

Testimony
Senate Bill 2039 – Department of Human Services
House Judiciary Committee
Representative DeKrey, Chairman
March 2, 2011

Chairman DeKrey, members of the House Judiciary 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 Senate Bill 2039.

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 this section of 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.

House Bill 1110, a bill that is the same as Senate Bill 2039, was introduced by the House Human Services Committee at the request of the Department of Human Services. The House amended the bill to require that a licensed addiction counselor certifying a petition for continued treatment must do so within their professional scope of practice. The Department supported this amendment in the House version of the bill. Senate Bill 2039 does not make the same distinction.

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