

BSRB Board Meeting
Rock Springs Ranch
9/27/15
4:00 p.m.

Called to order at 4:05 p.m.

Members Present: Barbara Callahan, Jill Craven, Grant Edwards, Todd Frye, Terry Pfannenstiel, Cheryl Reynolds, Larry Salmans, and Carolyn Szafran.

Staff Present: Max Foster, Leslie Allen, Cindy D'Ercole, Marilyn Revell

I. Approval of Minutes, Approval of Agenda and Announcements

Approval of Minutes

Item: Approval of the minutes from the July 13th Board Meeting

Action: Cheryl moved to approve the minutes as published. Jill Craven seconded the motion. The motion carried.

Item: Approval of the minutes from the September 15th Board Meeting held by conference call.

Action: Cheryl moved to approve the minutes as published, Todd Frye seconded the motion. The motion carried.

Item: Agenda Approval

Action: Cheryl moved to approve Sunday's agenda as published. Larry Salmans seconded the motion. The motion carried.

Item: Announcement - Grant read a letter to the Board from Barbara Burks resigning her position on the Board and as Chair of the Addictions Counselor Advisory Committee due to health concerns.

Action: The Board sadly accepted her resignation.

II. Budget and Fee Reductions

Max discussed the budget submitted to the Office of the Budget.

Item: Fee Reductions tables were discussed. Staff requested that we eliminate the original license fee and reduce all other fees by \$30 (Table 7)

Action: Cheryl moved to approve the reduction of fees by \$25 (Table 8). Carolyn seconded the motion.

Action: Cheryl moved to add a friendly amendment to change the Table 8 to Table 7 with no origination fee and the reduction of other fees by \$30.

Carolyn seconded the amendment to the motion. Motion carried.

A brief recess was called at 4:45
Meeting reconvened at 5:00

III. SB254

Senator Pilcher-Cook would like BSRB to present an educational program to the Senate Ways and Means Committee. Max said he would contact the Chair of the House Ways and Means Committee to present the information to that committee as well.

Opposition Points presented in the Hearing to SB 254 in the 2015 Legislative Session:

1. opposed to removing all language in reference to the DSM or other diagnostic tools
2. change the language from “under the supervision of” to “under the direction of” for the LMAC level of licensure and to strike the requirement of the LMAC to work only in a KDADS licensed facility.
3. On the reasons to refuse to issue, renew or reinstate a license due to incompetence – asked the BSRB to *define “incompetent” to practice social work*. Get the opinion of our Attorney General office counsel and Cindy.
4. “substantiation of abuse” – Opposition wants this wording removed because “*substantiation is not a legal conviction.*” Get more legal advice from counsel. (KNASW)
5. Opposition wants to mandate that the new requirements of clinical supervisors to apply to *all* professions licensed by the BSRB. Not just the three professions currently working on the clinical supervisory training. (Social Work, Professional Counselors and MFTs)
6. Opposition requests the removal of social work safety training from just a degree program, it needs to also be a required CEU. Discuss the content of the safety training that needs to be met. The least experienced social workers are the most vulnerable and need training early on in their career.
7. Opposition requests that the statute require 2/3 vote of the Board to vote on the fact that a professional is sufficiently rehabilitated to get a license (or renew or reinstate).

Cheryl suggested the Legislative Subcommittee meet with the opposition people and discuss the Board’s position on each of the points of opposition. Todd strongly urged that we contact the supportive associations as well to have them give testimony in support of SB254 (the MFTs, PCs, LPs). KAAP spoke in support of SB 254.

IV. Adjournment

Action: Cheryl moved to adjourn today’s meeting, Barbara seconded the motion. Motion passed. Meeting adjourned at 5:50

BSRB Board Meeting
Rock Springs Ranch
9/28/15
8:45 a.m.

Called to order at 8:42 a.m.

