia, Ks}	KINH
Frances L. Fisher ^{1831 Berkman Ave. Lawrence, K. 66044}	KINH
Marilyn Bratt Lawrence	KINH
Margaret Farley Lawrence	KINH
Petey Perf Lawrence	KINH
Alice Hamilton Nida Topeka	KDOA
Rosemary E. Harris Topeka	Older Citizens Inf./CRC
John F. [unclear] Newton	KAIAA
DENNIS GILHOUSEN Norton	Valley Hope Association
Cathy Rooney Topeka	KONE
Joseph F. Keene	KONE
John L. Kiefthaber	Ks Health Care Assn.
Shelly Martin	Shadow (Sen. Langworthy)

MARY ANN GABEL, *Executive Director*

BOARD MEMBERS:

Public Members

SUE BAUMAN

RONALD D. REINERT

JOSEPH N. ROBB, *Vice-Chairman*

Psychology

DONALD J. FORT, Ph.D.

GERALD K. GENTRY, Ph.D.

Social Work

SHARON T. RUSSELL, MSW

THELMA JOHNSON SIMMONS, MSW



Landon State Office Building
900 S.W. Jackson, Room 855-S
Topeka, Kansas 66612-1220
913/296-3240 FAX 913/296-6729

LICENSED PROFESSIONALS:

*Psychologists
Social Workers*

REGISTERED PROFESSIONALS:

*Master Level Psychologists
Professional Counselors
Marriage and Family Therapists*

BEHAVIORAL SCIENCES REGULATORY BOARD

TESTIMONY BEFORE THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

S.B. 458

Tuesday, February 18, 1992

CHAIRPERSON EHRLICH, VICE-CHAIRPERSON LANGWORTHY, AND COMMITTEE MEMBERS:

I am Mary Ann Gabel, Executive Director of the Behavioral Sciences Regulatory Board, appearing before you today at the request of and on behalf of the board.

The board supports the efforts of this group to protect the public through the registration of qualified practitioners to practice as alcohol and other drug abuse counselors.

The board does, however, have questions or concerns regarding the administration of this act in the following sections: New Sec. 2(b)(2), (c) and (f); New Sec. 3(b) and (c); New. Sec. 4(a) and (b); New Sec. 5(b) and (c); and New Sec. 6(a).

New Sec. 2(b)(2) (pg. 2, line 7) sets out the experience requirement of "not less than 3,000 hours of practicum or work." The board is not aware of any practicums totaling 3,000 hours within the academic programs of its currently regulated professions and questions whether the total practicum hours is feasible. The Legislature may wish to request information from academic institutions prior to enacting this requirement.

*Senate P. H&W
Attachment #1
2-19-92*

New Sec. 2(c) (pg. 2, lines 16-22) sets out the requirement of examination prior to regulation and states that "a fee shall be required for such examination in an amount sufficient to pay for the costs and administration thereof." Is it the Legislature's intent to permit the board to fix the fee by rules and regulations, and if so, should the authority be included in this section?

New Sec. 2(f) (pg. 2, lines 41-42 and pg. 3, lines 1-14) establishes at least an 8-year, with the possibility of a 10-year, window of time for grandfathering purposes and is written in such a way that is unclear and may be difficult to administer. The board requests, not only for its own administrative needs but also for the benefit of potential applicants, that the Legislature consider establishing a date certain for the period of grandfathering and that the period of time be consistent with the statutes of the other professional groups under the board's jurisdiction. The board's experience in implementing new regulatory legislation has been that credentialing can be accomplished within two years of the date of enactment.

New Sec. 3(b) (pg. 3, line 20) establishes the maximum fee to cover the costs of administering the provisions of this act at \$50. Attached are copies of the board's estimated revenue and expense estimates, which demonstrate that the maximum is not sufficient to administer this program. The board requests this limitation be set at \$100 provided the number of the advisory committee members in Sec. 5 is reduced from 11 to three members. If the number of advisory committee members remains at 11, the board requests the limitation be set at \$250 to cover the administrative costs for a committee of this size.

New Sec. 3(c) (pg. 3, lines 27-34) legislatively creates a separate fee fund for the alcohol and other drug abuse counselors. K.S.A. 74-7505 and K.S.A. 74-7506 establishes the Behavioral Sciences Regulatory Board fee fund as the designated depository for all fees collected by the board. The board does not understand the need for a separate fund.

New Sec. 4(a) (pg. 3, lines 35-37) and Sec. 4(b) (pg. 4, lines 9-11) grants the board authority to deny registration. The board requests the wording be amended to be consistent with its other regulated groups and suggests the following:

"New Sec. 4. (a) The board may ~~deny, refuse to renew, suspend, limit, or revoke~~ or refuse to issue or renew any license or provisional license registration or provisional registration pursuant to this act if the ~~license holder~~ registrant or applicant:"

"(b) ~~Refusal to renew or suspension or revocation of licensure or provisional licensure~~ Suspension, limitation, revocation, or refusal to issue or renew registration or provisional registration pursuant to this section shall be in accordance with the Kansas administrative procedure act."

New Sec. 5(b) (pg. 4, lines 15-21) requires the board, prior to adoption of any rules and regulations, to submit the proposed rules and regulations to the advisory committee. The board asks whether it is the Legislature's intent to mandate this administrative duty when a mechanism is and has been in place for comment on any proposed rule and regulation through the public hearing and publication requirements. Further, the board has and continues to utilize recommendations from its advisory committees when drafting rules and regulations. This section also requires the advisory committee to make recommendations to the board regarding rules and regulations and other areas concerning the credentialing process. Is the board prevented from proceeding with its work if the advisory committee fails to make any recommendation?

New Sec. 5(c) (pg. 4, lines 22-31) requires the board to appoint an 11-member advisory committee to include both general public representatives and alcohol and other drug abuse counselors. The board wishes to advise the Legislature that: (1) the number of committee members is not financially supported by the fee limitation in Sec. 3(b); (2) the number far exceeds either of the two statutorily previously and currently recognized advisory committees for registered professional counselors and registered marriage and family therapists; and (3) three public member representatives currently sit on the board.

