

## MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairperson Brenda Landwehr at 1:30 P.M. on February 7, 2008 in Room 526-S of the Capitol.

All members were present except:

Representative Garcia, Excused  
Representative Kiegerl, Excused  
Representative Shultz, Excused  
Representative Ward, Excused

Committee staff present:

Norman Furse, Revisor of Statutes Office  
Dianne Rosell, Revisor of Statutes Office  
Melissa Calderwood, Kansas Legislative Research Department  
Cindy Lash, Kansas Legislative Research Department  
Chris Haug, Committee Assistant

Conferees appearing before the committee:

Willa DeCastro, American Adoptions  
Shawn Kane, American Adoptions  
Ron Hein, Mental Health Credentialing Coalition (MHCC)  
Elaine Ptacek, Mental Health Credentialing Coalition (MHCC)  
Gina McDonald, Kansas Children's Service League  
Kyle Kessler, KVC  
Melissa Ness, St. Francis Community Services  
Donna Rozell, United Methodist Youthville  
Sky Westerlund, National Association of Social Workers (KNASW)  
Patricia Bartell, Kansas Psychological Association

Others Attending:

See Attached List.

Representative Mast moved to approved the minutes of the February 5, 2008 meeting. Representative Hill seconded the motion. The motion carried.

Rep Flaharty introduced a bill that would establish a program for the safe handling or movement of patients. Representative Mast seconded the motion. The motion carried.

Chairperson Landwehr introduced a bill on Optometry that deals with prescribing and dispensing contact lenses with medication in them. It is a product that is not out on the market yet, but is being proposed. Representative Morrison seconded the motion. The motion carried.

Chairperson Landwehr opened the hearing on **HB 2570 - Concerning Adoptions; relating to persons authorized to make assessments.**

Proponents:

Willa DeCastro, representing American Adoptions, provided the background on the bill. (Attachment 1) The subject first came up in 2006 during an interim committee on the Joint committee on Children's Issues. At that time they were doing round table discussions on adoption statutes and issues. There were multiple groups that brought up they needed more people to perform the home study assessments.

Shawn Kane, representing American Adoptions, gave testimony in support of **HB2570.** (Attachment 2) Mr. Kane stated people without Masters degrees should be able to provide home assessment. There was discussion about how other states regulate. Mr. Kane said in some states such as Florida it is regulated, but most do not. Mr. Kane said a home assessment entailed going into the home and conducting an interview. The addition of a licensed marriage and family therapist, licensed professional counselor, licensed psychologist or licensed master's level psychologist will allow Kansan's more options for home study providers.

CONTINUATION SHEET

MINUTES OF THE House Health and Human Services Committee at 1:30 P.M. on February 7, 2008 in Room 526-S of the Capitol.

Ron Hein, representing the Mental Health Credentialing Coalition, spoke in support of **HB-2570**. (no written testimony) He introduced Elaine Ptacek and gave a brief overview of the Mental Health Credentialing Coalition. This coalition is made up of three associations; The Kansas association of Masters in Psychology, the Kansas Counseling Association and the Kansas Mental Health Counselors Association for Marriage and Family Therapy.

Elaine Ptacek, of the Mental Health Credentialing Coalition gave her testimony in support of **HB2570**. (Attachment 3) Ms. Ptacek stressed how difficult it was for rural areas to find individuals to complete the adoption home assessments. There was discussion on charges for home study.

Kyle Kessler, Vice President for Administration and Governmental Affairs with KVC, gave testimony in support of this bill. (Attachment 4) Mr. Kessler stressed, no child should have to wait longer than necessary to be placed in a home, where they can receive the love that has been absent from their life.

Melissa Ness JD, MSW and Advocacy Coordinator with St. Francis Community Services provided testimony for this bill. (Attachment 5) Ms. Ness stated they are in support of **HB2570** because it would expand the pool of qualified licensed professionals available to provide an important service in providing a permanent home for children.

Donna Rozell, Director of Family Based Services for Youthville supports this bill with modifications to the language on lines 24-25. (Attachment 6) It is their belief adoption experience is not required in order to conduct a home study. They are asking the language be modified to read "Possess a minimum of 2 years experience in assessment services or be supervised by a person with such experience." There was discussion about why they wanted to take the word adoption out of the bill and use only the word assessment. Chairperson Landwehr stated that we could have the revisors take a look at the statutes to see what is there regarding assessments.

Gina McDonald, Vice President for Education and Awareness with the Kansas Children's Service League (KCSL) provided testimony supporting **HB2570**. (Attachment 7) Ms. McDonald said this bill will give more professionals the option to perform assessments and home studies. They would like to go further and allow these professionals to supervise the functions of the home studies and assessments, but are satisfied this is a step in the right direction. They have well qualified people with the degrees mentioned in this bill, who have many years of experience working with families but they cannot complete the home assessments. However, an individual right out of school, with a license, can perform these duties.

Written Testimony in support of this bill was submitted from Bruce Linhos, Director of the Children's Alliance of Kansas. (Attachment 8)

Written Testimony for **HB2570** was provided by Christine Ross-Baze, Director Child Care Licensing and Registration Program with KDHE. (Attachment 9)

Chairperson Landwehr asked if there were any other proponents of the bill wishing to speak. There were none. The Opponent side of the hearing was opened.

Opponents:

Sky Westerlund, LMSW, Executive Director of Kansas Chapter of National Association of Social Workers (KNASW) provided testimony against **HB 2570**. (Attachment 10) Her concern was that adoption assessments are not a form of the mental health work of diagnosis and treatment of mental illness. There was discussion as to why these other disciplines could not do these assessments. Sue McKinna was asked to look at the language on page 1, beginning with line 32, paragraph C. Ms. McKinna said she would come back when the bill was worked to clarify the language.

Patricia A. Bartell, PhD, Executive Director Kansas Psychological Association gave testimony against the bill. (Attachment 11) Licensed psychologists were included in this bill, but not at their request. There was discussion about whether a licensed psychologist could make a home study assessment.

CONTINUATION SHEET

MINUTES OF THE House Health and Human Services Committee at 1:30 P.M. on February 7, 2008 in Room 526-S of the Capitol.

Chairperson Landwehr adjourned the meeting at 3:00 p.m. The next meeting will be February 12, 2008.



