

National Association of Social Workers

Testimony: SB 304

January 30, 2012

Senate Judiciary

Presented by Sky Westerlund, LMSW

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

Domestic violence is a serious problem facing too many members in our communities. Much harm and destruction is caused when an individual commits domestic violence against their spouse, children, and other family members. Stopping domestic violence is a responsibility of everyone.

SB 304 is related to recent legislation that created a way for courts to require a defendant to undergo a domestic violence offender assessment to assist in sentencing procedures. A crucial component for success lies in the assessment and the subsequent recommendations for intervention to address the problem of battering. SB 304 enacts the batterer intervention program certification act.

KNASW has identified the following issues that prevent our support of the bill in its current form:

- The legislation is about defining what is necessary for a batterer intervention program to be certified in Kansas. However, as written, approval for certification depends on specific criteria of an individual instead of a program. For example, the person must be 21 years old; they must merit the public trust; and comply with qualifications to be established by the Attorney General's office. They must also pay a fee. KNASW believes that the criteria for the certification must focus on program elements such as assessment content, program standards, content areas for acceptable curricula, forms, reporting procedures, oversight of programs, accountability and costs.
- SB 304 does not provide the foundation of who shall implement the program. Implementation of the program must start with staff who are licensed to practice behavioral sciences. Beyond the license to practice as a social worker or other colleagues licensed by the Behavioral Sciences Regulatory Board, the batterer intervention program certification process should include orientation training and subsequent professional development expectations of staff. Additionally, since addressing domestic violence and batterer intervention is a growing service, opportunity should exist for student internships, as appropriate, to assist in developing future practitioners.

KNASW is optimistic that our concerns can be worked out so we can become supporters of the legislation. We want a clear and reasonable direction for the continuing development of a service that will help stop the violence.

January 31, 2012

SB 304: Recommended Amendment Language

(page 2) New section 2 (change lines 19-21)

...The completed application shall include:

- (1) The full name and resident address of the applicant;
- (2) The name under which the applicant intends to do business and the business address;
- (3) A statement as to the general nature of the business in which the applicant intends to engage;
- (4) ~~A statement of the educational and work experience qualifications of~~ *Proof of current licensure from the Behavioral Sciences Regulatory Board that each individual, including any employee or agent of applicant, who will be directly providing intervention services to clients of a batterer intervention program is licensed to practice in Kansas as a licensed psychologist or licensed baccalaureate social worker or licensed master social worker or licensed specialist clinical social worker or licensed marriage and family therapist or licensed clinical marriage and family therapist or licensed professional counselor or licensed clinical professional counselor or licensed master level psychologist or licensed clinical psychotherapist;*

(page 2) New section 2 (change lines 29-30)

...(c) Before an application for certification may be approved and granted, the applicant shall:

- (1) Have obtained the age of 21;
- (2) ~~Have satisfied the attorney general that the applicant is a person who merits the public trust; is~~ *licensed to practice in Kansas as a licensed psychologist or licensed baccalaureate social worker or licensed master social worker or licensed specialist clinical social worker or licensed marriage and family therapist or licensed clinical marriage and family therapist or licensed professional counselor or licensed clinical professional counselor or licensed master level psychologist or licensed clinical psychotherapist;*
- (3) Have paid the certification fee; and
- (4) Complied with such other qualifications as may be established by the attorney general by rules and regulations.

(page 4) New section 5 (change lines 34 and 37)

...New Section 5(a) The attorney general shall establish by rules and regulations the requirements for a batterer intervention program. These requirements may include, but not be limited to:

- (1) Standards;
- (2) Program elements and goals;
- (3) The role of the certified batterer intervention program in the community;
- (4) Technical considerations which may include, but not be limited to, consideration of any combination of:
 - (A) Expectation of batterers;
 - (B) Group composition;
 - (C) Facilitation;
 - (D) Curriculum;
 - (E) Prohibited and restricted practices;
 - (F) Batterer confidentiality, victim confidentiality and safety checks;
 - (G) Program length
 - (H) Victim notification
 - (I) Victim involvement
 - (J) Public relations
 - (K) Research
 - (L) Agency structure; and
 - (M) ~~Personnel qualifications~~

(page 4) New section 5 (change lines 34 and 37) [continued]

- (5) The assessment of batterer participants and the utilization of the Kansas domestic violence offender assessment
- (6) *continuing* education requirements, ~~continuing or otherwise,~~ for program facilitators, program supervisors and program coordinators; and
- (7) Any other requirements or conditions as may be required by the attorney general

(page 5) New section 6 (change lines 20-21)

- ~~(5) Committed an act of unprofessional conduct as defined by rules and regulations adopted by the attorney general~~

(page 7-8) New section 9 (change lines 43 on page 7 and line 1 on page 8)

- (c) any *continuing* educational requirement for *staff who will be directly providing intervention services to clients* of any certified batterer intervention program