

**BEHAVIORAL SCIENCES REGULATORY BOARD
ADDICTION COUNSELOR ADVISORY COMMITTEE
FRIDAY, DECEMBER 16, 2022**

Due to COVID-19, the Board office is practicing social distancing. The office space does not allow for a meeting while practicing social distancing, therefore the meeting will be conducted virtually on the Zoom platform.

You may view the meeting here: <https://youtu.be/dfiZfrHVQFo>
To join the meeting by conference call: 877-278-8686 (Pin: 327072)

If there are any technical issues during the meeting, you may call the Board office at, 785-296-3240. The Behavioral Sciences Regulatory Board may take items out of order as necessary to accommodate the time restrictions of Board members and visitors. All times and items are subject to change

Friday, December 16, 2022

10:00 a.m. Call to order and Roll Call

- I. Opening Remarks, Advisory Committee Chair**
- II. Agenda Approval**
- III. Presentation on National Addiction Studies Accreditation Commission (NASAC) by Cynthia Moreno Tuohy, Executive Director for the National Association for Addiction Professionals (NAADAC); Jerry Monroe, Director of Certification and Testing at NAADAC; and Diane Sevensing, NASAC Chair**
- IV. Review and Approval of Minutes of Previous Meeting on November 3, 2022**
- V. Executive Director's Report**
- VI. Old Business**
 - A. Continued Discussion on New Possible License Types**
 - B. Discussion on Possible Changes to Reciprocity and License Requirements**
 - i. K.S.A. 65-6613 Reciprocity Statute**
 - ii. K.A.R. 102-7-3 Educational Requirements for Licensure**
 - C. Finalize Recommended Changes to Unprofessional Conduct Regulations**
- VII. New Business**
 - A. Discussion on Committee Topics for 2023**
 - B. Discussion on Meetings for 2023 – Dates, Times, Remote/Hybrid**
- VIII. Next Meeting Friday, March 3, 2022, at 10am**
- IX. Adjournment**

**BEHAVIORAL SCIENCES REGULATORY BOARD
ADDICTION COUNSELING ADVISORY COMMITTEE
THURSDAY, NOVEMBER 3, 2022**

DRAFT Minutes

- I. Call to Order:** The meeting was called to order by Chair Deb Stidham at 11:00 a.m.

Advisory Committee Members in Attendance: Advisory Committee members who participated by Zoom were Deb Stidham, Jacqueline Lightcap, Christina Boyd, Jason Hess, Shane Hudson, Chad Jacobs, Mike James, Charity Kossin, and Dulcinea Rakestraw. Lisa Carter was absent.

BSRB Staff in Attendance: David Fye, Leslie Allen, and Sami Barksdale were present by Zoom.

Visitors: None.

- II. Review and Approval for the Agenda:** Christina Boyd moved to approve the agenda with no changes. Charity Kossin seconded. The motion passed.
- III. Review and Approval of Minutes from Meeting on September 16, 2022.** Deb Stidham, Advisory Committee Chair, moved to approve the minutes with two typographical corrections. Christina Boyd seconded the motion. The motion passed.
- IV. Executive Director Report:** David Fye, Executive Director for the Behavioral Sciences Regulatory (BSRB), provided updates on Board action at the Board's annual off-site planning meeting on October 24, 2022.
- V. Old Business**
- A. Discussion on New License Types.** The Chair of the Advisory Committee discussed a proposal for two new possible types of addiction counseling licenses.

The first new type of license would be a Graduate Student Temporary Licensed Master's Addiction Counselor (LMAC) license for individuals who have completed at least a bachelor's degree in addiction counseling or a related field and are enrolled in a master's program in addiction counseling or a related field. The proposal would be that the temporary license would last for two years, but could be renewed once for an additional two year period. Members of the Advisory Committee expressed strong support for development of this type of license, though some questions were asked about the impact on an individual working full-time while pursuing courses towards a master's degree. Also, the Advisory Committee discussed hearing that KDADS has recently had discussions on development of a counselor-in-training program and the Chair of the Board noted she would investigate this topic further following the meeting. Advisory Committee members discussed that it may be helpful to add

language to the unprofessional conduct regulations on licensees who practice outside of these conditions or parameters.

The second new type of license would be a Student Temporary Licensed Addiction Counselor (LAC) license for individuals who have completed a bachelor's degree in addiction counseling or a related field who are pursuing licensure with a plan to complete the required addiction counseling courses within 24 months. The proposal would be that the temporary license would last for one year, but could be renewed once for an additional year. Advisory Committee members discussed whether to accept completion of an associate's degree (or equivalent hours), rather than completion of a bachelor's degree. It was noted that accepting an associate's degree may impact the estimated length for holding this new temporary license, as more time may be necessary to complete remaining courses. Advisory Committee members expressed support for further development of this type of license.