Feb. 7, 2007  
House Committee on Health and Social Services  
HB 2570

Chairperson Landwehr and committee members,

Thank you for hearing HB 2570 today.

This is an issue that was first discussed at your Joint Committee on Children's Issues in 2006. If you reference your Committee reports you will find where the issue of expanding the pool of people who are allowed to perform adoption home studies was one of the topics on adoption that the committee heard about from multiple groups.

Last year two bills were introduced into your committee dealing with this issue. HB 2481 and HB 2570. Over the past summer the groups who submitted those bills worked together to resolve the difference and present to you a balloon that we believe is fair and will help address some of the problems of delay that often occur for both families that are wanting to adopt and children waiting for a home.

This bill will help address the shortage of social workers for both private and public placements. While SRS can currently use some of these professional the private sector is not permitted to. We also understand that recently SRS was granted permission to use non-licensed personnel to conduct the pre-licensing walk through for foster homes with only a high school diploma needed to help the process to move more quickly to place children. We believe that HB 2570 will address many of these concerns.

Thank you for hearing this bill and I would stand for questions.

Willa DeCastro  
American Adoptions

House Health and Human Services Committee  
2-7-08  
Attachment 1

**AMERICAN  
ADOPTIONS**  
**1-800-ADOPTION**  
www.americanadoptions.com

HB 2570  
February 7, 2008  
House Health and Human Services Committee

Representative Landwehr, and members of the committee, thank you for hearing HB 2570 today.

As it stands now, current law concerning adoptions determines that unless you are a licensed social worker, you are prohibited from doing any home study assessments for families wanting to adopt. We believe adding other state-licensed professionals, such as marriage and family therapists, professional counselors, psychologists or master's level psychologists, will provide more qualified people able to conduct home studies, which will better serve the constituents of Kansas trying to adopt.

Currently a 21-year-old recent college graduate from a Kansas college could perform a home study in the state of Kansas under their license with no supervision or training to provide such services. Recently at American Adoptions, we hired two new social workers from different Kansas accredited colleges who explained, to their knowledge, that their colleges did not provide course work or training on how to provide a proper assessment or write an adoption home study. To our knowledge, there is no college in the state of Kansas that offers course work in this area.

Current law would not allow a marriage and family therapist with a master's degree and 21 to 22 years of experience in counseling clients about marriage, family relationships, infertility and parenting to provide such an assessment. In our opinion, there are many qualified professionals that do not have social work degrees, but have other human service related degrees, such as marriage and family therapists, professional counselors or psychologists, who are qualified to provide such an assessment.

Who better to assess a married couple that wants to add to their family by way of adoption than someone who has experience in counseling clients about marriage, family relationships, infertility and parenting?

The current proposal will only allow master's educated and above related fields this opportunity, even though bachelor's level social workers with less education and experience can provide this service currently.

We feel that the ability to conduct a proper assessment and adoption home study is clearly within the realm of these other fields and HB 2570 would allow this to happen.

9233 Ward Parkway, Suite 375  
Kansas City, Missouri 64114  
(816) 444-1049  
Fax (816) 444-0628

House Health + Human Services  
Committee  
2-7-08  
Attachment 2

9101 W. 110th Street, Suite 200  
Overland Park, KS 66210  
(913) 383-9804  
Fax (913) 383-1615

As a national adoption professional, we see hundreds of home studies annually conducted by people of various human service and social work backgrounds, and the quality of the home study comes down to the performance of the person conducting the home study, not a certain academic degree.

Additionally, as a private child placing agency in the state of Kansas, we are constantly facing staffing challenges in western and more rural areas of Kansas, as well as losing great candidates in Kansas City to the state of Missouri.

For example, we can complete a home study in the Kansas City area within 2 to 4 weeks, whereas in parts of western Kansas, staffing shortages can delay a home study by 1 to 4 months. This also delays a Kansas family's adoption process.

Additionally, currently in Kansas City, bachelor's and master's level licensed marriage and family therapists, licensed professional counselors, licensed psychologists and licensed master's level psychologists are currently able in the state of Missouri to provide home study assessments. Kansas residents with these backgrounds are forced to work in Missouri due to this restrictive law, which seems unjust that we are not able to hire Kansas residents for Kansas jobs.

In closing, the addition of a licensed marriage and family therapist, licensed professional counselor, licensed psychologist or licensed master's level psychologist will certainly allow constituents of Kansas more options for home study providers.

Thank you for your attention and I would gladly stand for questions.

Shawn Kane  
Executive Director  
American Adoptions  
1-800-ADOPTION

**Heartland Rural Counseling Services, Inc.**  
**270 North Franklin Ste C.**  
**Colby, Kansas 67701**  
**Phone 785-460-7588**  
**Fax 785-460-2396**

**Testimony re: HB 2570 Adoption Home Studies**  
**House Health and Human Services Committee**  
**Presented by Elaine Ptacek**  
**On behalf of the**  
**Mental Health Credentialing Coalition**  
**February 7, 2008**

Madam Chairman, Members of the Committee:

My name is Elaine Ptacek from Colby, Kansas. I am speaking today on behalf of the Mental Health Credentialing Coalition, which is comprised of the members of the Kansas Counseling Association/Kansas Mental Health Counselors Association, Kansas Association of Masters in Psychology and the Kansas Association for Marriage and Family Therapy. I am in Private Practice with Heartland Rural Counseling Services in Colby, Kansas as a Licensed Clinical Professional Counselor. I have worked in the Mental Health field since 1990. I am a Mental Health Consultant with the Smart Start Program in Northwest Kansas and mental health volunteer for our local Red Cross. I have served as a President of the Kansas Mental Health Counseling Association and currently serve as the Legislative Advocacy Chairman of Kansas Counselors Association.

My testimony today encourages the House Health and Human Services Committee to support **HB 2570** on Adoption Home Studies. Being from Northwest Kansas, rural areas face many challenges for finding individuals in a rural location to complete the adoption home studies.