New Sec. 6(a) (pg. 4, lines 34-41) recognizes other professional groups as being exempt from the regulation requirements and fails to include marriage and family therapists and registered masters level psychologists. The board requests this section be amended to read as follows:

"(a) Apply to the activities and services of qualified members of other professional groups including, but not limited to, attorneys, physicians, licensed psychologists, registered masters level psychologists, registered nurses, registered professional counselors, registered marriage and family therapists or licensed social workers performing counseling consistent with the laws of this state, their training and any code of ethics of their professions, so long as they do not represent themselves by any title or description in the manner prohibited under section 2 and amendments thereto;"

And finally, the board asks whether it is the Legislature's intent to permit private, independent or autonomous practice by this group; and if so, to advise the Legislature that the education and experience requirements for this group of practitioners are far less stringent than those of other regulated professional groups under the board's jurisdiction, who are prohibited from practicing independently.

1-4

The board appreciates this opportunity to present its questions and concerns regarding the administration of this worthwhile program. I will be happy to attempt to answer any questions.

Thank you.

Attachments

REVENUE AND EXPENSE ESTIMATES

SB 458

REVENUE

1,300 Licensees @ \$50 biennial licensure fees	\$65,000
Less 20% deposited to state general fund	<u><13,000></u>
Gross revenue - first year	\$52,000
Less estimated expense	<u><49,871></u>
Net revenue - first year and carryforward balance	\$ 2,129

EXPENSE

<u>Obj. Code</u>	<u>Object of Expenditure</u>	
100	Salaries & Wages	\$20,783
200	Communication	6,967
220	Printing & Advertising	2,512
230	Rents	1,345
250	Travel & Subsistence	11,113
370	Office Supplies	1,392
400	Capital Outlay	<u>5,759</u>
		\$49,871

NARRATIVE ON ESTIMATED EXPENSES

100 SALARIES & WAGES

1 full time position OA III, additional position (based on current FY'91 salary)	\$15,552
Benefits (FY'92 rates):	
Employer Retirement Contributions @ 3.6%	560
FICA @ 7.65%	1,190
Group Health Insurance \$208.39 + 64.07 = \$272.46 x 12 mos.	3,270
WCI @ 1.16%	180
UCI @ .2%	<u>31</u>
TOTAL SALARIES & WAGES	\$20,783

200 COMMUNICATION

Postage:	
1,300 application packets @ \$1.16	1,508
1,300 licensure notifications @ \$.58	754
Misc. postage budget \$11,020 x 29%*	3,196
Telephone:	
\$5,205 phone budget x 29%*	1,509
*4,450 currently regulated persons, 1,300 licensees = 29% increase. Percentage increase is computed on FY'92 budget figures.	
TOTAL COMMUNICATION	<u>\$ 6,967</u>

220 PRINTING & ADVERTISING

1,500 Application forms	\$ 340
4,500 Reference forms	415
1,500 Affidavit forms @ \$.026	39
3,000 Supervisory forms	276
1,500 Statutes (6 x 1,500 x \$.026)	234
1,500 Rules & Regulations (13 x 1,500 x \$.026)	507
1,500 Certificates	201
Misc. duplicating costs per year	<u>500</u>
TOTAL PRINTING & ADVERTISING	\$ 2,512

230 RENTS

Additional office space needed for clerical staff person and related files. 9 x 12 = 108 sq. ft. @ \$12.45 \$ 1,345

TOTAL RENTS \$ 1,345

250 TRAVEL & SUBSISTENCE

Travel for the 11-member advisory committee is computed on a geographic distribution throughout Kansas, with the breakdown of the number of members at each location. Meetings to be held in Topeka.

<u>No.</u>	<u>Geographic Location</u>	<u>Round Trip</u>	<u>X</u>	<u>#</u>	<u>Total Miles</u>
2	Topeka	0	x	2	0
3	Wichita	354	x	3	1,062
1	Coffeyville	304	x	1	304
1	Hays	430	x	1	430
2	Kansas City	126	x	2	252
1	Newton	284	x	1	284
1	Salina	224	x	1	<u>224</u>

Total miles per each meeting 2,166

2,166 mi. @ \$.27 = \$585 per meeting with 1 meeting per month, beginning Sept. - June.

10 meetings @ \$585 = \$5,850

Subsistence & lodging - Hays and Coffeyville members:

20 meetings @ \$33 = \$ 660 (subsistence)

20 meetings @ \$58 = \$1,160 (lodging)

Total \$1,820

SUB-TOTAL TRAVEL & SUBSISTENCE FOR ADVISORY COMMITTEE MEMBERS \$ 7,670

Travel for four additional board meetings to handle rule and regulation public hearings, policy questions, and applications. Meetings to be held in Topeka. The board members' geographic distributions and related travel costs are as follows.

<u>No.</u>	<u>Geographic Location</u>	<u>Round Trip</u>	<u>X</u>	<u>#</u>	<u>Total Miles</u>
2	Topeka	0	x	2	0
1	Coffeyville	304	x	1	304
1	Dodge City	544	x	1	544
1	Newton	284	x	1	284
2	Wichita	354	x	2	<u>708</u>

Total miles per each meeting 1,840

1,840 mi. @ \$.27 = \$497 x 4 meetings = \$1,987

Subsistence & lodging - Coffeyville, Dodge City, Wichita members:

4 meetings x 4 members x \$33 = \$528 (subsistence)
 4 meetings x 4 members x \$58 = \$928 (lodging)

SUB-TOTAL TRAVEL & SUBSISTENCE FOR BOARD MEMBERS \$ 3,443

TOTAL TRAVEL & SUBSISTENCE BOARD & COMMITTEE \$11,113

370 OFFICE SUPPLIES

10,000 #9 return envelopes	\$ 264
1,300 Hanging file folders	364
1,500 10 1/2 x 12 1/2 manila envelopes	135
10,000 #10 envelopes	264
Computer labels	15
Computer rolodex cards	100
Rolodex card holder	50
Misc. office supplies	<u>200</u>

TOTAL OFFICE SUPPLIES \$ 1,392

400 CAPITAL OUTLAY

3 5-drawer files @ \$180	\$ 540
1 Single Pedestal Secretary Desk	265
1 Steno Chair	125
1 Zenith Desktop Microcomputer	3,015
1 Color Monitor 14"	599
1 Printer	420
1 Calculator	100
1 Typewriter	400
1 Desk file	90
1 Data work table	130
1 Printer stand	<u>75</u>

TOTAL CAPITAL OUTLAY \$ 5,759

TOTAL ESTIMATED EXPENSES \$49,871

TO: Senate Public Health and Welfare Committee

RE: SB 458

DATE: February 13, 1992 - 10:00 A.M.

