

**Senate Judiciary Committee
Thursday, January 27, 2011
Testimony on SB 7**

Good morning Chairman Owens and Members of the Senate Judiciary Committee. I am Sky Westerlund, Executive Director of the Kansas Chapter, National Association of Social Workers. Thank you for the opportunity to share our opposition to a narrow provision in Section 12 of SB 7.

Overall, KNASW supports the goal of SB 7 and commends the DUI Commission and Judiciary Committee for its work to reduce drunk driving. However, Section 12 of the bill is problematic because it creates a new license of a provider with a "DUI Specialty" and who is licensed by the Secretary of Social and Rehabilitation Services (SRS). These persons are then designated, under the bill, to perform alcohol and drug evaluations for the court. The new license conflicts with the licensure practice acts of Social Workers and others licensed by the Behavioral Sciences Regulatory Board (BSRB). When I discovered this conflict, I contacted the Revisor and two members of the DUI Commission who had studied the issue of who should be performing the required alcohol and drug evaluations. I suggested that, to correct the problem, the bill should be amended to reference the licensed providers who are licensed by the BSRB and who could demonstrate an expertise in the field of addictions treatment. The two members of the DUI Commission agreed.

To fix this conflict, KNASW recommends that any place in the bill where it says, "licensed provider with a DUI specialty" it should be replaced with the following language:

A licensed provider is an individual licensed by the behavioral sciences regulatory board to diagnose and treat mental disorders at the independent level or an individual who is licensed by the behavioral sciences regulatory board under the supervision of a licensed provider who is licensed by the behavioral sciences regulatory board at the independent level and who can demonstrate an expertise in the field of addictions through either addictions licensure, professional credential, or continuing education.

I am happy to work with the members of the DUI Commission and the Revisor's office to amend the language and correct the problem. Thank you.