By the actions of the Kansas Legislature over the past decade, these three professions: professional counselors, marriage and family therapists, and clinical psychotherapists have joined previously licensed social workers and psychologist in providing the complex and broad array of mental health and child welfare services depended upon by our states citizens. In 1996, the Legislature recognized all three of our mental health providers as "qualified mental health professionals." For the past decade, the Behavioral Sciences Regulatory Board has worked with all five professions at one table to oversee a coordinated development of administrative rules for protecting a public who could likely seek services from any of the respective professions' licensees. Graduates from our universities across Kansas hope to provide services to our states citizens whether it be mental health services or adoption home studies instead of moving out of state simply to find work that is non discriminatory.

*House Health + Human Services Committee*  
*2-7-08*  
*Attachment 3*



KSA 59-2132 was drafted in 1990. It limits adoption home studies to "court approved social workers licensed to practice social work in Kansas." Sixteen years ago, there were no other BSRB licensed professionals serving in the child welfare workforce in Kansas. Our agency, Heartland Rural Counseling Services, has a Bachelor Social Worker who completes our private adoption home studies. We are not able to complete Adoption Home Studies for SRS as we have been unable to locate or contract with an LSCSW.

SRS in Northwest Kansas contracts with a Salina agency, over 200 miles away because of the limitations in this statute. Our agency hired a BSW to do private adoption home studies. She is great, but it is hard to explain to other licensed individuals with a masters clinical degree why they can't do home studies. There is no professional or scope of practice reason why the other BSRB licensees cannot perform adoption home studies. It is only because of the statutory prohibition that such providers cannot perform such services. It is interesting to me that the Licensed Bachelors Social Worker is able to do adoption home studies and they have not completed the 60 credits in graduate level courses that would better prepare them to provide this service like all five of the professional licensees required by the BSRB in the graduate programs.

For about six months, our agency was contracting with SRS to do adoption home studies. We did approximately 5-6 before we received a call from our contractor that KDHE said we could no longer do them. That state statute said it must be completed by a LSCSW. We talked to KDHE about becoming a child placing agency along with the rules and regulations. SRS was satisfied with our adoption home study reports and recommendations, but these must be completed by an LSCSW. By expanding the statute to include Licensed Professional Counselors, Licensed Marriage and Family Therapists and Licensed Psychotherapist, we would no longer have an issue of access.

I have included two graphs that I would like to discuss with you.

### **1. Comparison of scopes of practice for KS BSRB Licensed Mental Health Providers Authorized to Diagnose and Treat Mental Disorders.**

The information in this graph shows a very good comparison for the four licensed professional who are asking to complete Adoption Home Studies. As you can see in the first column, Clinical Social Workers (LSCSW) has a very similar scope of practice comparing them to LCMFT's, LCPC's, and LCP's.

### **2. Comparison of Licensure Requirements for Licensed Clinical Mental Health Care Providers State of Kansas 2002.**

The information in this graph shows a great comparison of the requirements each profession must meet to become licensed with BSRB. It compares Statutory Authorization to Diagnose and Treat Mental Disorders, Graduate Education Requirements for Licensure, Minimum Coursework Supporting Clinical Practical effective 7-1-2003, Supervised Direct Client Contact Hours Conducting Psychotherapy,

Total Postgraduate Supervised Professional Experience, Postgraduate Clinical Experience and Competency Exams for each Licensee.

Rural communities suffer disproportionately from a shortage of mental health professionals. This is no different in Western Kansas or the rural areas across the state. By adding professional counselors, marriage and family therapists and psychotherapists to HB 2570, this would help families and agencies alleviate the problem of access for adoption home studies.

The legislature's goal is to insure that as many children as possible are placed in a permanent home environment. The more competent and qualified providers that the state of Kansas can put in the field to assist with adoption home studies, the better the outcome for the legislative desire of placing children in a permanent environment.

Over the last decade, we were added to most Health Insurance Provider Networks. In 2005, we were able to serve Health Wave 21 clients for mental health services. In July, 2007 we became providers of the Medicaid system. We believe that this anachronistic statute should be changed to ensure that the state of Kansas can benefit from allowing all of its many competent and qualified providers performing adoption home studies.

I feel being licensed at the highest level in Kansas under the supervision of the BSRB should level the playing field among all disciplines. Today, this statute prevents various agencies from utilizing the full range of professionals now employed in the states' mental health and child welfare agencies. This creates needless inefficiencies and bottlenecks due simply to a statute that is outdated and out of sync with our states' priority for an effective, multi-professional work force.

As you consider future actions to benefit the delivery of adoption home studies in Kansas, we urge you to address updating this specific statute to better match the Legislature's priorities set in the past decade. Please support HB 2570.

**COMPARISON OF SCOPES OF PRACTICE FOR KANSAS BSRB LICENSED CLINICAL MENTAL HEALTH PROVIDERS  
AUTHORIZED TO DIAGNOSE AND TREAT MENTAL DISORDERS**