Mr. Chairman and Members of the Committee:

My name is Gene Johnson and I am the lobbyist in the State Legislature for the Kansas Alcohol and Drug Addiction Counselors Association. I have held that position for the past two and one-half years. I also represent the Kansas Association of Alcohol and Drug Program Directors and have represented them for the same amount of time. In addition, I have been the lobbyist for the Kansas Community Alcohol Safety Action Project Coordinators Association for the past 11 years. My background includes 17 years of experience in the alcohol and drug abuse field, principally in the area of DUI evaluations, and monitoring services for the District Courts and the Municipal Courts in the State of Kansas. In addition, since 1974 I have been a charter member of the Kansas Alcohol and Drug Addiction Counselors Association.

Since the middle of the 1970's the alcohol and drug counselors in the State of Kansas have sought some type of recognition for their work in the alcohol and drug field, keeping in mind however that this is a fairly new profession. As of a quarter of a century ago there was very little formalized treatment for those who suffered with the disease of alcoholism and drug addiction. Since 1968 when several treatment

*Senate P H & W
Attachment #2
2-19-92*

organizations started operating within the State of Kansas, including some within the Social Rehabilitation Services in the State hospitals, we have seen an enormous growth of those afflicted persons who need professional assistance for their alcoholism and drug addiction. We found, in the past, that treatment does work and with proper treatment those afflicted people can return to somewhat normal lives and become tax paying citizens in their communities. The success of the treatment programs within the State of Kansas are largely due to the undying efforts of the alcohol and drug addiction counselors who are working in the trenches with that afflicted person. The counselor does not feel it is a lack of willpower for the person nor is it a moral decay of character which causes him to be afflicted with the disease of alcoholism or drug addiction.

After several unsuccessful attempts to become certified within the State of Kansas, under the direction of the Secretary of Social Rehabilitation Services, we determined during the 1990 legislative session that we must go through the proper process in order to receive some type of state credentialing. On July 16, 1990 our counselors association presented the Secretary of Health and Environment an intent to apply for approved credentialing status of the provisions as set forth under state law and regulations KSA 65-5001. Since that July 16, 1990 date we have presented our application to the Secretary, and went through the credentialing process of the Technical Committee appointed by the Secretary of Health and Environment.

On December 30th, 1991, we received the approval of the Technical Committee for the purpose of registration of Alcohol and Drug Addiction Counselors and on January 27, 1992, Dr. Azzie Young, Secretary of the Department of Health and Environment made recommendations to the Legislature approving registration for those persons practicing alcohol and drug addiction counseling.

On April 17, 1991, the Senate Ways and Means Committee introduced SB 458 concerning alcohol and other drug abuse treatment and evaluation. At that time that bill called for the licensure of alcohol and other drug abuse counselors. I must point out to you at this time that that was an error in printing. It was the intent of the association to only seek registration for the alcohol and drug abuse counselors.

I have provided this Committee with a copy of the corrected version of SB 458. We wish to point out at this time that every place the word license, licensed or licensure appears it must be changed to the term register, registration or registered.

In addition, on page 5, lines 21 and 22, a considerable amount of language has been left out of the published bill. In line 22 following the incomplete sentence "The Secretary shall adopt rules and regulations an".

The wording under that particular section should be as follows: "The Secretary shall adopt rules and regulations and

standards with respect to all treatment facilities to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting a safe and adequate treatment program for individuals in treatment facilities in the interest of public health, safety and welfare. Boards of Trustees or Directors of institutions licensed pursuant to the provisions of this act shall have the right to select the professional staff members of such institutions and to select an employee, interns and other personnel."

~~Strike the caveat under existing law which would read after~~ personnel "and no rules and regulations or standards of the Secretary shall be valid which if in force would interfere in such selection of employment." In other words that should an organization choose to hire individuals who were not registered under this proposed legislation the Secretary of Social Rehabilitation Services would be well within his/her right to deny that particular program license to operate in the State of Kansas.

We apologize for the mistakes and misprints in the bill that you have at your disposal and hope that you will use the one that was given to you along with this testimony. We wish to inform you at this time that shortly after the bill was introduced on April 27, 1991 we discovered the errors and promptly advised key members of the legislature and the appropriate personnel in the Department of Health and

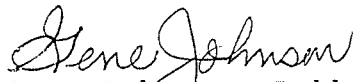
Environment. We also promptly inserted the corrected version of SB 458 in our application for credentialing to the Technical Committee that reviewed our application.

In addition, I am in the position to inform you that this legislation has the full approval of the Kansas Association of Alcohol and Drug Program Directors and the full approval of the Community Alcohol Action Project Coordinators Association. It has been the combined efforts of these three professional organizations in the past three years, with many meetings held amongst peers and also with the keen guidance and assistance of the office of the Commissioner and his staff for Alcohol and Drug Abuse Services. This has not been a singular effort by the counselors association but the joint effort of all of those people who are interested in providing top notch services to the people who are in need of assistance with the disease of alcoholism and drug addiction.

Finally, I firmly believe that in order to press forward in fighting the third largest disease as recognized by health experts today that we press forth with professional counseling in order to preserve the lives of our citizens of Kansas. We are in a tight money situation in the state and also in the nation. The time has come that we must get the "best bang for a buck" for the treatment of those afflicted with alcoholism and drug addiction. This can be accomplished in a much more efficient way if we provide qualified and regulated alcohol

and drug counselors through the registration process for our citizens of this fine State.

Thank you and I will attempt to answer any questions at this time.



Gene Johnson, Lobbyist

Kansas Alcohol and Drug Addiction Counselors Association

Kansas Association of Alcohol and Drug Program Directors

Kansas Community Alcohol Safety Action Project Coordinators

Association

BILL NO. _____

By

AN ACT concerning alcohol and other drug abuse treatment and evaluation; providing for registration of alcohol and other drug abuse counselors; creating the alcohol and other drug abuse counselor fee fund; providing penalties for violations; amending K.S.A. 65-4016 and 75-3170a and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. As used in this act:

(a) "Alcohol and other drug abuse counseling" means the utilization of special skills to assist persons with alcoholism or other drug addictions, and to assist such persons' families and friends, to achieve resolution of alcoholism or other drug addiction through the exploration of the disease and its ramifications, the examination of attitudes and feelings, the consideration of alternative solutions and decision making, as these relate specifically to the alcoholism or other addiction. Evaluation and assessment, treatment plan development, case management, crisis intervention, referral, recordkeeping and clinical consultation specifically related to the alcoholism or other addiction are within the scope of alcohol and other drug abuse counseling.

