

**BEHAVIORAL SCIENCES REGULATORY BOARD
BOARD MEETING MINUTES
JANUARY 18, 2023**

APPROVED MINUTES

I. Call to Order and Roll Call. The meeting was called to order by Chair Mary Jones at 10:00 a.m.

Board Members. Board Members present by Zoom: Mary Jones, David Anderson, Donna Hoener-Queal, Jim Kilmartin, Johnna Norton, Laura Shaughnessy, Ric Steele, and Deb Stidham. Jacqueline Lightcap, Andrea Perdomo-Morales, Richard Nobles, and Cynthia Schendel were absent.

Staff. BSRB Staff present via Zoom: Executive Director David Fye. Jared Langford from KDADS legal counsel was present via Zoom.

II. Agenda Approval: Mary Jones moved to approve the agenda as written. Deb Stidham seconded. The motion passed.

III. Old Business

A. Consideration of Possible Changes to Statutes and Regulations

i. Psychology

- 1. Change License Standard from Good Moral Character to Merit the Public Trust in K.S.A. 74-5310.** The Executive Director stated the requirements for licensure for other professions include language that an individual must “merit the public trust.” For the Psychology profession, there is a requirement of “good moral character.” It was noted the Licensed Psychology Advisory Committee recommended to the Board changing the standard from “good moral character” to “merit the public trust,” to be more consistent with other professions and other states. David Anderson moved to request language in a bill before the Legislature to remove the requirement of “good moral character” and add a new requirement that license applicants “merit the public trust.” Ric Steele Seconded. The motion passed.
- 2. Remove Language Requiring Continuing Education Hours for Individuals Holding Temporary License in K.S.A 74-5316.** The Executive Director noted K.S.A. 74-5316 includes language requiring 25 continuing education hours for psychologists with a temporary license. It was noted that individuals with temporary licenses for other professions are not required to take continuing education hours and the Board is currently not enforcing the requirement for psychologists with a temporary license to take continuing education hours, so the Executive Director asked the Board to recommend statutory changes to the Legislature removing language on continuing education requirements for psychologists with a temporary license. David Anderson moved to request language in a bill before the Legislature to strike the language. Deb Stidham seconded. The motion passed.

ii. Marriage and Family Therapy

- 1. Add New Language Concerning Practicums in K.S.A 65-6404.** The Executive Director noted inconsistencies between the statutory and regulatory language for practicum requirements for the Licensed Marriage and Family Therapy license. The Board was presented with two options on possible language. The first option would include a shorter amount of language to be included in a bill for the Legislature, but would need to be accompanied by follow up regulatory language after passage. The second option would include language of a bill for the Legislature, but no following up regulatory language would be needed. Both sets of language clarified a requirement of a supervised practicum in the Master's degree program with at least 300 hours of a direct client or additional postgraduate supervised experience as determined by the Board or completed academic practicum and a masters degree program with at least 300 hours of direct plant contact or completion of additional postgraduate supervised experience. The Executive Director also sought approval for new language that individuals would be able to make up postgraduate experience while working with a temporary license. David Anderson moved to adopt the language in the second option. Deb Stidham seconded. The motion passed. The Executive Director noted section (C) of the statute requires a 350-hour practicum for clinical applicants, but it was requested to lower this amount to 300 hours, to be consistent with the requirement for the non-clinical license. Deb Stidham moved to lower the hours to 300. Laura Shaughnessy seconded. The motion passed.

iii. Professional Counseling

- 1. Remove Physical Presence Requirement from "In Residence" Definition for Professional Counseling in K.A.R. 102-3-3a.** The Executive Director informed the Board that the Professional Counseling Advisory Committee recommended K.A.R. 102-3-3a be modified to remove the physical presence requirement from the "in residence" definition and to add language to clarify the hours of face-to-face contact in front of core faculty could be obtained either in-person or by screen, which is consistent with similar changes recommended by the Board for the social work, addiction counseling, and marriage and family therapy professions. David Anderson moved to adopt the proposed regulation changes. Donna Hoener-Queal seconded. The motion passed.

