

Behavioral Sciences Regulatory Board
Board Minutes
May 11, 2015

Called to order at 9:07 a.m. Roll call for attendance.

Members Present: Barbara Burks, Barbara Callahan, Jill Craven, Grant Edwards, Todd Frye, Terry Pfannenstiel, Cheryl Reynolds, Larry Salmans, Marcia Simoneau, & Carolyn Szafran. Kathy Armstrong and Kathy Herzog were absent

Staff Present: Max Foster, Leslie Allen, Cindy D’Ercole, Marilyn Revell, Marty Snyder, Jan Arndt, Whitney Casement

Guests Present: Kelly Engelke, Kari Presley, Mike Wasmer, Maariah Ingelhardts, Patricia Smith

I. **Approval of Minutes**

Item: March 9, 2015 Board Meeting and March 19, 2015 Conference call Board Meeting Minutes

Action: Cheryl moved to approve minutes of the special and regular board meetings from March. Marcia seconded the motion. The motion carried.

II. **Agenda: Announcements and Approval**

Agenda Item VI - Remove the Document and Policy Review committee and Legislative committee from the agenda as these committees have not met since the last Board meeting. Addition to the Agenda: Behavioral Analyst Committee under item V on the agenda – Professions reports.

III. **Public Comments**

Maariah Ingelhardts asked for assistance from the Board. She holds a Clinical Psychotherapist license with BSRB and is having difficulty finding work as “Medicare will not pay LCPs and Medicaid won’t pay unless Medicare refuses to pay”. Larry suggested that she talk with the State Insurance Commissioner’s office. Grant stated that the BSRB has no obvious role to help Maariah with this issue. Cheryl suggested that the licensee contact Senator Roberts’ and Senator Moran’s offices.

IV. **Staff Reports**

Max:

- Bruno has an appointment with his doctors on June 16, 2015. Hopefully he will be released to return to work.
- Website update – on hold for now due to staff shortage.
- Fiscal year 2015 Expenditure report
- Internal budget reports/fee revenue
- Meetings with Legislative Fiscal Analyst Ben Wilhelm
- Position Classification Updates
- Legislative session- KanFocus
- Presentations KAAP leadership conference

V. Complaint Review Committee Report – Terry Pfannenstiel

- 30 cases were reviewed
- 11 cases were withdrawn
- 3 CAOs
- 1 revocation
- 1 suspension of license for 30 days
- 1 case of a subpoena issued to come before the committee
- 5 cases with cautionary letters
- The Attorney General's office is closing a large number of cases.
- One hypothetical case was discussed: if the complaint against the therapist is not brought by the adult client of the therapist, the investigation should be dropped.

Next meeting will be held June 8, 2015.

VI. Profession Reports

- A. **Psychology** – Barbara Callahan – The advisory committee met on April 21, 2015. The committee discussed telemental health and the “telepsychology compact”. Kansas is not interested in being part of the “telepsychology compact”. BSRB needs to be aware of what is happening with cell phones and telemental health. Telehealth is being pushed by the APA and AMA. The next meeting is scheduled for June 2, 2015.

Grant called a recess at 10:20 a.m.

Board reconvened at 10:35 a.m.

- B. **Social Work** – Carolyn Szafran & Marcia Simoneau. The advisory committee met March 25, 2015 and April 15, 2015. At the April meeting, the committee decided to go ahead with the survey that was to be submitted to our LSCSWs concerning the supervisor training. The committee is looking at surveymonkey.com to conduct the survey. The committee has discussed putting together a “new licensee packet” of information to be sent out when issuing new licenses or making it available as a downloadable document from the BSRB website.
- C. **Professional Counselors** - Todd Frye - reported that the advisory committee cancelled the meeting scheduled for April. June 8, 2015 is the next scheduled meeting.
- D. **Masters Level Psychologists** – Larry Salmans – no meeting held
- E. **Marriage and Family Therapy** – Terry Pfannenstiel – The advisory committee met on March 11, 2015. There was discussion about the two versions of the DSM currently being utilized. The Complaint Review Committee will not punish anyone who uses the DSM 4 or the DSM 5 until the implementation date is set. The group created an ad hoc committee to formulate ideas for supervisor training. The committee discussed the new testing company and the positive changes that have come about for those testing. The next meeting is scheduled for May 13, 2015 at 10 a.m.

- F. **Addiction Counseling** – Barbara Burks – The advisory committee met May 1, 2015. The committee focused on SB 254 and the addiction counselor statute concerning the LMAC. Some of the language concerning the LMAC will be changed from “under direction” to “under supervision”. The committee would also like to remove the restriction for an LMAC being limited to practice only in a licensed treatment facility. There also needs to be a path of transition for current LACs that are qualified, to be licensed as LMACs. The next meeting is set for June 26, 2015 at 10 a.m.