(b) "Alcohol and other drug abuse counselor" means any individual who, for compensation, provides alcohol and other drug abuse counseling to persons with alcoholism or other drug addictions, and to the families and friends of such persons, specifically in relation to the alcoholism or other addiction.

(c) "Board" means the behavioral sciences regulatory board created by K.S.A. 74-7501 and amendments thereto.

New Sec. 2. (a) On and after January 1, 1993, no person

shall represent that such person is a registered alcohol and other drug abuse counselor or represent that such person is an alcohol and other drug abuse counselor unless such person is registered under this act as an alcohol and other drug abuse counselor. A violation of this subsection is a class C misdemeanor.

(b) The board shall adopt by rules and regulations a system for registration of alcohol and other drug abuse counselors. Such rules and regulations shall include qualifications for registration which promote safe and adequate treatment, evaluation and prevention of alcohol and other drug abuse. Such rules and regulations shall require the following:

(1) A bachelors degree, a masters degree or a doctors degree in a social-services or health-related field which includes coursework in counseling, in alcohol and other drug addictions and in treatment and evaluation of alcohol and other drug abuse;

(2) experience of not less than 3,000 hours of practicum or work, under the supervision of a registered alcohol and other drug abuse counselor, or an individual qualified for registration as an alcohol or other drug abuse counselor under this act, within three years immediately preceding first registration under this act; and

(3) successful completion of training courses approved by the board in client confidentiality, case management and client records, understanding the disease, intake procedures, assessment and treatment planning, crisis intervention skills and basic counseling skills.

(c) The board shall require each person seeking registration as an alcohol and other drug abuse counselor to successfully complete an examination prescribed by the board. A fee shall be required for such examination in an amount sufficient to pay for the costs and administration thereof. Any person desiring to take the examination shall first submit satisfactory proof that the person has the qualifications required pursuant to subsection (b) or (d).

(d) A person who does not have the qualifications prescribed pursuant to subsection (b) may qualify for examination and, upon passage of the examination, registration pursuant to this act if the person submits satisfactory proof that, on December 31, 1992, the person:

(1) Is practicing as an alcohol and other drug abuse counselor in this state, has an offer of employment as an alcohol and other drug abuse counselor in this state or is an alcohol and other drug abuse counselor living in this state; and

(2) has 1,000 hours of experience as an alcohol and other drug abuse counselor within the immediately preceding 12-month period or has 3,000 hours of experience in alcohol and other drug abuse counseling within the immediately preceding 60-month period.

(e) A person may qualify for registration if such person submits satisfactory proof that, on December 31, 1992, the person was practicing as an alcohol and other drug abuse counselor in another state and is qualified in accordance with standards which the board determines are comparable to those provided pursuant to this act.

(f) Before January 1, 2001, a person who does not qualify for examination pursuant to subsection (b) or (d) may be issued a provisional registration as an alcohol and other drug abuse counselor. A provisional registration shall be valid until January 1, 2001, conditioned on the holder's submission of satisfactory evidence of progress toward compliance with the qualifications for examination adopted pursuant to subsection (b). If the board determines that, on or before January 1, 2001, there will not be a sufficient number of registered alcohol and other drug abuse counselors to serve those persons in the state requiring the services of such counselors, the board may extend the term of provisional registrations for a period of not more than two years. Thereafter, the board may continue to extend the term of such registrations for periods of not more than two years until the board determines that the issuance of provisional

registrations is no longer necessary to serve the needs of those persons in the state requiring the services of alcohol and other drug abuse counselors. Upon such determination, all provisional registrations shall expire.

New Sec. 3. (a) Registration under this act shall be for a period of two years.

(b) The board shall fix by rules and regulations fees for applications for registration, renewal of registration and provisional registration under this act. Such fees shall be fixed in amounts to cover the costs of administering the provisions of this act, but not to exceed \$50. The board shall remit all moneys received from fees collected under this act to the state treasurer at least monthly. Upon receipt of each such remittance the state treasurer shall deposit the entire amount thereof in the state treasury and shall credit 20% of each such deposit to the state general fund and shall credit the balance to the alcohol and other drug abuse counselor fee fund.

(c) There is hereby created in the state treasury the alcohol and other drug abuse counselor fee fund. Moneys in such fund shall be expended only for the purpose of administering and enforcing the provisions of this act. All expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the board or by a person or persons designated by the chairperson.

New Sec. 4. (a) The board may deny, refuse to renew, suspend or revoke any registration or provisional registration pursuant to this act if the registrant, provisional registrant or applicant:

(1) Has obtained or attempted to obtain registration or provisional registration by means of fraud, misrepresentation or concealment of material facts;

(2) has been convicted of a crime found by the board to have a direct bearing on whether the registrant, provisional registrant or applicant can be entrusted to serve the public in

the position of alcohol and other drug abuse counselor;

(3) has violated the standards of professional conduct established by rules and regulations of the board;

(4) has used any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed; or

(5) has violated any lawful order or rule and regulation of the board.

(b) Refusal to renew or suspension or revocation of registration or provisional registration pursuant to this section shall be in accordance with the Kansas administrative procedure act.

New Sec. 5. (a) The board shall adopt by rules and regulations standards of professional conduct for alcohol and other drug abuse counselors.

(b) The board shall adopt such rules and regulations as necessary to administer and enforce the provisions of this act. Before adoption of any such rules and regulations, the board shall submit the proposed rules and regulations to the advisory committee appointed pursuant to subsection (c). The advisory committee shall make recommendations to the board regarding rules and regulations and other areas concerning the credentialing process.

(c) The board shall appoint an advisory committee for the purpose of assistance in adopting rules and regulations pursuant to this act. The advisory committee shall be composed of 11 members and shall include both representatives of the general public and representatives of the alcohol and other drug abuse treatment and prevention field. Members of the advisory committee shall receive amounts provided for in subsection (e) of K.S.A. 75-3223 and amendments thereto for each day of actual attendance at any meeting of the advisory committee or any subcommittee meeting authorized by the advisory committee.