VI. New Business

A. Discussion on Current Educational License Requirements. Advisory Committee members discussed that some addiction counseling education requirements in regulation are somewhat unique compared to other states and may make it difficult for individuals to become licensed in Kansas if individuals received their education in another state.

Advisory Committee members discussed current educational requirements in K.A.R. 102-7-3, reviewing existing course requirements and discussing whether to recommend changes to the Board. In K.A.R. 102-7-3(c)(2), methods of individual counseling, Advisory Committee members were supportive of modifying existing language so that other types of individual counseling courses could satisfy this requirement. It was noted that modifications to this regulation may be helpful when evaluating applicants from schools in Arizona or California, based on courses offered in those states. In K.A.R. 102-7-3(c)(5), coursework in co-occurring disorders, it was noted that language could be modified include courses such as abnormal psychology, by changing the existing phrasing. Mike James indicated that he would work on draft language on this topic and would provide that language to the Chair of the Advisory Committee and the Executive Director so it could be discussed at the next Advisory Committee meeting.

In K.A.R. 102-7-3(c)(8), family and community studies, the Advisory Committee discussed the possible option of striking the reference to "the impact of addiction on the family and society; and the development of culturally informed skills utilized in the treatment and recovery process." It was noted that striking this language may open this topic to counting courses offered by other professions. Mike James noted he would research syllabi from schools offering courses in this area and he would provide that information back at the next Advisory Committee meeting.

The Advisory Committee discussed the current language on practicum requirements, noting that the existing language is somewhat specific to substance use disorder. Leslie Allen, Assistant Director and Licensing Manager for the BSRB, noted that the regulations currently require completion of a practicum from the institution where the majority of the coursework was received or the program where the individual received their addiction counseling coursework. Some out-of-state programs do not offer a practicum meeting this requirement or may offer practicums that do not reach the number of hours required for practicums in the regulations. Advisory Committee members expressed support for offering flexibility in this area, including possibly allowing individuals to satisfy this requirement with experience in lieu of meeting certain requirements, which could be attained while an individual was working under one of the newly proposed temporary license types. Advisory Committee members discussed whether the total of 400 practicum hours should be decreased and agreed to continue discussing this topic further at the next Advisory Committee meeting.

B. Discussion on Proposal to Modify License Reinstatement Fee. The Chair of the Advisory Committee noted the BSRB has been considering a new proposal directed at individuals who were previously licensed by the BSRB, but have allowed their licenses to lapse for at least a year. Currently, individuals in this category would need to attain all continuing education hours for the prior license prior before their license could be reinstated and they would be required to pay double the license fee, due to the requirement that they would need to pay the license fee plus a reinstatement fee equaling the same amount. Under this new proposal, these individuals would be able to request a temporary license which would last for 6 months, so that they could begin working while satisfying the continuing education requirement and the fee to reinstate would be reduced to only the license fee. Advisory Committee members expressed support for this proposed change.

VII. Next Meeting. Advisory Committee members expressed a desire for a three-hour meeting, to ensure there is sufficient time to discuss all items at the meeting. The meeting was scheduled for Friday, December 16, 2022, from 10am until 1pm.

VIII. Adjournment. The meeting was adjourned.

Behavioral Sciences Regulatory Board
Addiction Counseling Student Licenses
Draft Proposal Oct 2022

Student Temporary Licensed Addiction Counselor Proposal (S-TLAC)

Duration: 2-year with one 2- year renewal with submission of required documentation

Education: Completion of an associate's degree or at least 60 credit hours in addiction counseling or related field

Signed attestation indicating applicant's intention to pursue licensure as an Addiction Counselor, with a plan to complete any required addiction counseling courses within 48 months

Employment: Signed attestation from a supervisor or other official employed by a licensed alcohol/drug treatment facility/CCBHC/CMHC indicating:

Proof of employment in a direct service capacity; or

The agency's intention to offer employment as a temporary licensed addiction counselor.

(Does this section need more?) Supervision: Completed education and supervision plan from a licensed Master's Addiction Counselor or other masters level BSRB licensed individual as approved by the Board

While employed as a Student Temporary LAC, supervision shall consist of a minimum of 4 hours per month of individual supervision. Group supervision may count for no more than 2 hours per month.