3-4

Licensed Specialist Clinical Social Worker	Licensed Clinical Marriage and Family Therapist	Licensed Clinical Professional Counselor	Licensed Clinical Psychotherapists	Licensed Psychologist
<p>KAR 102-2-1a (e) "Clinical social work practice" means the professional application of social work theory and methods to the treatment and prevention of psychosocial problems, disability, or impairment, including emotional and mental disorders. Clinical social work shall include the following:</p> <ol style="list-style-type: none"> <li>(1) Assessment;</li> <li>(2) diagnosis;</li> <li>(3) treatment, including psychotherapy and counseling;</li> <li>(4) client-centered advocacy;</li> <li>(5) consultation;</li> <li>(6) evaluation; and</li> <li>(7) interventions directed to interpersonal interactions, intrapsychic dynamics, and life support and management issues.</li> </ol>	<p>K.A.R. 102-5-1 (c) "Clinical marriage and family therapy practice" means the professional application of marriage and family therapy theory and methods to the treatment and prevention of psychosocial dysfunction, disability, or impairment, including behavioral, emotional, and mental disorders. Clinical marriage and family therapy shall include the following:</p> <ol style="list-style-type: none"> <li>(1) Assessment;</li> <li>(2) diagnosis of mental disorders;</li> <li>(3) planning of treatment, which may include psychotherapy and counseling;</li> <li>(4) treatment intervention directed to interpersonal interactions, intrapsychic dynamics, and life management issues;</li> <li>(5) consultation; and</li> <li>(6) evaluation, referral, and collaboration.</li> </ol>	<p>K.A.R. 102-3-1a (e) "Clinical professional counselor practice" means the professional application of professional counseling theory and methods to the treatment and prevention of psychosocial dysfunction, disability, or impairment, including behavioral, emotional, and mental disorders. Clinical professional counseling shall include the following:</p> <ol style="list-style-type: none"> <li>(1) Assessment;</li> <li>(2) diagnosis of mental disorders;</li> <li>(3) planning and treatment, which may include psychotherapy and counseling;</li> <li>(4) treatment intervention directed to interpersonal interactions, intrapsychic dynamics, and life management issues;</li> <li>(5) consultation; and</li> <li>(6) evaluation, referral, and collaboration.</li> </ol>	<p>K.A.R. 102-4-1a (d) "Clinical psychotherapy practice" means the independent practice of master's level psychology and the application of psychology theory and methods to the treatment and prevention of psychosocial dysfunction, disability, or impairment, including behavioral, emotional, and mental disorders. Clinical psychotherapy shall include the following:</p> <ol style="list-style-type: none"> <li>(1) Assessment;</li> <li>(2) diagnosis of mental disorders;</li> <li>(3) planning of treatment, which may include psychotherapy and counseling;</li> <li>(4) treatment intervention directed to interpersonal interactions, intrapsychic dynamics, and life management issues;</li> <li>(5) consultation; and</li> <li>(6) evaluation, referral, and collaboration.</li> </ol>	<p>K.A.R. 102-1-1 (c) "Clinical psychological services" means the application by persons trained in psychology of established principles of learning, motivation, perception, thinking, and emotional relationships to problems of behavior adjustment, group relations, and behavior modification when those principles are applied through either or both of the following activities:</p> <ol style="list-style-type: none"> <li>(1) Providing psychological assessment and therapeutic treatment to individuals or groups with the intent of modifying attitudes, emotions, and behaviors that are intellectually, physically, socially, or emotionally maladaptive; or</li> <li>(2) performing any other clinical applications of psychological principles as approved by the board.</li> </ol>

3

EXHIBIT 2

35

COMPARISON OF LICENSURE REQUIREMENTS FOR LICENSED CLINICAL MENTAL HEALTH CARE PROVIDERS  
STATE OF KANSAS--2002

BASIS OF COMPARISON	CLINICAL PROFESSIONAL COUNSELORS	CLINICAL PSYCHOTHERAPISTS	CLINICAL MARRIAGE AND FAMILY THERAPISTS	CLINICAL SOCIAL WORKERS	CLINICAL PSYCHOLOGISTS	
Qualified Mental Health Professional – KSA 59-2946 (j)	LPC & LGPC	LMLP & LCP	LMFT & LCMFT	LMSW & LSCSW	LP	
Statutory Authorization to Diagnose & Treat Mental Disorders	KSA 65-5802 Independent Practice	KSA 74-5361 Independent Practice	KSA 65-6402 Independent Practice	KSA 65-6306 Independent Practice	KSA 74-5302 Independent Practice	
Graduate Education Accrediting Body	CACREP	MPAC	COAMFTE	CSWE	APA	
Graduate Education Requirements for Licensure	2-year program minimum – 60 graduate semester hours	2-year program minimum – 60 graduate semester hours	2-year program minimum – COAMFTE accredited degree or related field degree with defined core curriculum	1-year or 2-year CSWE accredited program or equivalent	3-year program minimum – 90 graduate semester hours	
Minimum Coursework Supporting Clinical Practice (7/1/2003)	15 graduate semester hours supporting diagnosis and treatment of mental disorders	15 graduate semester hours supporting diagnosis and treatment of mental disorders	15 graduate semester hours supporting diagnosis and treatment of mental disorders	15 graduate semester hours supporting diagnosis and treatment of mental disorders	24 graduate semester hours specified in diagnosis, assessment, and intervention	
Supervised Direct Client Contact Hours Conducting Psychotherapy	<u>Masters:</u> 1850 hrs – pre & post degree experience <u>Doctoral:</u> 1100 hrs – pre & post degree experience	<u>Masters:</u> 1850 hrs – pre & post degree experience <u>Doctoral:</u> 1100 hrs – pre & post degree experience	<u>Masters:</u> 1850 hrs – pre & post degree experience <u>Doctoral:</u> 1100 hrs – pre & post degree experience	<u>Masters:</u> 1850 hrs – pre & post degree experience <u>Doctoral:</u> 1100 hrs – pre & post degree experience	<u>Masters:</u> 1850 hrs – pre & post degree experience <u>Doctoral:</u> 1100 hrs – pre & post degree experience	900 hrs clinical psych services in postgraduate year – 2 semesters of practicum in doctoral program (no total set)
Total Postgraduate Supervised Professional Experience	<u>Masters:</u> 4000 hrs –2 years minimum <u>Doctoral:</u> 2000 hrs – 1 year minimum	<u>Masters:</u> 4000 hrs –2 years minimum <u>Doctoral:</u> 2000 hrs – 1 year minimum	<u>Masters:</u> 4000 hrs –2 years minimum <u>Doctoral:</u> 2000 hrs – 1 year minimum	<u>Masters:</u> 4000 hrs –2 years minimum <u>Doctoral:</u> 2000 hrs – 1 year minimum	<u>Masters:</u> 4000 hrs –2 years minimum <u>Doctoral:</u> 4000 hrs – 2 years minimum	1800 hours – 1 year minimum
Postgraduate Clinical Supervision Hours	150 hours minimum over 2 years	150 hours minimum over 2 years	150 hours minimum over 2 years	150 hours minimum over 2 years	45 hours minimum over 1 year	
Competency Examination	National clinical examination required	National clinical examination required	National clinical examination required	National clinical examination required	National clinical examination required	

W



**House Health and Human Services Committee  
Testimony in Support of HB 2570  
February 7, 2008**

**Corporate Office**  
21350 West 153rd Street  
Olathe, Kansas 66061-5413  
(913) 322-4900  
www.kvc.org

Chairwoman Landwehr and honorable members of the Committee, I am Kyle Kessler, Vice-President for Administration and Governmental Affairs at KVC Behavioral HealthCare. We appreciate the opportunity to provide testimony in support of HB 2570.