New Sec. 6. Nothing in sections 1 through 5, and amendments

thereto, shall be construed to:

(a) Apply to the activities and services of qualified members of other professional groups including, but not limited to, attorneys, physicians, psychologists, registered nurses, registered professional counselors or social workers performing counseling consistent with the laws of this state, their training and any code of ethics of their professions, so long as they do not represent themselves by any title or description in the manner prohibited under section 2 and amendments thereto;

(b) apply to the activities, services and use of an official title on the part of an individual employed as a substance abuse counselor by any federal agency or public or private educational institution, so long as such individual is performing counseling or counseling-related activities within the scope of the individual's employment;

(c) apply to the activities and services rendered by a nonresident individual not more than 30 days during any calendar year, so long as such individual is duly authorized to perform such activities and services under the laws of the state or country of such individual's principal residence;

(d) apply to the activities and services of an individual providing alcoholism and other drug abuse counseling as a part of alcoholics anonymous, al-non family groups or other similar alcohol or drug abuse support organizations or groups, so long as such individuals do not represent themselves by any title or description in the manner prohibited under section 2 and amendments thereto;

(e) apply to the activities and services of a rabbi, priest, minister or clergy person of any religious denomination or sect, so long as such activities and services are within the scope of the performance of such individual's regular or specialized ministerial duties; or

(f) authorize a person registered under this act to diagnose or treat mental illness or disease.

Sec. 7. K.S.A. 65-4016 is hereby amended to read as follows:

65-4016. The secretary shall adopt rules and regulations and standards with respect to all treatment facilities to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting a safe and adequate treatment program for individuals in treatment facilities in the interest of public health, safety and welfare. Boards of trustees or directors of institutions licensed pursuant to the provisions of this act shall have the right to select the professional staff members of such institutions and to select and employ interns, nurses and other personnel, ~~and no rules and regulations or standards of the secretary shall be valid which, if enforced, would interfere in such selection or employment.~~

Sec. 8. K.S.A. 75-3170a is hereby amended to read as follows: 75-3170a. (a) The 20% credit to the state general fund required by K.S.A. 1-204, 2-2609, 2-3008, 9-1703, 16-609, 16a-2-302, 17-1271, 17-2236, 17-5609, 17-5610, 17-5612, 17-5701, 20-1a02, 20-1a03, 34-102b, 44-324, 44-926, 47-820, 49-420, 55-131, 55-155, 55-609, 55-711, 55-901, 58-3074, 65-6b10, 65-1718, 65-1817a, 65-2011, 65-2418, 65-2855, 65-2911, 65-4610, 66-1,155, 66-1503, 74-715, 74-1108, 74-1405, 74-1503, 74-1609, 74-2704, 74-2902a, 74-3903, 74-5805, 74-7009, 74-7506, 75-1119b, 75-1308 and 75-1509 and K.S.A. ~~1987~~ 1990 Supp. 65-5413, 65-5513, 84-9-411 and ~~84-9-413 and acts amendatory of any of the foregoing including amendments by other sections of this act, 84-9-413 and section 3, and amendments thereto,~~ is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services, and any and all other state governmental services, which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(b) Nothing in this act or in the sections amended by this act or referred to in subsection (a) of this section, shall be deemed to authorize remittances to be made less frequently than is authorized under K.S.A. 75-4215 and amendments thereto.

(c) Notwithstanding any provision of any section referred to in or amended by this act or referred to in subsection (a) of this-section, whenever in any fiscal year such 20% credit to the state general fund in relation to any particular fee fund is \$200,000, in that fiscal year the 20% credit no longer shall apply to moneys received from sources applicable to such fee fund and for the remainder of such year the full 100% so received shall be credited to such fee fund, except as otherwise provided in subsection (d) of-this-section.

(d) Notwithstanding any provision of K.S.A. 2-2609 and 2-3008 and amendments thereto or any provision of any section referred to in subsection (a) of-this-section, the 20% credit to the state general fund no longer shall apply to moneys received from sources applicable to the grain research and market development agencies funds, as specified for each such fund by this subsection, and for the remainder of a fiscal year the full 100% of the moneys so received shall be credited to the appropriate fund of such funds, whenever in any fiscal year:

(1) With respect to the Kansas wheat commission fund, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$100,000 that bears the same proportion to \$100,000 as the amount credited to the Kansas wheat commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding fiscal year;

(2) with respect to the Kansas corn commission fund, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$100,000 that bears the same proportion to \$100,000 as the amount credited to the Kansas corn commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission

fund during the preceding year;

(3) with respect to the Kansas grain sorghum commission fund, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$100,000 that bears the same proportion to \$100,000 as the amount credited to the Kansas grain sorghum commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding fiscal year; and

(4) with respect to the Kansas soybean commission fund, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$100,000 that bears the same proportion to \$100,000 as the amount credited to the Kansas soybean commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding fiscal year.

(e) As used in this section, "grain research and market development agencies" means the Kansas wheat commission, the Kansas corn commission, the Kansas grain sorghum commission and the Kansas soybean commission. Such agencies have been created to fund appropriate research projects; to conduct campaigns of development, education and publicity; and to find new markets or maintain existing markets for commodities and products made from those commodities, among their other duties. Such grain research and market development agencies shall be funded by an assessment collected from the grower at the time of the sale of such commodity by the first purchaser. The assessment shall be sent to the proper grain research and market development agency.

Sec. 9. K.S.A. 65-4016 and 75-3170a are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its publication in the statute book.

TESTIMONY TO THE
SENATE PUBLIC HEALTH AND WELFARE COMMITTEE
FEBRUARY 19, 1992

Dennis R. Gilhousen, Vice-President
Valley Hope Association
Norton, Kansas

My name is Dennis Gilhousen, Vice-President of the Valley Hope Association, and I am here this morning to speak in behalf of the registration of alcohol and drug abuse counselors in the State of Kansas.

By means of background, the Valley Hope Association is a non-profit organization headquartered in Norton, Kansas, operating fifteen substance abuse treatment centers in Kansas, Nebraska, Missouri, Oklahoma, Colorado, Wyoming, and Arizona. Since admitting our first patient on August 15, 1967, we have treated nearly 100,000 substance abusers and their families. Throughout the nearly quarter century of our involvement in this field, we have consistently worked toward maintaining high quality treatment programs through the development and maintenance of high quality, well-trained treatment staffs.