To qualify for the additional 2-year renewal, the following documentation must be submitted:

1. Evidence of following the Education plan as evidenced by required course completion with a passing grade;
2. Any changes or updates to plan for course completion and/or employment; and
3. Evidence of supervision logs as identified above.

Scope of Work: Same as LAC

Graduate Student Temporary Licensed Master Addiction Counselor (S-TLMAC)

Duration: 2-year with one 2-year renewal with submission of required documentation

Education: Completion of at least a bachelor's degree in social work, psychology, or a related field. Accepted and enrolled in a master's program in addiction counseling, social work, psychology, or related field at an institution of higher education.

Signed attestation indicating intention to pursue licensure as a licensed master addiction counselor with a plan to complete all requirements in the allotted 48 months.

Employment: Signed attestation from a supervisor employed by a licensed alcohol/drug treatment facility/CCBHC/CMHC indicating:

Proof of employment in a direct service position working at least 20 hours per week; or

The agency's intention to offer employment of at least 20 hours per week as a temporary licensed master addiction counselor.

(Does this section need more?) Supervision: Completed education and supervision plan from a clinically licensed master's addiction counselor or other clinical level BSRB licensed individual as approved by the Board.

While employed as a Student LMAC, supervision shall consist of a minimum of 4 hours per month of individual supervision. Group supervision may count for no more than 2 hours per month.

To qualify for the additional 2-year renewal, the following documentation must be submitted:

1. Evidence of required course completion as specified in the training plan with a passing grade (D or above);
2. Any changes or updates to plan for course completion and/or employment;
3. Evidence of supervision logs; and
4. Passing score on a nationally recognized addiction counseling exam. (NCAC II or above)

Scope of work: Same as LMAC without the ability to diagnose until year 3 with supervisor sign off.

65-6613. Licensure of individual registered, certified or licensed in another jurisdiction. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice addiction counseling in the other jurisdiction are substantially the equivalent of the requirements of the addiction counselor licensure act and rules and regulations of the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice as an addiction counselor for at least 48 of the last 54 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a baccalaureate degree from a college or university approved by the board.

(b) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling at the master's level in another jurisdiction if the board determines that:

(1) (A) The standards for registration, certification or licensure to practice addiction counseling at the master's level in the other jurisdiction are substantially the equivalent of the requirements of the addiction counselor licensure act and rules and regulations of the board; and

(B) completion of at least a master's degree from a college or university approved by the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice addiction counseling at the master's level for at least 48 of the last 54 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a master's degree from a college or university approved by the board.

(c) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling at the clinical level in another jurisdiction if the board determines that:

(1) (A) The standards for registration, certification or licensure to practice addiction counseling at the clinical level in the other jurisdiction are substantially the equivalent of the requirements of the addiction counselor licensure act and rules and regulations of the board; and

(B) the applicant demonstrates completion of at least a master's degree from a college or university approved by the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice addiction counseling at the clinical level for at least 48 of the last 54 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency;

(C) completion of at least a master's degree from a college or university approved by the board; and

(D) at least two of the following areas acceptable to the board:

(i) Either coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(ii) three years of clinical practice with demonstrated experience supporting diagnosing or treating substance use disorders; or

(iii) attestation from a professional licensed to diagnose and treat mental disorders, or substance use disorders, or both, in independent practice or licensed to practice medicine and surgery, stating that the applicant is competent to diagnose and treat substance use disorders.

(d) An applicant for a license under this section shall pay an application fee established by the board under

K.S.A. [65-6618](#), and amendments thereto, if required by the board.

History: L. 2010, ch. 45, § 7; L. 2011, ch. 114, § 13; L. 2012, ch. 58, § 3; L. 2016, ch. 92, § 57; L. 2019, ch. 55, § 17; May 9.

102-7-3. Educational requirements. (a)(1) “Core faculty member” means an individual who is part of the teaching staff of a program covered by this regulation and who meets the following conditions:

(A) Has education, training, and experience consistent with the individual's role within the program and consistent with the published description of the goals, philosophy, and educational purpose of the program;

(B) has primary professional employment at the institution in which the program is housed; and

(C) is identified with the program and is centrally involved in program development, decision making, and student training as demonstrated by consistent inclusion of the individual's name in public and departmental documents.

(2) “In residence,” when used to describe a student, means that the student is present at the physical location of the institution or at any other location approved by the board for the purpose of completing coursework, during which the student and one or more core faculty members, adjunct faculty members, or agency internship supervisors are in face-to-face contact.

(3) “Primary professional employment” means at least 20 hours each week of instruction, research, or any other service to the institution in the course of employment, and related administrative work.

