

**BEHAVIORAL SCIENCES REGULATORY BOARD
BOARD MEETING APPROVED MINUTES
APRIL 15, 2022**

- I. Call to Order and Roll Call.** The meeting was called to order by Chair Leslie Sewester at 10:00 am.

Board Members. Board Members present by Zoom: Leslie Sewester, David Anderson, Donna Hoener-Queal, Mary Jones, Jacqueline Lightcap, Johnna Norton, Bruce Nystrom, Andrea Perdomo-Morales, Ric Steele, Deb Stidham, and Carolyn Szafran.

Staff. BSRB Staff present by Zoom: David Fye and Leslie Allen. Assistant Attorney General Laine Barnard was present by Zoom.

Guests. No Guests

- II. Agenda Approval.**

- III. Update on the BSRB Education Licensing Requirements, Online Programs, and Accreditation.** David Fye, Executive Director for the BSRB, stated that in 2019 and early 2020, Fort Hays University started an online Master's-level social work program and began a process to seek accreditation with the national accrediting body, the Council for Social Work Education (CSWE). The timeframe for the accreditation process varies, but may take about three years to three and a half years to complete. During the accreditation stages, CSWE admits schools into a process called "candidacy." When a program reaches accreditation, CSWE will backdate the accreditation date to the day the program entered candidacy.

The Executive Director received communications from representatives from Fort Hays State University stating they believed they had received assurances from the BSRB that graduates from their online master's of social work program would be able to be licensed while their program was in candidacy for accreditation. The Executive Director stated that he had not provided those assurances to Fort Hays State University. He received a communication from the previous Executive Director for the BSRB, who stated that he does not recall providing this assurance to representatives from Fort Hays State University and he believes that if he would have been asked the question on licensure, he believes he would have taken that question to the Board or the Social Work Advisory Committee. The Executive Director noted that he has researched the e-mails and letters of the BSRB for any documentation of a licensure assurance and he has not found any documents where this assurance was provided. Additionally, he asked the representatives from Fort Hays State University to review their records and to provide any documents which include these assurances. To date, he has received not received record from representatives from Fort Hays State University with these assurances from the BSRB.

The Executive Director noted that when the BSRB receives an application for licensure, the agency must follow the statutes and regulations for approving applications. KAR 102-

2-6(b), Program Approval, states that social work graduates must have graduated from a CSWE-accredited school or be in compliance with a list of alternate standards. One of the alternate standards is for no less than 50.0 percent of the required program's coursework be completed "in residence," meaning physically at the school in face-to-face contact with core faculty members. When students from the online master's of social work program at Fort Hays State University began to graduate, they applied for licensure. Originally, BSRB licensing specialists checked the CSWE accreditation website and saw the Fort Hays State University program listed, so they believed the program was accredited and began allowing students to sit for the license examination. When those licensing specialists were made aware that the website shows the program as in "candidacy" for accreditation, and not yet accredited, the BSRB began holding those applicants while the agency collected information and researched this issue further.

Based on documentation from CSWE, the Fort Hays State University online master's of social work program is on pace to be accredited in February of 2023. Seeking to ensure that their students could be licensed, representatives from Fort Hays State University contacted the Legislature to request statutory language be added to a bill, to ensure their students could sit for the licensing examination even though their program is in candidacy for accreditation. Representatives from the Legislature contacted the Executive Director about the potential of adding language to a bill for this purpose. The Executive Director informed the Legislature that the Board could not take a position on this language, as the Board had not met to discuss this issue. However, it was noted that the potential language would not match the current licensure requirements for the BSRB in statute and regulation. The Legislature added language to Senate Bill 453 directing the BSRB to treat graduates from the Fort Hays State University online master's of social work program as if it was CSWE accredited for the purpose of licensure, retroactively and through the end of FY 2023. SB 453 was passed by the Legislature and the bill is awaiting approval from the Governor. Once signed by the Governor, the implementation date will be "upon publication date in the *Kansas Register*," which is a weekly publication by the Secretary of State's office. Therefore, if the Governor signs the bill, the BSRB must hold applicants from the Fort Hays State University online master's of social work program until the bill is published.

The Executive Director noted that another school, St. Mary's, is starting an online master's of social work program that has recently been accepted into candidacy by CSWE and has expressed interest in the Legislature adding similar statutory language so their graduates may be eligible for licensure when they graduate while the program is in candidacy.

Board members expressed an interest in receiving more information on the candidacy process and expressed opposition to the Legislature directing the BSRB to consider a program accredited that is not accredited by a national accrediting body. Board members also commented on workforce issues and whether the current requirements for licensure are necessary or are unnecessarily strict. Board members expressed concern that they did not have more of an opportunity to discuss this matter prior to the Legislature acting.

The Executive Director provided several options for Board members to consider, including maintaining the status quo, expanding the definition of “accredited” to consider candidacy, creating a new type of provisional license for students who graduate from a school while the school is in candidacy then offering a permanent license once the school attains accreditation, or changing the standard in regulation from “CSWE accredited” to the professional counselor model of “not below the standard for accreditation” and using accreditation progress reports to show that the school is not below the accreditation standard while it is in candidacy for accreditation. The Executive Director also noted that he contacted the national accrediting bodies for four other professions and while the terminology for those bodies differs regarding the candidacy process, he believes the “in residence” requirement currently used by the different professions under the BSRB will lead to similar problems for future online programs for those professions.

Board members discussed the value of ensuring that graduates of programs are able to be licensed, but also noted public protection concerns if the BSRB provided the same type of license to both students from accredited programs and students who graduated from programs not accredited. Board members noted that students have a choice in what program to attend, though it was noted that certain areas of the state have limited options on available programs.

Concerning input on future legislative matters, Board members stated opposition to additional programs having language added to statute to deem their programs accredited prior to those programs being accredited by national accrediting bodies. The Board recommended creation of a new type of provisional license for students who graduate from schools that are in candidacy for accreditation and for that process to be submitted in a bill for the 2023 Legislature. Board members also stated their intent to re-examine current “in resident” licensure requirements.

- IV. Adjournment.** The Chair moved to adjourn the meeting. Deb Stidham seconded the motion. The motion passed.