For much of that time, we have depended on our own standards of competence and adequacy of training, because external standards did not exist in Kansas. As a result, from the very beginning of our existence, we have operated an intensive, one-year counselor training program in conjunction with our treatment program. In that time, about 200 people, ranging from G.E.D. educated to those with Masters degrees in behavioral sciences, have entered the training program. This has assured us of a steady source of counseling personnel who were trained and competent to be involved in the recovery of addicted people and their families. It also has provided a substantial number of trained personnel to other programs in Kansas and throughout the country. We had, in effect, developed our own criteria defining the knowledge and training, independent of the educational degree the trainee might or might not have, that was required in order to meet the needs of the public that looked to us for help. Empathy, understanding, and a self-recovery program were helpful to the trainee's development, but, by our definition, they were not enough.

We believe that the need for credible standards for substance abuse counselors is

*Senate P. H&W
Attachment #3
2-19-92*

an issue now than it has ever been. Substantial changes have occurred in the substance abuse treatment field in the past decade. The standards of the Joint Commission on Accreditation of Healthcare Organizations have moved many programs toward formalizing the treatment process. Attention has been drawn to the fact that we as treatment providers need to be concerned not only with what we do, but also with how we do it. Client assessment, treatment and aftercare planning, case management, and record keeping have become much more than just words in an expanding therapeutic vocabulary. State licensing standards and procedures have also become more refined and quality oriented.

Furthermore, the whole treatment field has been revolutionized in the past two years or so as third party payors have increasingly embraced the concept of managed care. Precertification, re-certification, and utilization review have become a fact of life for us, and for the patients we serve. In short, the substance abuse treatment field is not what it used to be.

That reality calls us to accept the fact that more is also expected now of our counseling staffs. You cannot give quality patient care if you cannot first help the patient get into treatment and then help the patient stay long enough to receive the kind of services appropriate to the circumstances. Simply put, the patient can be harmed both therapeutically and financially by a counselor not equipped to deal with the complexities of the system. A clearer definition of standards expected of treatment facilities also calls, by extension, to a clearer definition of the standards set for the people providing the services. Those standards should, we believe, include requirements for someone to become a counselor, through initial training and competence testing, and to remain a counselor through continuing education. With the variety of treatment models currently available to the public, they should have the assurance that no matter where they enter the system, they will be met by a counselor who has met a uniform standard of training and knowledge. If we as treatment providers take what we are doing seriously, we owe that to the people we serve.

Finally, I also submit to you that the state of Kansas would not be breaking new ground in mandating the credentialing of alcohol and drug abuse counselors. A number of

states already have done so. Valley Hope operates facilities in Nebraska and Colorado, both of which require certification of counselors in state certified or licensed facilities. We can say from experience and with certainty that:

1. Mandated certification of counselors in those states has had no meaningful effect on our cost of providing services in those states. Required continuing education, in fact, has the effect of increasing productivity both through the sharpening of skills and the sense of professional self-satisfaction derived from it.
2. Mandated certification of counselors has had no effect on our ability to recruit or retain counselors in those states. In fact, recruitment is probably made easier by knowing that some positions must be filled by a person who is already credentialed. When we hire someone already certified, we know they have met an accepted standard of training and competence.
3. While we are not aware of any nationally mandated standards of education and training for counselors, enough states have adopted standards sufficiently similar in substance to draw conclusions about generally accepted standards of education and training. Twenty-three of those states have joined together in a consortium, granting reciprocity among them for counselors certified in any of the states.
4. The American Society of Addiction Medicine has developed national certification criteria for physicians working with alcohol and drug addicted patients, leading to board certification in the specialty of addictionology. While those criteria do not apply to counselors, they do suggest there is a distinct body of knowledge applicable to the treatment of addicted people, and that standards of training and education can be set for those working with them in the treatment process. If it is true for physicians who work primarily with the physical aspects of the disease, then it also must be true for the counselors who are most closely involved in the therapeutic milieu.

In summary, the Valley Hope Association appreciates the opportunity to speak to you today in support of the registration of alcoholism and drug addiction counselors in Kansas, and pledges our cooperation and assistance in the process leading toward that end.

My name is Tom Gregoire. I am a Senior Certified Alcoholism Counselor, and a KADACA member since 1981. Currently I am a student at the University of Kansas School of Social Welfare where I am in the third year of the Phd program. I have previously earned a Bachelors degree in Psychology and a Masters degree in Social Work. I place a high value on academic education.

I am proud of my academic accomplishments, and believe they have contributed to my professional success. However, I believe that my academic work has made only a limited contribution to my qualification and success as an addiction counselor. I was not exposed to a wide range of critical knowledge and skills required of addiction professional until I had the opportunity to work under the supervision of experienced addiction counselors.

The effort I made to prepare and take KADACA's oral and written exams provided further exposure to addiction knowledge that is not offered in academic curriculums. My membership in KADACA has been an important aspect of my professional development. I value my certification as an alcoholism and drug addiction counselor as the only tangible indicator of my qualifications to engage in the practice of addiction counseling.

I have worked in a number of counseling and administrative capacities in alcoholism and other drug treatment centers. I would estimate that I have interviewed, hired, and participated in the training and

*Senale P. H & W
Attachment # 4
2-19-92*

evaluation of over 100 addiction professionals. My own academic experience through a bachelors, masters, and most of a doctoral program, as well as my experience as a program administrator has lead me to conclude that academic credentials alone do not qualify an individual to effectively work with alcoholics and their families.

It is still possible, if not likely to complete an entire undergraduate or graduate curriculum in the human services with only a limited exposure to the skills necessary to treat the alcoholic. One can have no confidence when hiring a person with an advanced degree that they have been exposed to the unique knowledge and skill required to help alcoholics. While many of the core counseling skills taught will generalize to all populations, a body of knowledge and skill unique to addiction counseling is generally missing in higher education curriculum.

Addiction counseling is somewhat of a hybrid profession. It is the only profession that comes to mind which lacks a specific educational curriculum. There is no single accredited addiction curriculum as there is for nursing or social work.

I have hired skilled alcoholism counselors from a host of academic backgrounds. Persons from nursing, social work, psychology, and rehabilitation counseling to name a few, have made great addiction counselors. In fact I am unable to determine which academic background best qualifies an individual to help addicts and their families.