(4) “Skill-based coursework” means those courses that allow students to work on basic helping skills including open-ended questions, clarification, interpretation, response to feelings, and summarization.

(b) To qualify for licensure as an addiction counselor with a baccalaureate degree in addiction counseling or a baccalaureate degree in a related field that included all coursework requirements, the applicant shall hold one of the following:

(1) A baccalaureate degree in addiction counseling or a related field. When the degree was granted, the program met the standards approved by the board;

(2) a baccalaureate degree in addiction counseling or a related field, if the applicant began the program on or before May 1, 2011 and the baccalaureate degree is conferred on or before June 1, 2012, from a program that was approved by the Kansas department of social and rehabilitation services, division of addiction and prevention services; or

(3) a baccalaureate degree in addiction counseling or a related field, if the applicant began the program on or before June 30, 2012, from a program that included at least 30 semester hours, or the academic equivalent, in coursework on substance use disorders and that meets the coursework requirements in subsection (c).

(c) Each applicant for licensure as an addiction counselor shall have satisfactorily completed formal academic coursework that contributes to the development of a broad conceptual framework for addiction counseling theory and practice. This formal academic coursework shall be distributed across the substantive content areas specified in this subsection. For applicants who graduate on or after July 1, 2013, two of the following courses shall be completed while the student is in residence: methods of individual counseling, methods of group counseling, practicum one, or practicum two. A maximum of three semester hours, or the academic equivalent, may be completed in independent study. Except for the required courses in a practicum or its equivalent, there shall be at least three discrete and unduplicated semester hours, or the academic equivalent, in each of the following content areas:

(1) Introduction to addiction, which shall include the study of the nature of addiction and other substance use related problems; models, theories, philosophies, principles, implications for medical and mental health conditions that coexist with addiction, and evidence-based strategies of addiction prevention, treatment, relapse prevention, continuing care, and recovery; and the impact of addiction on the individual, family, and society;

(2) methods of individual counseling, which shall include the study of culturally informed, ethical, evidence based models and approaches to individual counseling; methods for establishing effective therapeutic relationships, developing realistic and achievable treatment goals, and

assessing client substance use, functioning, motivation, and progress; and strategies for crisis prevention and intervention;

(3) methods of group counseling, which shall include the study of culturally informed, ethical, evidence-based models and approaches to group counseling; group facilitation and counseling skills; and methods for establishing group goals and treatment outcomes;

(4) addiction pharmacology, which shall include the study of the nature of psychoactive chemicals; the behavioral, psychological, physiological, and social effects of psychoactive substance use; symptoms of intoxication, withdrawal, and toxicity; toxicity screen options, limitations, and legal implications; and the use of pharmacotherapy for treatment of addiction;

(5) co-occurring disorders, which shall include the study of the symptoms of mental health and other disorders prevalent in individuals with substance use disorders, screening and assessment tools used to detect and evaluate the presence and severity of co-occurring disorders, and evidence-based strategies for managing risks associated with treating individuals who have co-occurring disorders;

(6) addiction services coordination, which shall include the study of administrative, clinical, evaluative, and referral activities used to connect clients with treatment services and other community resources; navigation and coordination across multiple systems; and case management and advocacy skills used to assist clients in achieving their treatment and recovery goals;

(7) legal and ethical issues, which shall include the study of established codes of ethical conduct, standards of professional behavior and scope of practice; client rights, responsibilities, and informed consent; and confidentiality and other legal considerations in counseling;

(8) family and community studies, which shall include the study of family, social, and community systems; the impact of addiction on the family and society; and the development of culturally informed skills utilized in the treatment and recovery process;

(9) at least six semester credit hours, or the academic equivalent, of practicum or its equivalent, which shall include the following:

(A) An experience that integrates didactic learning that is related to substance use disorders with face-to-face, direct counseling experience that includes intake and assessment, counseling, treatment planning, discharge planning, documentation, and case management activities;

(B) at least 400 clock-hours of practice; and

(C) at least one hour of supervision for every 10 hours of practice. Supervision shall be provided by the educational program's faculty and agency staff, at least one of whom shall be licensed in the behavioral sciences; and

(10) for applicants who graduate on and after July 1, 2012, at least three discrete and unduplicated semester hours, or the academic equivalent, in the study of research, which shall include the study of basic research design and methodology; critical evaluation and interpretation of professional research reports; introduction to data collection, performance measurement, and outcome evaluation; and the application of research results in a treatment setting.

