

**Engrossed House Bill 1110 – Department of Human Services
Senate Human Services Committee
Senator Lee, Chairman
March 8, 2011**

Senator Lee, members of the Senate Human Services Committee, I am Alex C. Schweitzer, Superintendent of the North Dakota State Hospital and North Dakota Developmental Center (One Center) of the Department of Human Services. I am here today to testify in support of Engrossed House Bill 1110.

Engrossed House Bill 1110 was introduced by the House Human Services Committee at the request of the Department of Human Services.

Currently, NDCC – 25-03.1-23, Petition for Continuing Treatment Orders, only allows a physician, psychiatrist or psychologist to certify a report to the district court requesting a continuing treatment order for a patient in treatment. The Department of Human Services supports a change in this section of the code to allow licensed addiction counselors to be added to the list of professionals that can certify a report for the court. This appears to be an oversight in the code as addiction counselors are recognized as expert examiners in other sections of the mental health commitment law.

Several reasons exist to modify the code:

- This fix in the code fully recognizes licensed addiction counselors as expert examiners.

- Licensed addiction counselors deal with most addiction cases and have the expertise to prepare reports for continuing treatment of addiction patients.
- The increased use of licensed addiction counselors as expert examiners is an additional resource for statewide services.

The House amended the bill to require that a licensed addiction counselor certifying a petition for continued treatment under this section of the code must do so within the scope of their professional practice. The Department supported this amendment to Engrossed House Bill 1110.

I should note for the record that Engrossed House Bill 1110 is the same bill as Senate Bill 2039, as introduced by the interim Judicial Process Committee. Senate Bill 2039 as originally filed did not contain the amendment regarding the scope of professional practice. The House Judiciary Committee heard Senate Bill 2039 last week, added the amendment regarding the scope of professional practice and an emergency clause.

Thank you. I would be happy to answer any questions.