The common characteristic of the effective alcoholism and drug addiction counselors I have supervised has been the opportunity to gain practical experience while being supervised by an experienced addiction counselor. I would not allow an individual, regardless of their academic credentials, to counsel alcoholics and their families until they had completed a supervised practicum experience under the direction of a Certified Addiction Counselor. Completion of the practicum rather than completion of the degree would convince me that the individual possessed the required knowledge and skilled to help persons with addiction problems.

Registration of addiction counselors will go a long way to insuring the quality of providers in Kansas. Nothing I have written should be construed to suggest that I do not value higher education. Important skills are imparted in the undergraduate and graduate human service curriculum. However, substantial gaps exist in the education of addiction professionals which have been well filled through supervised experiential training. I strongly urge you to recognize that for the foreseeable future supervised, practical experience is a required qualification of all effective addiction professionals. Thank you for your consideration of this important issue.



KANSAS MEDICAL SOCIETY

623 W. 10th Ave. • Topeka, Kansas 66612 • (913) 235-2383
WATS 800-332-0156 FAX 913-235-5114

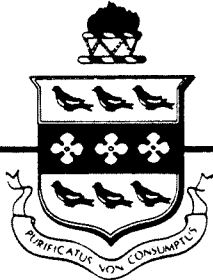
February 19, 1992

To: Senate Public Health and Welfare Committee
From: Kansas Medical Society *Cheryl A. Aalen*
Subject: Senate Bill 458; Alcohol and Drug Abuse Counselors

We commend the alcohol and drug abuse counseling profession for its participation in the formal credentialing process pursuant to state law. We respectfully recommend that the Senate Public Health and Welfare Committee give priority consideration to the recommendations of the KDHE Credentialing Committee which reviewed this question.

Thank you.

*Senate P. H & W
Attachment # 5
2-19-92*



WASHBURN UNIVERSITY OF TOPEKA

School of Applied and Continuing Education
Topeka, Kansas 66621
Phone 913-295-6619

17 February 1992

SENATOR ROY EHRLICH
SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

SENATE BILL #458--CREDENTIALING OF ALCOHOL
AND DRUG ABUSE COUNSELORS

Mr. Ehrlich:

Washburn University has provided educational opportunities for practitioners working in the alcohol and other drug abuse field since 1975. Our program began with a large grant from the National Institute of Drug Abuse. Washburn has had a strong commitment to competency-based curriculum development over the last eight years when the Associate of Arts degree was redesigned based on the 1982 "Alcoholism Counseling Education Curriculum and Instructional Resource Guide." In addition to using this curriculum guide, our program is also based on the standards established by the Council on Standards in Human Service Education and covers the twelve core function necessary for effective practice in the field as identified by the Kansas Alcoholism and Drug Addiction Counselors Association including, but not limited to, confidentiality, case management, client records, the disease model, intake procedures, assessment and treatment planning, crisis intervention skills, basic counseling skills understanding the dynamics of human behavior, signs and symptoms of alcohol and other drug abuse, pharmacological factors, the continuum of care, federal and state laws, the state service system and referrals.

In 1983 our Associate of Arts degree in Alcohol and Drug Abuse was moved from the Physical Education department to the newly created School of Applied and Continuing Education. Over these last eight years, the program has grown from 10 majors to a steady 50 majors for the last several years. Four years ago, in response to the increasing need for professionalization in the field, we began to offer our Certificate of Completion in Alcohol and Drug Abuse for persons already holding baccalaureate degree in a related Human Services or Health Care discipline or for Washburn students working toward a baccalaureate degree in a related area. We have a number of students completing degrees in Social Work, Criminal Justice, Psychology, and Sociology who will graduate with the Certificate of Completion in Alcohol and Drug Abuse in addition to their baccalaureate degree.

In 1986 we received a grant from the SRS-Alcohol and Drug Abuse Services to provide continuing education workshops across the state of Kansas for practitioners working in the field of alcohol and other drug abuse and addiction. Over the last six years, the Kansas Alcohol and Drug Abuse Training Project has served approximately 2400 participants in our workshops. All of our workshops are approved for CEU's through KADACA, the Behavioral Sciences Regulatory Board, and

*Senate P. H & W #
Attachment 6
2-19-92*

some for the Kansas State Board of Nursing. Over the last several years of the project, we have worked with Barton County Community College, Wichita State University, Emporia State University, University of Kansas and Kansas City Kansas Community College to provide the opportunity for students to earn college credit by attending these workshops and completing additional assignments. The workshops are designed to cover the core competencies identified by KADACA and current research impacting the field.

As a result of our 16 years of experience, I believe that our programs at Washburn are very well prepared to meet the proposed registration requirements for a graduate to become registered by completing our Certificate in Alcohol and Drug Abuse along with a baccalaureate degree.

I would strongly recommend that this legislation identify specific competency-based content that must be covered in a set of courses to be included in a degree program that a student must complete prior to being qualified for registration as an alcohol and drug abuse counselor. So, in effect, a student might complete a 4-year degree in a related discipline, but during their course of study they would also complete at least 12 credit hours of coursework specific to the identified core of knowledge and competencies necessary for effective practice in this field. Colleges and universities could incorporate these courses into existing degrees as a minor, a concentration or design a certificate program similar to what we already have at Washburn. In addition to the 12 credit hours of didactic instruction specific to the identified core of knowledge and competencies necessary for effective practice, students would also be required to complete a supervised internship for at least 10 hours of college credit.

My concern is that if this content and these courses are not specified as part of this legislation, students with 4-year degrees may want to qualify for registration with only minimal preparation (a few clock hours smattered here and there), rather than a focused, organized concentrated curriculum specific to alcohol and drug abuse.

Thank you for permitting me the opportunity to speak about this very important issue.

Sincerely,



Iris Heckman, LMHT, Ed.D.
Chair, Human Services Division
Program Director, Alcohol and Drug Abuse
Program Director, Kansas Alcohol and Drug Abuse Training Project

js:2.17.92



MIRROR INC.

130 East 5th • P.O. Box 711 • Newton, KS 67114

**SOUTH CENTRAL KANSAS
REGIONAL PREVENTION CENTER**
Chemical Dependency Services
Prevention and Treatment

February 18, 1992

Senate Public Health and Welfare Committee
State Capitol
Topeka, Kansas 66612

ATTN: Senator Roy M. Ehrlich, Chairman

RE: SB 458

Dear Committee Members:

My interest in writing this letter is two-fold: as a Board member and current Chairperson of a community-based alcohol and drug program and as a concerned citizen.