(d) To qualify for licensure as an addiction counselor with a baccalaureate degree in a related field with additional coursework in addiction counseling, the following requirements shall be met:

(1) The college or university at which the applicant completed a baccalaureate degree in a related field shall be regionally accredited with accreditation standards equivalent to those met by Kansas colleges and universities.

(2) The applicant shall meet the coursework requirements in subsection (c).

(3) The program through which the applicant obtained additional coursework in addiction counseling shall meet the standards approved by the board as specified in subsections (i) and (j).

(e) To qualify for licensure as an addiction counselor while holding a baccalaureate social work license in Kansas, the applicant shall complete the coursework specified in paragraphs (c)(1), (4), and (9).

(f) To qualify for licensure as a clinical addiction counselor with a master's degree in addiction counseling or a master's degree in a related field that included all coursework requirements, the applicant shall hold one of the following:

(1) A master's degree in addiction counseling or a related field. When the degree was granted, the program met the standards approved by the board;

(2) a master's degree in addiction counseling or a related field, if the applicant began the program on or before May 1, 2011 and the master's degree is conferred on or before June 1, 2012 from a program that was approved by the Kansas department of social and rehabilitation services, division of addiction and prevention services; or

(3) a master's degree in addiction counseling or a related field. Part of the coursework completed for the master's degree shall be at least 30 graduate semester credit hours, or the academic equivalent, supporting the diagnosis and treatment of substance use disorders and shall meet the coursework requirements in subsection (g).

(g) Each applicant for licensure as a clinical addiction counselor shall have satisfactorily completed formal academic coursework that contributes to the development of a broad conceptual framework for addiction counseling theory and practice. This formal academic coursework shall be distributed across the substantive content areas specified in this subsection. For applicants who graduate on or after July 1, 2013, half of all skill-based coursework shall be completed while the student is in residence, as defined in this regulation. A maximum of three graduate semester hours, or the academic equivalent, may be completed in independent study. There shall be at least three discrete and unduplicated graduate semester hours, or the academic equivalent, in each of the following content areas:

(1) Addiction and recovery services, which shall include the study and critical analysis of philosophies and theories of addiction and scientifically supported models of prevention, intervention, treatment, and recovery for addiction and other substance-related problems;

(2) advanced methods of individual and group counseling, which shall include the study of practical skills related to evidence-based, culturally informed individual and group counseling techniques and strategies designed to facilitate therapeutic relationships and the educational and psychosocial development of clients as specifically related to their addiction;

(3) advanced pharmacology and substance use disorders, which shall include the study of the pharmacological properties and effects of psychoactive substances; physiological, behavioral, psychological, and social effects of psychoactive substances; drug interactions; medication-assisted addiction treatment; and pharmacological issues related to co-occurring disorders treated with prescription psychotropic medications;

(4) integrative treatment of co-occurring disorders, which shall include the study of the relationship between addiction and co-occurring mental or physical disorders or other conditions and evidenced-based models for the screening, assessment, and collaborative treatment of co-occurring disorders;

(5) assessment and diagnosis, which shall include the study of a comprehensive clinical assessment process that addresses age, gender, disability, and cultural issues; the signs, symptoms, and diagnostic criteria used to establish substance use-disorder diagnoses; and the relationship between diagnosis, treatment, and recovery;

(6) professional ethics and practice, which shall include the study of professional codes of ethics and ethical decision making; client privacy rights and confidentiality; legal responsibilities and liabilities of clinical supervision; and professional identity and development issues;

(7) applied research, which shall include the study of the purposes and techniques of behavioral sciences research, including qualitative and quantitative approaches, research methodology, data collection and analysis, electronic research skills, outcome evaluation, critical evaluation

and interpretation of professional research reports, and practical applications of research. A maximum of three semester hours, or the academic equivalent, may be completed in thesis or independent research courses;

(8) practicum or its equivalent, which shall meet the following requirements:

(A) Be a clinical experience that integrates didactic learning supporting the diagnosis and treatment of substance use disorders;

(B) include at least 300 hours of client contact; and

(C) provide at least one hour of supervision for every 10 hours of client contact. Supervision shall be provided by the program's faculty and agency supervisors, at least one of whom shall be licensed at the clinical level by the board; and

(9) six additional graduate semester hours of academic coursework that contributes to the development of advanced knowledge or skills in addiction counseling, supervision, or research.

(h) To qualify for licensure as a clinical addiction counselor with a master's degree in a related field with additional coursework in addiction counseling, the following requirements shall be met:

(1) The college or university at which the applicant completed a master's degree in a related field shall be regionally accredited with accreditation standards equivalent to those met by Kansas colleges and universities.