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

Staff Present: Max Foster, Leslie Allen, Cindy D'Ercole, Marilyn Revell

Guest: Sky Westerlund - KNASW

Work Session:

- I. Item:** Professional Corporation and Limited Liability Corporation
Action: Cheryl moved to adjourn to executive session for attorney-client consultation. Jill seconded the motion. Motion Carried

Grant called to adjourn to executive session at 8:05 a.m.

Board reconvened at 9:10 a.m.

Grant called a recess for a second executive session for attorney-client consultation at 9:10 a.m.

Board reconvened the open meeting at 9:30 a.m.

- I. Item:** Professional corporation and Limited Liability Corporation
Action: Cheryl moved to authorize Max to seek an AG's opinion on whether or not the Secretary of State has the authority to grant Limited Liability Professional Corporations. Marcia seconded the motion. Motion carried.
- II. Item:** LMLP/LCP Independent practice vs. practice under supervision
Action: Cheryl moved to authorize Max to have the AG's office clarify the level of masters psychologists to determine when they can practice independently or under supervision. Jill seconded the motion. Motion carried with Terry and Larry voting against the motion.
- III. Item:** Extension of temporary license and/or application
Much discussion ensued. In the past, there have been a variety of reasons that extensions have been granted at the discretion of the executive director and staff.
Action: Cheryl moved that the staff be authorized to grant an extension one time and any request after that would go to the advisory committee.
Terry seconded the motion. Motion carried.

IV. Item: Possible provisional/special temporary license for military personnel and military spouses.

Action: Cheryl moved to authorize Leslie to look further into this issue to determine language and other states' handling of this issue. Kathy seconded the motion. Motion carried.

V. Regular Session of the Board

a. Approval of minutes from July 13, 2015 and September 10, 2015 Board meetings. These minutes were approved on Sunday, September 26, 2015 when the Board meeting first convened.

b. Public comments: Sky – KNASW had training with veterans 2 weeks ago and discovered the **TBI (?)** of the most current veterans are different than those of past wars.

c. Staff reports: Max Foster

-Carolyn and Marcia attended the ASWB new board member training session in Arlington, VA August 21-24. There were people from all over the country and US territories such as Guam. They brought back some informational brochures and the “path to licensure” training program for universities.

- Grant will attend the ASPPB annual meeting in Tempe, AZ October 7-11.

- Max will attend the ASWB Annual Meeting November 5-7 in Ft. Lauderdale, FL as a delegate from Kansas.

- Year end FY2015 closing/ FY 2016 opening. All is going well.

- Contacts with/information with Department of Children and Families (DCF)

- a. 12-8-15 meeting with Mary Jo Monihan, CEO, ASWB
- b. developing new CEUs for social workers
- c. PDs being re-written **(position descriptions????)**

- ASWB Spring Meeting

Item: Max was invited to present (request for Board approval)

Action: Cheryl moved to send Max to represent the BSRB at this meeting. Terry seconded the motion. Motion passed.

- HR Training for Joan Hahn – should be prepared to take over by the end of December.

- Meeting with Jan Arndt and Marty Snyder late last week (KAPA/KOMA applicability) to clarify the rules for each of these procedures. This process is ongoing.
- Meeting with Legislative research fiscal analyst on 10/5/15. We have a new analyst. This analyst presents our budget to the legislative budget committee for approval.
- KDADS conference call (DSM V implementation 10/1/15)
- KOMA/KORA - Open records Training (Leslie & Cindy). Cheryl suggested that new board members should be encouraged to attend this training. It shows good will that the board members are trying to learn how to protect the public/licensees
- Future Speaking Engagements (BSRB staff)
 - a. 11/16/15 WSU Social Work Students
 - b. 12/16/15 Avila LPC/LMLP Students
- Educational roundtables
 - a. 10/20/15 10:00 to 11:30 Tuesday
 - b. 10/28/15 1:00 to 2:30 Wednesday

d. Complaint Review Committee Report – Terry Pfannensteil

- 21 cases were reviewed
- 3 CAOs or SPOs were issued
- 2 Proposed diversions
- 1 stay of suspension
- 11 cases dismissed
- 4 cautionary letters sent

Diversions agreement that Whitney Casement has composed was presented. The next CRC meeting is scheduled for Monday, October 12, 2015.

e. Profession Reports

Psychology – Barbara Callahan – No meeting held. The next meeting is scheduled for October 20, 2015.