KVC has a long history of helping children and families. Currently, KVC is one of five agencies contracting with the Kansas Department of Social and Rehabilitation Services to provide child welfare services. One of the responsibilities in this set of contracts includes locating adoptive homes and placing children who have had parental rights severed with a family who will love and care for them.

KVC has had the privilege of helping over 660 children find adoptive families in the thirty months since the current contracts came into effect. In FY 2006, KVC helped 196 children to adoption. In FY 2007, KVC increased this number to 294, and so far in FY 2008, 171 children have been matched. As you see, these numbers are increasing steadily.

FY 2006—196  
FY 2007—294  
FY 2008—171 (so far)  
Total—661

KVC believes strongly that by increasing the number of qualified professions to include marriage and family therapists, professional counselors, and psychologists, children may benefit from having home studies completed in a more timely manner. Furthermore, the addition of these professions that are already regulated by the Behavioral Sciences Regulatory Board (BSRB) would help alleviate some of the competition for social workers in a very competitive field.

In conclusion, KVC supports passage of HB 2570. The reality is that no child should have to wait longer than absolutely necessary before being placed in a home where they can receive the love and nurturing that has been absent from so much of their life.

This concludes my testimony. I would be happy to stand for questions.



*House Health + Human Services  
Committee*

*2-7-08*

*Attachment 4*



**Saint  
Francis  
Community Services**

Serving Children and Families Since 1945

**2008 POLICY AGENDA~**

**SERVING A RURAL  
POPULATION**

*The needs, perspectives and culture of our rural and frontier population shall be reflected in decisions and policies that shape services to children and families at all levels.*

**MENTAL HEALTH AND  
BEHAVIORAL SERVICES**

*All children in the child welfare system will have access to quality, and timely mental health and behavioral health services designed to sustain and reunite families.*

**MANAGING POSITIVE  
SYSTEMS CHANGE**

*System changes that impact children and families must be adequately funded, accompanied by plans to build system capacity, and have a process for monitoring and evaluating performance against outcomes.*

For more information contact  
[mlness@connections-unlimited.net](mailto:mlness@connections-unlimited.net)

*The system serving children and families will reflect regional differences, ensure access to critical services and effectively manage change*

**2008 LEGISLATIVE SESSION~**

**House Health and Human Services**

**HB 2570 Persons Authorized to Make Adoption Assessments**

**St. Francis** has a rich history of serving troubled youths and their families over 60 years. We provide a range of services from family preservation, reintegration/ foster care, drug and alcohol services, foster care homes, residential services and community supports. Through those programs we serve over 2000 children and families, in 53 rural and frontier counties, with 12 offices and over 600 full and part time employees.

*We appear in support of HB 2570 because it would expand the pool of qualified licensed professionals available to provide an important service in the steps leading to permanency for children in our care.*

For over two years St. Francis has participated in a Rural Committee of Mental Health Services for Children and Families. Through that participation we have become increasingly concerned about the availability of professionals to provide timely and quality child welfare and mental health services in Kansas. A theme not uncommon throughout child welfare and the state is our shrinking human resource pool. This bill would allow us to tap into current qualified resources to perform a critical step in the permanency continuum under the guidance of the state and its regulatory body. At St. Francis we believe that finding solutions to gaps in human resources, which the courts recognize, takes on greater urgency because of the rural and frontier nature of our service area. (see handouts)

We are confident that the bill as written provides relevant safeguards so that children and families will be protected as well as recognizing this compliment of professionals as an important resource base for these services.

Although we know efforts of this nature will not comprehensively address our workforce challenges we nonetheless believe it is a first step in a solution-based approach to an urgent need . We look forward to working with you on its successful passage.

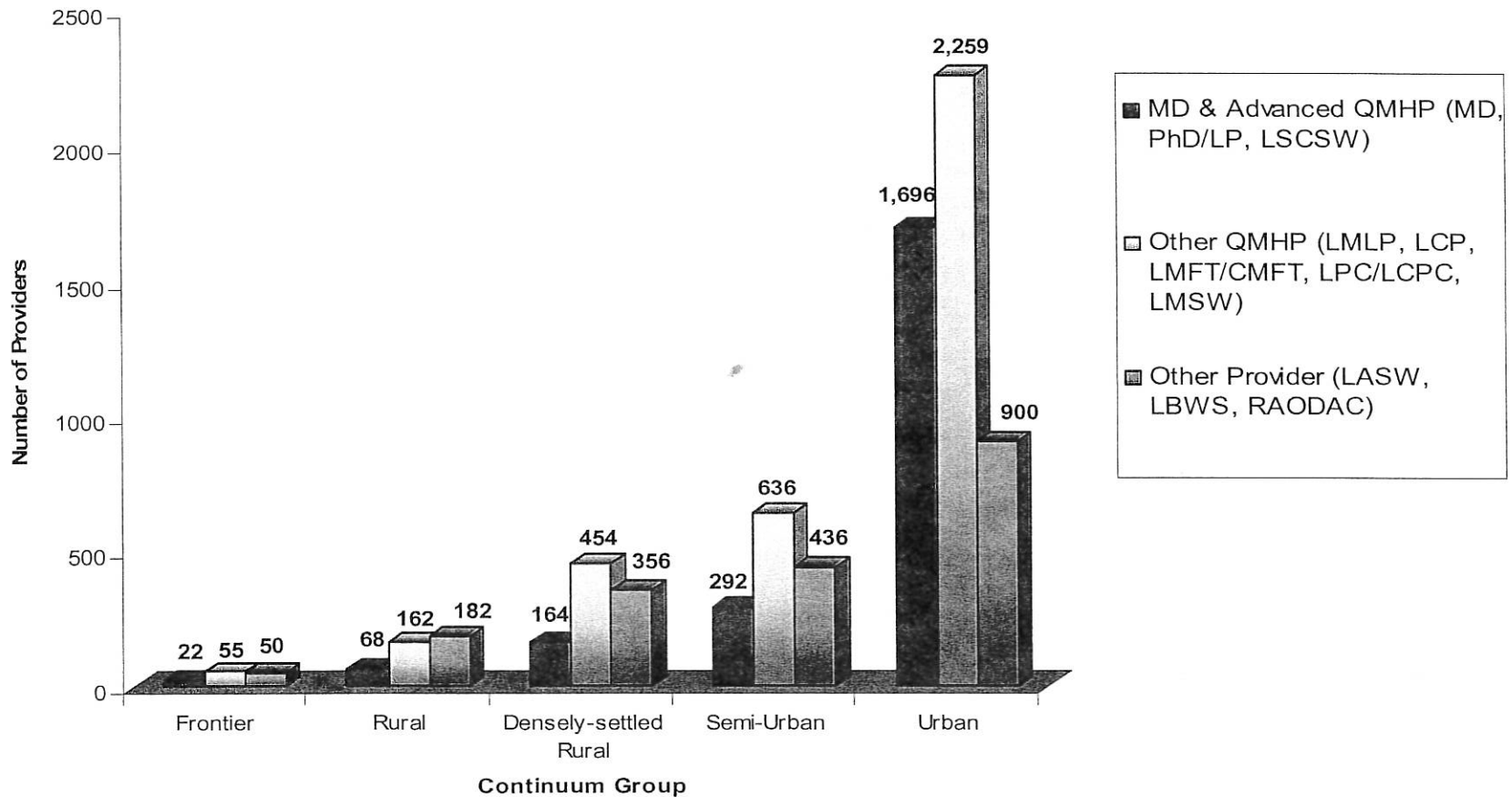
Respectfully submitted,  
Melissa L. Ness JD, MSW  
Advocacy Coordinator, St. Francis Community Services