(2) The applicant shall meet the coursework requirements in subsection (g).

(3) The program through which the applicant obtained additional coursework in addiction counseling shall meet the standards approved by the board as specified in subsections (i) and (j).

(i) In order to be approved by the board, each addiction counseling program or related-field program, except the related-field degree listed in paragraphs (d)(1) and (h)(1), shall meet the following conditions:

(1) Have established program admission requirements that are based, in part or in full, on objective measures or standardized achievement tests and measures;

(2) offer education and training in addiction counseling, one goal of which is to prepare students for the practice of addiction counseling;

(3) require an established curriculum that encompasses at least one academic year of study for a baccalaureate degree or two academic years of study for a master's degree;

(4) have clear administrative authority and primary responsibility within the program for the core and specialty areas of training in addiction counseling;

(5) have an established, organized, and comprehensive sequence of study that is planned by administrators who are responsible for providing an integrated educational experience in addiction counseling;

(6) for a master's degree program, be coordinated or directed by an identifiable person who holds a graduate degree that was earned from a regionally accredited college or university upon that person's actual completion of a formal academic training program;

(7) have an identifiable, full-time core faculty member who holds an earned graduate degree in addiction counseling or a related field;

(8) have an established, identifiable body of students who are formally enrolled in the program with the goal of obtaining coursework for the concentration in the study of addiction counseling;

(9) require the student's major advisor to be a member of the program faculty;

(10) require each student to complete the institution's requirements for the number of credit hours that must be completed at that institution and to satisfactorily complete an addiction counseling practicum or its equivalent that is provided by the program from which the student completes the concentration in the study of addiction counseling. The required practicum shall meet the following requirements:

(A) Accept as practicum students only applicants enrolled in the addiction counseling or related-field program;

(B) provide the majority of supervision by an individual who is licensed at the clinical level by the board;

(C) exist as a distinct and organized program that is clearly recognizable within an institution or agency, as well as in pertinent public, official documents issued by the institution or agency, and that is clearly recognizable as a training program for addiction counselors;

(D) identify students as being in training and not as staff members; and

(E) be an integrated and formally organized training experience, not an after-the-fact tabulation of experience; and

(11) conduct an ongoing, objective review and evaluation of each student's learning and progress and report this evaluation in the official student transcripts.

(j) In order to be approved by the board, each addiction counseling program or related-field program, except the related-field degree listed in paragraphs (d)(1) and (h)(1), shall meet the following requirements:

(1) Be regionally accredited, with accreditation standards equivalent to those met by Kansas colleges and universities;

(2) document in official publications, including course catalogs and announcements, the program description and standards and the admission requirements for the addiction counseling or related-field education and training program;

(3) identify and clearly describe in pertinent institutional catalogs the coursework, experiential, and other academic program requirements that must be satisfied before conferral of the degree;

(4) clearly identify and specify in pertinent institutional catalogs the intent to educate and train addiction counselors;

(5) have clearly established the addiction counselor or related-field education program as a coherent entity within the college or university that, when the applicant's degree was conferred, met the program standards in subsection (i);

(6) have conferred the degree upon the applicant's successful completion of an established and required formal program of studies; and

(7) have a library and equipment and resources available that are adequate for the size of the student body and the scope of the program offered.

(k) The following types of study shall not be substituted for or counted toward the coursework requirements of this regulation:

(1) Academic coursework that has been audited rather than graded;

(2) academic coursework for which the applicant received an incomplete or failing grade;

(3) coursework that the board determines is not closely related to the field or practice of addiction counseling;

(4) coursework or training provided by any college, university, institute, or training program that does not meet the requirements of subsections (i) and (j); and

(5) any continuing education, in-service activity, or on-the-job training.

(Authorized by K.S.A. 2013 Supp. 74-7507; implementing K.S.A. 2013 Supp. 65-6610; effective, T-102-7-1-11, July 1, 2011; effective, T-102-10-27-11, Oct. 27, 2011; effective Jan. 20, 2012; amended, T-102-7-16-13, July 16, 2013; amended Dec. 2, 2013.)