iv. Social Work

- 1. Add Language to Allow Continuing Education Hours for Mentoring or Coaching Individuals Taking Licensing Examination in K.A.R. 102-2-4a.** The Executive Director informed the Board that the Social Work Advisory Committee recommended K.A.R. 102-2-4a be modified to permit a maximum of ten continuing education hours per license period, for social workers providing mentoring or coaching to individuals preparing to take an examination required for licensure as a social worker, as evidenced by documentation signed by the individuals receiving the mentoring or coaching. It was noted the Board and Advisory Committee had received reports from individuals struggling to pass the licensing examination and this change would be a way the Board could assist in addressing this issue. Deb Stidham moved to adopt the proposed regulation language. Ric Steele seconded. The motion passed.

v. Addiction Counseling

- 1. Clarifications on Student Temporary Addiction Counselor License.** The Executive Director noted most licenses for the BSRB include an age limit, however the recently approved language concerning the creation of a new Student Temporary Addiction Counselor license did not include an age limit and the Board was asked whether a minimum age should be included in the bill language for consideration by the Legislature. Deb Stidham moved to set the minimum age at 20. Mary Jones seconded. The motion passed.

vi. Behavioral Analysis

- 1. Add Language Authorizing License Reinstatements in K.S.A. 65-7505.** The Executive Director informed the Board the Behavioral Analysts statutes do not include authority for the Board to reinstate Behavior Analyst licenses or Assistant Behavior Analyst licenses, so if those licenses expire, those individuals must reapply for licensure. The Executive Director informed the Board the Behavior Analyst Advisory Committee recommended the Board add language in a bill for the Legislature to add reinstatement authority to the BSRB and to allow the Board to charge a license reinstatement fee. David Anderson moved to request language in a bill before the Legislature. Jim Kilmartin seconded. The motion passed.

vii. All Professions

- 1. Standardizing Timeframe and Fee for Temporary Licenses.** The Executive Director noted that the timeframe for temporary licenses varies from one year to two years, depending on the profession and the Executive Director requested the Board standardize the length of time by making temporary licenses last two years. This change would be consistent with the two-year timeframe for the newly created Social Work Candidacy Temporary license for students graduating from programs that are in candidacy for accreditation by the Council on Social Work Education (CSWE), and the newly created Student Temporary Licensed Addiction Counseling license. It was noted that only the 6-month Reinstatement Temporary License would have a shorter time period. It was noted that one of the benefits of moving temporary licenses to two years would allow more time for individuals to work, if they are having difficulty passing the examinations needed for licensure. Deb Stidham moved to adopt the changes. David Anderson seconded. The motion passed.

The Executive Director further noted there is a significant difference in the cost for temporary licenses, some temporary licenses as low as \$50 and some temporary licenses as high as \$150. The Executive Director requested the Board standardize the fee for a temporary license by reducing certain fees so temporary licenses would be \$50. Dave Anderson moved to adopt the change. Laura Shaughnessy seconded. The motion passed. The Executive Director requested the Board set the fee for 6-month Reinstatement Temporary License at \$25. Deb Stidham moved to adopt this change. Laura Shaughnessy seconded. The motion passed. The Executive Director requested the Board set the amount for the Student Temporary Licensed Addiction Counseling license fee to \$50. Deb Stidham moved to adopt this change. Jim Kilmartin seconded. The motion passed. The Executive Director recommended the Board set the fee for the Candidacy Temporary Licenses to \$50. Mary Jones moved adopt the change. Deb

Stidham seconded. The motion passed.

- 2. Statutory Organization and Cleanup.** The Executive Director informed the Board that clean-up and other modifications are needed to several BSRB statutes and requested authority make these changes in the language to be included in a bill for the legislative session. By consensus, the Board recommended providing the Executive Director authority to provide further adjustments to the language to be included in a bill before the Legislature for this purpose.

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