*House Health + Human Services Committee  
2-7-08  
Attachment 5*

2.5

# The Frontier through Urban Continuum Definition

Number of Providers Across the Frontier Through Urban Continuum in Kansas

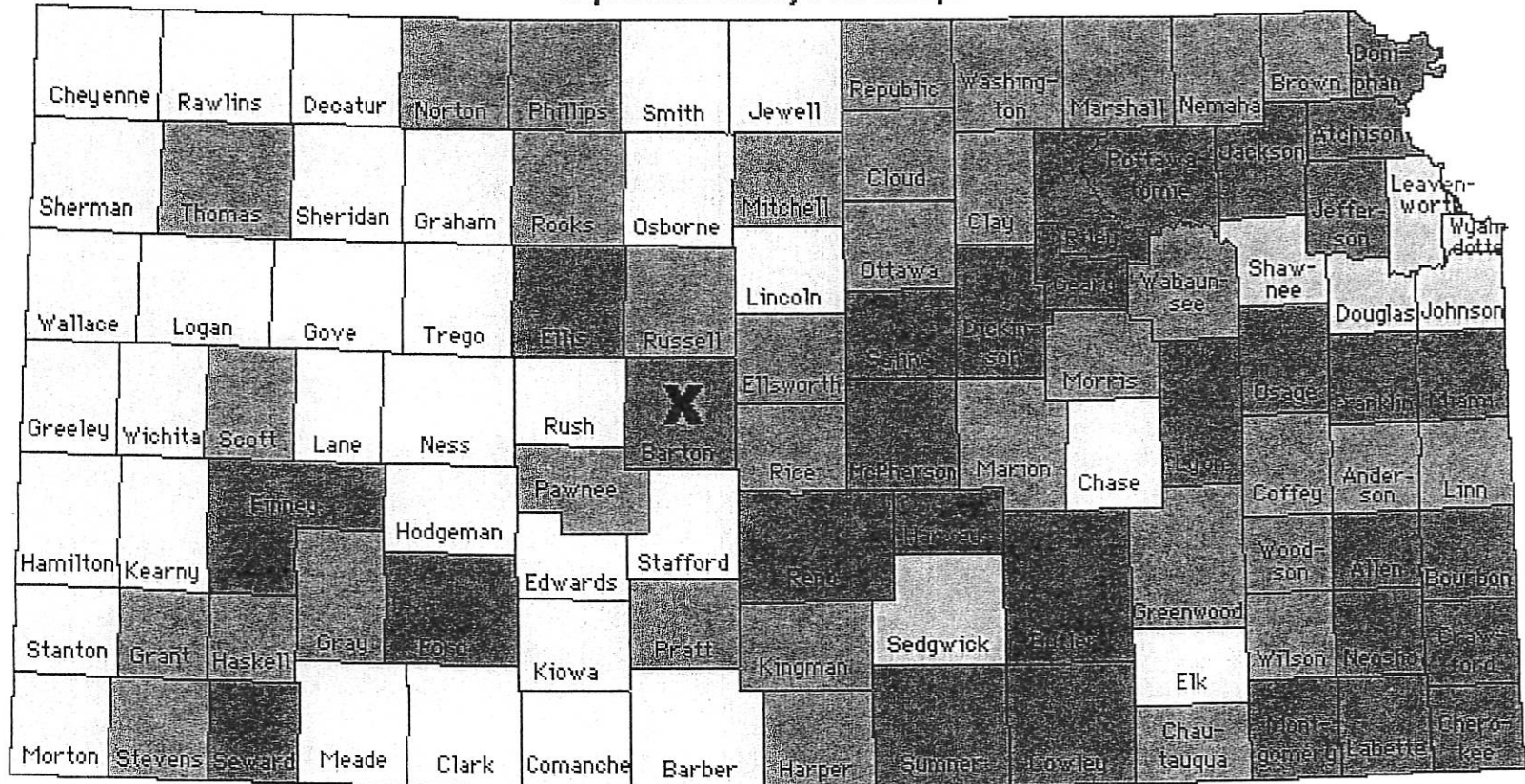


Data Sources: MD counts obtained from Kansas State Board of Healing Arts, November 2007, all other provider counts obtained from Kansas Behavioral Science Regulatory Board, November 2007

5.2

# The Frontier through Urban Continuum Definition

## Population Density Peer Groups\*



- Frontier (less than 6 persons per square mile)
- Rural (6 to 19.9 persons per square mile)
- Densely-settled rural (20 to 39.9 persons per square mile)
- Semi-urban (40 to 149.9 persons per square mile)
- Urban (150+ persons per square mile)

\*Based on 2006 U.S. Census Bureau Population Estimates using the peer group definition adopted by the Kansas Department of Health and Environment.