102-7-11. Unprofessional conduct. Each of the following acts shall be considered unprofessional conduct for a licensed addiction counselor, a licensed clinical addiction counselor, or an applicant for an addiction counselor license or a clinical addiction counselor license:

(a) Except when the information has been obtained in the context of confidentiality, failing to notify the board, within a reasonable period of time, that the licensee or applicant or any other person regulated by the board or applying for licensure or registration has met any of these conditions:

(1) Has had a professional license, certificate, permit, registration, certification, or professional membership granted by any jurisdiction, professional association, or professional organization that has been limited, conditioned, qualified, restricted, suspended, revoked, refused, voluntarily surrendered, or allowed to expire in lieu of or during investigatory or disciplinary proceedings;

(2) has been subject to any other disciplinary action by any credentialing board, professional association, or professional organization;

(3) has been demoted, terminated, suspended, reassigned, or asked to resign from employment, or has resigned from employment, for some form of misfeasance, malfeasance, or nonfeasance;

(4) has been substantiated of abuse against a child, an adult, or a resident of a care facility; or

(5) has practiced the licensee's profession in violation of the laws or regulations that regulate the profession;

(b) knowingly allowing another person to use one's license;

(c) impersonating another person holding a license or registration issued by this or any other board;

(d) having been convicted of a crime resulting from or relating to one's professional practice of addiction counseling;

(e) furthering the licensure application of another person who is known or reasonably believed to be unqualified with respect to character, education, or other relevant eligibility requirements;

(f) knowingly aiding or abetting any individual who is not credentialed by the board to represent that individual as a person who was or is credentialed by the board;

(g) failing to recognize, seek intervention, and otherwise appropriately respond when one's own personal problems, psychosocial distress, or mental health difficulties interfere with or negatively impact professional judgment, professional performance and functioning, or the ability to act in the client's best interests;

(h) failing or refusing to cooperate in a timely manner with any request from the board for a response, information, or assistance with respect to the board's investigation of any report of an alleged violation filed against oneself or any other applicant or professional who is required to be licensed or registered by the board. Each person taking longer than 30 days to provide the requested response, information, or assistance shall have the burden of demonstrating that the person has acted in a timely manner;

(i) offering to perform or performing services clearly inconsistent or incommensurate with one's training, education, or experience or with accepted professional standards;

(j) engaging in any behavior that is abusive or demeaning to a client, student, or supervisee;

(k) imposing one's personal values, spiritual beliefs, or lifestyle on a client, student, or supervisee;

(l) discriminating against any client, student, directee, or supervisee on the basis of color, race, gender, age, religion, national origin, or disability;

- (m) failing to inform each client of that client's rights as those rights relate to the addiction counseling relationship;
- (n) failing to provide each client with a description of the services, fees, and payment expectations, or failing to reasonably comply with that description;
- (o) failing to provide each client with a description of the possible effects of the proposed treatment if the treatment is experimental or if there are clear and known risks to the client;
- (p) failing to inform each client, student, or supervisee of any financial interests that might accrue to the licensee or applicant if the licensee or applicant refers a client, student, or supervisee to any other service or if the licensee or applicant uses any tests, books, or apparatus;
- (q) failing to inform each client that the client can receive services from a public agency if one is employed by that public agency and also offers services privately;
- (r) failing to obtain written, informed consent from each client, or the client's legal representative or representatives, before performing any of the following actions:
 - (1) Electronically recording sessions with that client;
 - (2) permitting a third-party observation of their activities; or
 - (3) releasing information concerning a client to a third person, unless required or permitted by law;
- (s) failing to exercise due diligence in protecting the information regarding the client from disclosure by other persons in one's work or practice setting;
- (t) engaging in professional activities, including billing practices and advertising, involving dishonesty, fraud, deceit, or misrepresentation;
- (u) using alcohol or any illegal drug or misusing any substance that could cause impairment while performing the duties or services of an addiction counselor;
- (v) engaging in a harmful dual relationship or exercising undue influence;
- (w) making sexual advances toward or engaging in physical intimacies or sexual activities with either of the following:
 - (1) Any person who is a client, supervisee, or student; or
 - (2) any person who has a significant relationship with the client and that relationship is known to the licensee;
- (x) making sexual advances toward or engaging in physical intimacies or sexual activities with any person who meets either of the following conditions:
 - (1) Has been a client within the past 24 months; or
 - (2) has had a significant relationship with a current client or a person who has been a client within the past 24 months and that relationship is known to the licensee;
- (y) directly or indirectly offering or giving to a third party or soliciting, receiving, or agreeing to receive from a third party any fee or other consideration for referring the client or in connection with performing professional services;
- (z) permitting any person to share in the fees for professional services, other than a partner, an employee, an associate in a professional firm, or a consultant authorized to practice addiction counseling or clinical addiction counseling;
- (aa) soliciting or assuming professional responsibility for clients of another agency or colleague without attempting to coordinate the continued provision of client services by that agency or colleague;
- (bb) making claims of professional superiority that one cannot substantiate;
- (cc) guaranteeing that satisfaction or a cure will result from performing or providing any professional service;

