

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.

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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.

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

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