This map was created by KU's School of Social Welfare and the Frontier and Rural Committee of Mental Health Services for Children and Families and supported through a contract with SRS-HCP Mental Health Services Division.





Madam Chair and Members of the Committee:

I am Donna Rozell, Director of Family Based Services for Youthville. I am directly responsible for case management and adoption services in my role as the director. Thank you for the opportunity to speak to you today about House Bill 2570.

Youthville is the Foster Care/Reintegration contractor for the department of SRS in Region 5 which includes all of Sedgwick County. We currently serve 1200 children in out of home care. In fiscal year 2007, Youthville finalized 242 adoptions and in the first 6 months of this fiscal year we have finalized 111 adoptions.

Youthville supports the passage of House Bill 2570 with modification to the language on lines 24-25. It is our belief that adoption experience is not required in order to conduct a home study. We would ask that the language be modified to read "*(1) Possess a minimum of two years experience in assessment services or be supervised by a person with such experience.*" House Bill 2570 – with this language change - will help children achieve permanent homes and permanent families through timely assessments completed by the broadened workforce included in the bill.

We believe that any professional listed – who is already licensed through the Behavioral Sciences Regulatory Board – has adequate training as reflected in their State of Kansas licensure to conduct adoption home assessments. They have been trained in assessments and have the skills necessary.

There is currently a social worker shortage in Kansas. There are not enough people entering the field – and especially the field of child welfare. HB 2570 with the language modification will go a long way to expand our human resources and to move children to the most timely permanence possible.

We would be concerned about any amendments offered that would restrict the number of licensed professionals allowed to conduct the assessments. The focus needs to be on expanding the network of professionals available to children who could be adopted into homes, and, to avoid shrinking the available pool to a very select club of those already in the business or licensed clinicians. We cannot support anything that limits adoption possibilities for our kids.

I appreciate your consideration for passage of House Bill 2570 with the proposed language modification.

I would be happy to stand for questions.

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Health & Human Services Committee

Date: 2-7-08

Attachment: 6



# Kansas Children's Service League

Giving Kids Our Best. For Over 100 Years.

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## Testimony from Kansas Children's Service League Regarding HB 2570 To the House Committee on Health and Human Services Representative Brenda Landwehr, Chair February 7, 2008

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Abilene	Lakin
Andover	Leoti
Cimarron	Liberal
Clay Center	Manhattan
Concordia	Marysville
Council Grove	Olathe
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Garden City	Pratt
Hays	Salina
Hugoton	Satanta
Hutchinson	Scott City
Johnson	Stafford
Junction City	Topeka
Kansas City	Ulysses
Kingman	Wichita

Thank you for the opportunity to testify today. My name is Gina McDonald and I am the Vice President for Education and Awareness with the Kansas Children's Service League (KCSL).

Kansas Children's Service League is a not for profit agency serving children and families across the state. In our 114 years, KCSL has provided a range of services driven by community need, spanning the areas of prevention, early intervention, treatment and placement. KCSL also has a long a rich tradition of advocating for the needs of Kansas children and their families as reflected in our mission. Our collective efforts are aimed at keeping children safe, families strong and communities involved.

I am here today to offer support for HB 2570.

Nineteen years ago I came before this very committee asking for a change in the Nurse Practice Act to allow personal attendants to perform functions for people with disabilities that were previously only able to be performed by Nurses. We had support from the Nurses Association because they recognized the lack of available nurses to provide those tasks for people who lived in their homes. Nurses and or physicians would continue to approve the disabled person teaching the attendant to perform medical tasks.

There was a great deal of concern and misunderstanding, but in your wisdom, this body passed HB 2012 and for 19 years people have self directed their own care at great cost savings to the state and an incredible increase in the quality of life for consumers.

I am back 19 years later asking you to pass HB 2570 which will give more professionals the option to perform assessments and home studies. We would like you to go further and allow these professionals to supervise the functions of the home studies and assessments, but we are satisfied that this

Kansas Children's Service League is the Kansas Chapter of Prevent Child Abuse America, a member of the Child Welfare League of America and the United Way. Accredited by the Council on Accreditation of Services for Families and Children.



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## House Committee on Health and Human Services

### HB 2570

February 7, 2008

I appreciate the opportunity to submit testimony to this committee in support of HB 2570. My name is Bruce Linhos and I am the director of the Children's Alliance of Kansas.

The Children Alliance is the association of the private child welfare agencies that serve the states children through family preservation, foster care, and adoption services. Member agencies provide better than 90% of all services to these children who are in the states custody.

The Children's Alliance supports this legislation because we believe it is a step in the right direction in helping to address what has become a serious workforce issue in this state through our inability to tap into a broader pool of qualified professionals. Furthermore we believe that children awaiting adoption and families prepared to adopt those children need to be attended to as quickly as possible. Our reading of HB 2570 would expand the workforce of licensed professionals that would be able to conduct adoptive home assessments to include licensed counselors, licensed psychologists, and licensed marriage and family therapists. The inclusion of these additional trained and licensed professionals would greatly assist in ensuring timely permanence for children awaiting a home.

Our members have discussed the fact that in the field of child welfare experience and maturity of judgment are among the most important factors in making good decisions for children and families. Likewise our people, many of whom represent this broader pool of professionals, feel that the work of family assessment can be performed as well by experienced clinicians whether they be psychologists, counselors, marriage and family therapists, or social workers.

**The thing that should drive your decision on this issue is can we provide high quality services to adoptive families and the children awaiting adoption by expanding the pool of licensed professionals that can share in this work. The Children's Alliance believes the passage of HB 2570 will do just that.**

Thank you for the opportunity to offer our support for this issue.

Bruce Linhos  
Executive Director  
Children's Alliance

*Bruce Linhos*  
*2/7/08*  
*1:25 PM*

Health & Human Services Committee

Date: 2-7-08

Attachment: 8



Kathleen Sebelius, Governor  
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH  
AND ENVIRONMENT

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Division of Health

**Written Testimony on HB 2570**  
**to**  
**House Committee on Health and Human Services**  
**By**  
**Christine Ross-Baze, Director**  
**Child Care Licensing and Registration Program**

**February 7, 2008**

Chairman Landwehr and members of the Committee on Health and Human Services, my name is Christine Ross-Baze and I am the director of the Child Care Licensing and Registration Program at the Kansas Department of Health and Environment. Thank you for the opportunity to present written testimony in support of House Bill 2570.