- (dd) claiming or using any secret or special method of treatment or techniques that one refuses to disclose to the board;
- (ee) continuing or ordering tests, procedures, or treatments or using treatment facilities or services not warranted by the client's condition, best interests, or preferences;
- (ff) taking credit for work not personally performed, whether by giving inaccurate or misleading information or by failing to disclose accurate or material information;
- (gg) if engaged in research, failing to meet these requirements:
 - (1) Considering carefully the possible consequences for human beings participating in the research;
 - (2) protecting each participant from unwarranted physical and mental harm;
 - (3) ascertaining that each participant's consent is voluntary and informed; and
 - (4) preserving the privacy and protecting the anonymity of each subject of the research within the terms of informed consent;
- (hh) making or filing a report that one knows to be false, distorted, erroneous, incomplete, or misleading;
- (ii) failing to notify the client promptly if one anticipates terminating or interrupting service to the client;
- (jj) failing to seek continuation of service, or abandoning or neglecting a client under or in need of professional care, without making reasonable arrangements for that care;
- (kk) abandoning employment under circumstances that seriously impair the delivery of professional care to clients and without providing reasonable notice to the employer;
- (ll) failing to terminate addiction counseling services if it is apparent that the relationship no longer serves the client's needs or best interests;
- (mm) when supervising, failing to provide accurate and current information, timely evaluations, and constructive consultation;
- (nn) when applicable, failing to inform a client that addiction counseling services are provided or delivered under supervision;
- (oo) failing to inform a client that addiction counseling services are delivered under supervision as a student or an individual seeking clinical licensure;
- (pp) failing to report unprofessional conduct of a licensed addiction counselor, licensed clinical addiction counselor, or any individual licensed by the board;
- (qq) intentionally or negligently failing to file a report or record required by state or federal law, willfully impeding or obstructing another person from filing a report or record that is required by state or federal law, or inducing another person to take any of these actions;
- (rr) offering to perform or performing any service, procedure, or therapy that, by the accepted standards of addiction counseling practice in the community, would constitute experimentation on human subjects without first obtaining the full, informed, and voluntary written consent of the client or the client's legal representative or representatives;
- (ss) practicing addiction counseling after one's license expires;
- (tt) using without a license, or continuing to use after a license has expired, any title or abbreviation defined by regulation; and
- (uu) violating any provision of the addictions counselor licensure act or any implementing regulation.

(Authorized by K.S.A. 2010 Supp. 74-7507, as amended by L. 2010, ch. 45, §15; implementing L. 2011, ch. 114, §15; effective, T-102-7-1-11, July 1, 2011; effective, T-102-10-27-11, Oct. 27, 2011; effective Jan. 20, 2012.)

102-7-11a. Recordkeeping. (a) Each licensed addiction counselor and each licensed clinical addiction counselor shall maintain a record for each client that accurately reflects the licensee's contact with the client and the results of the addiction counseling or clinical addiction counseling services provided. Each licensee shall have ultimate responsibility for the content of the licensee's records and the records of those persons under the licensee's supervision. These records may be maintained in a variety of formats, if reasonable steps are taken to maintain the confidentiality, accessibility, and durability of the records. Each record shall be completed in a timely manner and, at a minimum, shall include the following information for each client in sufficient detail to permit planning for continuity of care:

- (1) Adequate identifying data;
 - (2) the date or dates of services that the licensee or the licensee's supervisee provided;
 - (3) the type or types of services that the licensee or the licensee's supervisee provided;
 - (4) the initial assessment, conclusions, and recommendations;
 - (5) the treatment plan; and
 - (6) the clinical or progress notes from each session.
- (b) If a licensee is the owner or custodian of client records, the licensee shall retain a complete record for the following time periods, unless otherwise provided by law:
- (1) At least six years after the date of termination of one or more contacts with an adult; and
 - (2) for a client who is a minor on the date of termination of the contact or contacts, at least until the later of the following two dates:
 - (A) Two years past the date on which the client reaches the age of majority; or
 - (B) six years after the date of termination of the contact or contacts with the minor.

(Authorized by K.S.A. 2010 Supp. 74-7507, as amended by L. 2010, ch. 45, §15; implementing L. 2010, ch. 45, §2, as amended by 2011 HB 2182, §10; effective, T-102-7-1-11, July 1, 2011; effective, T-102-10-27-11, Oct. 27, 2011; effective Jan. 20, 2012.)