

Kansas Chapter
National Association of Social Workers
...advocating for the practice and profession of Social Work...

Neutral Testimony: SB 149

March 19, 2013

House Commerce

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 independent 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, corrections, domestic violence, hospitals and health, hospice and palliative care, mental health, community based prevention, problem gambling, schools, veterans and military, and more. We work in both the public and private sectors of the economy.

SB 149, if passed, could create an avenue to early and lasting intervention, if carried out properly.

If an individual is using drugs and/or abusing alcohol, the chances are very high that there is a co-occurring mental health and substance use disorder. A positive drug test is an indicator of a potential problem. The only way to accurately determine what is occurring with the individual is to conduct a comprehensive clinical evaluation to determine the correct diagnosis and subsequent interventions and supports necessary.

The comprehensive clinical evaluation would identify both the mental health disorder as well as the substance abuse disorder. Many persons who abuse alcohol and/or drugs are doing what is known as 'self-medicating.' It is a coping mechanism that helps to cover up the primary problems that cause pain and overwhelming emotions in a person's life. Unless the underlying cause of the substance abuse behavior is addressed, it is unlikely that an individual will achieve lasting recovery.

Service intervention and support that is integrated and comprehensive can lead to a stronger, healthier individual. That means a parent who would be better equipped and prepared to turn their attention and activity to nurturing and taking care of their child or children.

We are asking for amendments that would require the individual who tested positive for drug use to receive a comprehensive clinical evaluation and correct diagnosis that would determine the appropriate treatment. The success of intervention and services means the right treatment at the right time with the right provider.

Thank you.

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(3) Any applicant for or recipient of cash assistance who tests positive for *{unlawful}* use of a controlled substance or controlled substance analog shall be required to complete

a clinical evaluation for purposes of diagnosis by an individual who is authorized and licensed by the State of Kansas to diagnose and treat mental disorders at the independent level or an individual who is authorized and licensed by the state of Kansas to diagnose and treat mental disorders under direction. Based on the diagnosis and recommendation of such clinical evaluation, the applicant or recipient of cash assistance shall complete the recommended treatment plan, contingent on funding, and

substance abuse treatment program approved by the secretary for children and families, secretary of labor or secretary of commerce, and a job skills program approved by the secretary for children and families, secretary of labor or secretary of commerce. Subject to applicable federal laws, any applicant for or recipient of cash assistance who fails to complete or refuses to participate in the substance abuse treatment program **plan** or jobs skills program as required under this subsection shall be ineligible to receive cash assistance until completion of such substance abuse treatment **plan** and job skills programs. Upon completion of both substance abuse ~~the~~ treatment **plan** and job skills programs, such applicant for or recipient of cash assistance may be subject to periodic drug screening, as determined by the secretary for children and families. Upon a second positive test for *{unlawful}* use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be ordered complete again

a clinical evaluation for purposes of diagnosis by an individual who is authorized and licensed by the State of Kansas to diagnose and treat mental disorders at the independent level or an individual who is authorized and licensed by the state of Kansas to diagnose and treat mental disorders under direction. Based on the diagnosis and recommendation of such clinical evaluation, the applicant or recipient of cash assistance shall complete the recommended treatment plan, contingent on funding,

a substance abuse treatment program and job skills program, and shall be terminated from cash assistance for a period of 12 months, or until such recipient of cash assistance completes both the **recommended treatment plan** substance abuse treatment and job skills programs, whichever is later

(1) Any applicant for or recipient of unemployment who tests positive for *{unlawful}* use of a controlled substance or controlled substance analog shall be required to complete

a clinical evaluation for purposes of diagnosis by an individual who is authorized and licensed by the State of Kansas to diagnose and treat mental disorders at the independent level or an individual who is authorized and licensed by the state of Kansas to diagnose and treat mental disorders under direction. Based on the diagnosis and recommendation of such clinical evaluation, the applicant or recipient of unemployment shall complete the recommended treatment plan, contingent on funding, and

~~substance abuse treatment program~~ approved by the secretary for children and families, secretary of labor or secretary of commerce, and a job skills program approved by the secretary for children and families, secretary of labor or secretary of commerce. Subject to applicable federal laws, any applicant for or recipient of cash assistance who fails to complete or refuses to participate in the ~~substance abuse treatment program~~ plan or job skills program as required under this subsection shall be ineligible to receive unemployment benefits until completion of such ~~substance abuse treatment~~ plan and job skills programs. Upon completion of both ~~substance abuse~~ the treatment plan and job skills programs, such applicant for or recipient of unemployment may be subject to periodic drug screening, as determined by the secretary for children and families. Upon a second positive test for use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be ordered complete again

a clinical evaluation for purposes of diagnosis by an individual who is authorized and licensed by the State of Kansas to diagnose and treat mental disorders at the independent level or an individual who is authorized and licensed by the state of Kansas to diagnose and treat mental disorders under direction. Based on the diagnosis and recommendation of such clinical evaluation, the applicant or recipient of unemployment benefits shall complete the recommended treatment plan, contingent on funding

~~a substance abuse treatment program~~ and job skills program, and shall be terminated from unemployment benefits for a period of 12 months, or until such recipient of unemployment benefits completes both the recommended treatment plan ~~substance abuse treatment~~ and job skills programs, whichever is later

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(2) the employee undergoes a ~~drug~~ clinical evaluation for purposes of diagnosis by an individual who is authorized and licensed by the State of Kansas to diagnose and treat mental disorders at the independent level or an individual who is authorized and licensed by the state of Kansas to diagnose and treat mental disorders under direction. Based on the diagnosis and recommendation of such clinical evaluation, the employee shall successfully complete any education or treatment ~~program~~ plan, recommended as a result of the clinical evaluation, and contingent on funding.