G. **Behavioral Analysts Committee**

VII. Sub-Committee Reports

- A. Barbara Burks reported that the inactive license workgroup met on March 13, 2015. This workgroup was in favor of recommending the creation of an “inactive license” status to the Board. Grant asked the workgroup to meet again for the purpose of identifying some details and language to enact a statute change. Grant also asked the workgroup to work with Leslie Allen to write possible statutory language. Leslie suggested using the newly created requirements to reactivate a license be applied to the requirements reinstate a license. This would apply to all BSRB profession with parallel language.
- B. Telemental Health committee met on March 13. The survey is being re-formatted to make it easier to read. The next meeting is scheduled for June 26, 2015 at 12 p.m. Leslie will send out the telemental health survey this afternoon to all BSRB committee members.

VIII. New Business

A. **September Out-of-Town Board Meeting**

Item: The Board needs decide on a date to hold the annual out-of-town Board Meeting.

Action: Cheryl moved to hold the out of town board meeting on September 13th & 14th at Rock Springs Ranch, near Junction City, KS. Terry seconded the motion. After some discussion it was decided that weekend would not work for all the Board members. Cheryl moved to table the motion until alternate dates could be presented. Terry seconded the motion. Max checked on alternate dates during a break. Later in the meeting, Cheryl moved to amend the motion designating the date for the out-of-town board meeting to September 27 and 28, 2015. Jill seconded the motion. Motion passed.

B. **Short Meeting for Budget Approval**

Item: BSRB’s initial budget for FY 2017 needs to be approved by the Board.

Action: Cheryl moved that the Board meet by conference call at noon on September 3rd to approve the FY 2017 preliminary budget. Jill seconded the motion. Motion carried.

C. **Approval of New Licenses Issued since previous board meeting**

Item: approval of new licenses issued.

Action: Cheryl moved to approve the lists of new licenses presented by Leslie Allen to the Board. Marcia seconded the motion. Motion passed.

- D. **Identification and discussion** of the email sent to the Lt. Governor’s Office by licensee John Caporale.

IX. Old Business

B. Item: SB 254 Status – The Board needs to hold a strategic discussion session.

Action: This item was tabled until the September out-of-town Board Meeting. The legislative subcommittee wants to meet with Senator Pilcher-Cook prior to the September Board Meeting. Barbara Burks wants BSRB to contact each of the professional state associations to determine if they are supportive of SB 254.

C. Item: Formation of Behavior Analyst Advisory Committee

Action: BSRB needs to contact and invite future licensees and or stakeholders to be part of this committee to draft regulations. This group needs to include consumers, educators, and practioners. Members of the Board representing BSRB on the committee have already been appointed: Terry Pfannanstiel, Larry Salmans, Grant Edwards and Jill Craven. Grant pointed out that this group needs to be assembled before the full board meeting in September.

Cheryl moved to recess the meeting at 12:20 p.m., Jill seconded the motion. Motion passed. The meeting was reconvened at 12:25 p.m.

X. Applications Needing Board Action

A. Item: CD – the applicant was convicted of first degree criminal trespassing in 1988. He has had no convictions since that time. He served in the United States Army from 1992 until he retired in 2012. The Social Work Advisory Committee members recommend approval for licensure.

Action: Cheryl moved that the Board approve the application of CD. Jill seconded the motion. Motion carried.

B. Item: PS – the applicant did not submit a change to BSRB for her approved training plan when she changed work sites. It is required the changes be submitted to the board within 45 days, as found in K.A.R. 102-2-8(d)(7). Therefore, she was notified that she could not count any of her supervised work experience hours from November 1, 2013 to August 21, 2014 toward meeting the requirements for the LSCSW. She is requesting she be allowed to retain the completed hours and use them for LSCSW licensure.

C. Item: Recess for Quasi-Judicial Deliberations

Action: Cheryl moved to adjourn the meeting for Quasi-judicial deliberations. Terry seconded the motion. Motion carried. Meeting recessed at 12:35 p.m.

D. Board reconvened at 1:10 for Board Action

Item: PS application for LSCSW

Action: PS's clinically supervised training hours for her LSCSW application were approved.

Item: Change dates of out-of-town Board meeting

Action: Cheryl moved to change the date of the BSRB out-of-town board meeting at Rock Springs Ranch near Junction City, Kansas to September 27th and September 28th. Jill seconded the motion. Motion carried.

XII Adjournment

Action: Larry moved to adjourn the meeting. Cheryl seconded the motion. Motion carried. Meeting was adjourned at 1:16 P.M.