House Bill 2570 proposes to provide additional flexibility in the professional disciplines authorized to perform adoption assessments and provides safeguards for families seeking to adopt. This additional flexibility coupled with the safeguards contained in the bill will enable families seeking adoption to find competent, qualified professionals to perform adoption assessments and will provide assurances that children who need homes are placed with families that can meet their needs.

For these reasons, the Department supports passage of HB 2570 as amended.

**House Health and Human Services****Thursday, February 7, 2008****House Bill 2570****Concerning adoptions; relating to persons authorized to make assessments***Sky Westerlund, LMSW**Executive Director, Kansas Chapter, National Association of Social Workers (KNASW)*

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 (LSCSW). There are over 5500 social workers practicing and serving thousands of persons in Kansas every day. Social work is a broad and inclusive profession which allows social workers to provide services and care in a wide variety of settings, such as child welfare, juvenile justice, private practice, military bases, hospitals, hospices, disaster events, domestic violence, aged care, substance abuse, community mental health centers, schools, public health organizations, community programs and many more.

HB 2570 would alter a section of the Kansas Adoption and Relinquishment Act adopted in 1990. The current statute requires that, for independent and agency adoptions, the petitioner shall obtain an assessment by a licensed social worker. The primary purpose of an adoption assessment is to screen the potential adoptive family to protect children from harm. A secondary purpose is to help the family identify and clarify what kind of child they hope to adopt. This is crucial in the process of identifying and making the right matches between children and forever families. Performing an adoption assessment involves multiple visits to the family home and extensive interviews with the potential adoptive parents and family members. The assessment is commonly known as an *adoption homestudy*.

Adoption assessments are but one aspect of the social services within the practice field of child welfare work. Much of child welfare work is provided through public welfare, such as child abuse investigations, family preservation work, foster care, adoption profiles, adoption assessments and placement for children in state custody. Adoption assessments also occur in the private sector for private clients. International adoptions are also increasing. Preplacement matching and selection as well as early monitoring are important aspects of these types of adoptions.

An NASW survey of social workers working in child welfare was completed in 2004 and is titled, "If You're Right for the Job, It's the Best Job in the World." Many social workers will tell you that they began their social work career within the child welfare field. The NASW Standards for Social Work Practice in Child Welfare was reviewed and updated in 2005. In response to members, NASW developed the *Child Welfare Specialty Practice Section* which addresses the specific needs of social workers working in the field of child welfare. NASW has issued national position statements regarding specific aspects of child welfare work including statements on Child Abuse and Neglect; Foster Care and Adoption; and Public Child Welfare. The profession of social work has deep roots in social services work in the field of child welfare in general and adoptions in particular.

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Attachment 10*

HB 2570 is an attempt to allow non-social workers the legal authority to perform adoption assessments. Adoption assessments are appropriately and legally entrusted to the social work profession.

It is important to your deliberations and decision-making to note that it is the *professional practice of social work* that provides the foundation for the current statute authorizing only social workers to perform adoption assessments.

Each helping profession including Social Work, Psychology, Marriage and Family Therapy, and Professional Counseling began within their own unique perspectives, principles, and philosophies of helping people. Social Work stems from social service work. Psychology developed from researching the way the mind works. Marriage and Family Therapy rejected psychotherapy in favor of a systems approach to solving problems in a marital and family system. Professional Counseling grew from career development. All of these professions have practice distinctions and their own history of development as a profession. Each profession has maintained its professional identity and uniqueness.

The common ground of practice across these four professions is in the narrower field of mental health work. All of the disciplines are professionally and legally authorized to diagnose and treat mental illness. The ability of each profession to provide mental health diagnosis and treatment, however, does not diminish or disregard the distinctions and practice purviews of the professions. For example, social workers do not perform psychological testing. That is the purview of psychology. Social workers do not offer 'marriage and family therapy' because that is the purview of the marriage and family therapy practice. Social workers do not perform career assessments. That is the purview of professional counseling. In turn, other professions do not perform social services work, such as adoption assessments.

Adoption assessments are not a form of the mental health work of diagnosis and treatment of mental illness. Further, other disciplines would resist should the social work profession decide to seek to expand its scope of practice to include psychological testing, marriage and family therapy, and career development counseling. Just because other disciplines want to do adoption assessments, does not qualify them to do so.

The current statute is working. The current statute protects the interests of the child. The current statute is standing the test of time and is not outmoded or outdated.

We urge you to maintain the current statute and not support HB 2570.



K P A

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**KANSAS PSYCHOLOGICAL ASSOCIATION**

**TESTIMONY**

**TO: The Honorable Brenda Landwehr, Chair  
And Members of the Health and Human Services Committee**

**FROM: Patricia A. Bartell, PhD  
Executive Director  
Kansas Psychological Association**

**RE: HB 2570 – an act concerning adoptions; persons authorized to  
make assessments.**

**DATE: February 7, 2008**

Good afternoon Madam Chair Landwehr and Members of the Health and Human Services Committee. I am Patricia Bartell and I appear before you today on behalf of the Kansas Psychological Association in opposition to HB 2570.

The Kansas Psychological Association has represented the profession of psychology in our state since 1930.

Licensed psychologists are included in this bill, but not at our request. The inclusion of licensed psychology was done without the knowledge or consent of the Kansas Psychological Association. After our close review and deliberations on this bill, the KPA opposes this legislation.

Licensed psychologists are doctoral level providers whose scope of practice includes the full range of psychological assessments of children, couples, and families at the request of individuals and the courts. The adoption home study is a crucial service that protects the welfare of children. The profession of social work encompasses a broad spectrum of practice application including adoption home study.

We cannot speak for the other licensees included in this bill, but doctoral level psychologists respect that these adoption home study assessments are the realm of the profession of social work.

On behalf of the Kansas Psychological Association, I thank you for your consideration of our concerns about HB2570.

*House Health + Human Services Committee  
2-7-08  
Attachment 11*

**PO Box 3326 Lawrence, KS 66046 (785) 856-9572**