I wish to offer my support for a credentialing process for alcohol and drug addiction counselors. Counselor credentialing would help to insure me as a volunteer Board member that employees hired by our agency are professionals who have met a set of State-approved qualifications and are qualified to perform the duties for which they were hired. At the present time, we as a Board have only two avenues to insure quality of care: first, SRS licensure standards which licenses the program, and reliance in our program's administrators.

I was appalled to learn that currently the plumbers in my business have to meet a mandatory set of standards whereas alcohol and drug counselors have only a voluntary system. I further learned that as the situation currently stands, my plumbers could immediately practice as alcohol and drug counselors tomorrow. The potential for harm to the general public and the alcohol and drug client is apparent. We believe counselor credentialing will help to insure quality of care to the clients we serve.

To conclude, I am asking for your favorable consideration of SB 458.
Thank you.

Respectfully,

John Graber

JF:esw

*Senate P. H&W
Attachment #7
2-19-92*



MIRROR INC.

130 East 5th • P.O. Box 711 • Newton, KS 67114

**SOUTH CENTRAL KANSAS
REGIONAL PREVENTION CENTER**
Chemical Dependency Services
Prevention and Treatment

February 18, 1992

Senate Public Health and Welfare Committee
Capitol Building
Topeka, Kansas 66612

ATTN: Senator Roy Ehrlich, Chair

RE: SB 458

Dear Senator:

To introduce myself, I am Beverly Metcalf, Executive Director of Mirror Inc. in Newton. I have worked in the field of alcoholism and other drug addictions since 1978 and have been a certified counselor through KADACA since 1981. Currently, I serve on the Kansas Citizen's Advisory Committee to SRS and have served two years as President of the Kansas Association of Alcohol and Drug Program Directors.

Counselor credentialing is important to me. As the director of a community-based alcohol and drug program with approximately 30 employees, it can help to reassure me that the persons I hire meet a specific set of professional criteria. As a proud professional in this field it can insure me that our designation of alcohol and drug addiction counselors is protected.

Academic educational opportunities in the area of alcoholism and other drug addiction in Kansas have been somewhat limited and our hope is that credentialing will further enhance these opportunities by recognizing our profession and its unique requirements for practitioners.

I look forward to the possibility of credentialing and respectfully ask your support and favorable consideration of SB 458. Please feel free to contact me if I may be of assistance.

Sincerely,

Beverly Metcalf
Executive Director

BM:esw

*Senate P. H & W
Attachment # 8
2-19-92*



KADACA

TO: Senate Public Health and Welfare Committee
Senator Roy Ehrlich, Chairman

RE: Senate Bill 458

DATE: February 19, 1992

Dear Mr. Chairman and members of the Committee:

My name is Ron Eisenbarth, immediate Past President of the Kansas Alcoholism and Drug Addiction Counselor's Association (KADACA). I am presenting testimony on behalf of John Gilbert, current President of KADACA and its membership of approximately 475 counselors in support of Senate Bill 458 which will provide for the state registration of alcoholism and drug addiction counselors.

As mentioned in earlier testimony today by Gene Johnson, KADACA submitted a letter of intent to the Secretary of the Department of Health and Environment in the summer of 1990 to apply for credentialing status of alcoholism and drug addiction counselors in Kansas. After the Secretary invited KADACA to submit the application, we convened several meetings with representatives of the various statewide alcohol and drug agencies in Kansas to solicit input and support as we spent several months acquiring the needed information to develop this comprehensive application. Andrew O'Donovan, ADAS Commissioner and his staff were valuable resources in this process. After submission of the application to the Secretary of Department of Health and Environment in April 1991, the Secretary appointed the technical committee to review the application, with

that review process beginning in early October and being completed on December 18, 1991, with a unanimous recommendation of approval by the Committee. On January 27th, DR. Azzie Young, Secretary of DH&E, made the recommendation to the legislative body for the registration of alcoholism and drug addiction counselors in Kansas.

KADACA was chartered in 1974 and began certifying alcoholism and drug addiction counselors in 1975. In 1976, KADACA became a charter member of the National Association of Alcohol and Drug Abuse Counselors (NAADAC), an association which today includes over 40 state counselor's associations. In the early 1980's, KADACA joined a consortium of several states in a National Certification Reciprocity Consortium (NCRC), which now includes 43 states, plus the US Air Force and Navy certification bodies. This organization provides for reciprocity of members to member states, that have all agreed to uniform minimum criteria for certification. In other words, a counselor who is certified in Kansas, can reciprocate or transfer certification to another state by simply providing verification of current certification in Kansas.

Qualifications for testing are a blend of education, plus 3000 hours of practicum and/or work experience under the supervision of a registered alcoholism counselor. The qualifications proposed in SB 458 are approximately the same as the current KADACA Certification process, except the proposed registration bill requires persons to eventually have a Bachelor's degree.

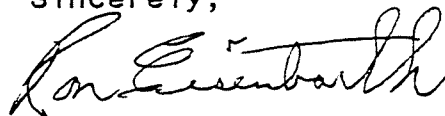
As mentioned in earlier testimony, KADACA has sought state credentialing of counselors on several previous occasions. One of

the major reasons for these efforts was the continual risk of harm to clients by unqualified non-certified counselors who present themselves to the public as alcoholism and drug addiction counselors. KADACA has a membership of 475 counselors, who are either Certified or Associate Counselors, the latter meaning they are working to meet the criteria to make them eligible for registration. It is estimated there are at least between 400 and 500 additional practitioners who are not members of KADACA but present themselves as alcoholism counselors.

Senate Bill 458 would eliminate these problems. The DH&E credentialing review process requires the applicant to document that with the unregulated practice of alcohol and drug abuse counseling the potential of harm to the public exists and is recognizable and not remote. The applicant is also required to convince the technical committee that credentialing substantially reduces this potential for harm. During the review process the technical committee became convinced that credentialing this occupation would accomplish both these criteria. This resulted in the committee approval of the application.

We believe the registration proposed in SB 458 is state of the art. It is compatible with the criteria of both National organizations which have been adopted by over 80% of the states. we urge you to approve Senate Bill 458.

Sincerely,



Ron Eisenbarth
Past President, KADACA