Social Work – Carolyn Szafran and Marcia Simoneau – committee met August 11, 2015. The committee completed the LSCSW survey to send to clinical social workers in the next week or two. The advisory committee also updated the application for the clinical training plan with Joan Hahn. The next meeting is scheduled for October 7, 2015.

Professional Counselors – Todd Frye was absent at this time, but no meeting had been held since the last Board meeting. The next meeting is scheduled for October 19, 2015.

Licensed Masters Level Psychologists – Larry Salmans – No meeting was held, but committee will meet before the next Board meeting.

Addiction Counselors – Cheryl Reynolds will sit in as chair of this committee until a new board member is appointed by the Governor’s office. There has been no committee meeting since the last Board meeting. Last month, one application was discussed by phone with Barbara Burks and staff and any questions were answered. The next meeting is scheduled for October 30, 2015.

Behavioral Analysts – Grant Edwards – The committee met the first time for introductions. The first objective of this committee is to work on regulations for this new profession. The next meeting is set for October 15, 2015.

Marriage and Family Therapists – Terry Pfannenstiel – The committee met in August. The committee discussed the supervision training requirements for clinical supervisors. The Ad Hoc committee formed to come up with the requirements has met since the committee meeting and will report the progress at the next committee meeting scheduled for October 14, 2015. Terry expressed his concern of the current students in the Ph.D. program freely sharing personal information over social media outlets. He has cautioned several of them that he supervises about keeping that information confidential.

Item: LMFT licensee asks the Board to discuss a training plan request for an exception.
Action: Terry moved to allow the licensed trainee to have multiple supervisors, but that the ratio of required clinical supervision hours remains with the previously approved LCMFT-licensed supervisor. Cheryl seconded the motion. Motion carried.

Grant called a recess for lunch at 11:40 a.m.
Meeting reconvened at 1:10 p.m.

f. Subcommittee reports

- **Legislative committee** – Cheryl Reynolds – The committee has not met since the last Board meeting.
- **Document and Policy Review Committee** – Cheryl Reynolds - the committee met and is working on a summary grid to show the process and procedures for items that the CRC reviews. The committee will discuss KOMA and KAPA procedures at the next meeting.
- **Retired/Active, Inactive license status committee** – Larry Salmans reported that this committee met and then asked that the Board review the possible statutory and regulatory language presented in the handout. This language concerns the Inactive license, emergency activation for inactive license, and reactivation of an inactive license. Leslie was instructed by the Board to continue working on this project.

g. Old Business

Telemental Health - Question & Answer document for Website – Barbara reported that two individuals on the committee, Dr. Dorinda Lambert and Dr. Terrie Price, have completed writing and formatting the survey and it is ready to be published on the BSRB website. Each profession's advisory committee has reviewed the questions and content and is satisfied with the current survey.

Leslie asked for each profession to recommend a list of websites that addresses telemental health for that profession. The Social Work Advisory committee has already compiled a list.

Reciprocity –

Item: Possible regulation change: Re: 5 year practice requirement allowing for a gap of 1 year in the last six years.

Action: Cheryl moved to go ahead with this Regulation change. Terry seconded the motion. Motion carried.

h. New Business

Item: Rotation of Public members serving on advisory committees. Discussion ensued.

Action: Grant appointed the following public members to the following committees:

LP - Kathy Armstrong

MFT – Cheryl

Addictions – Cheryl

PC – Jill Craven

SW – Kathy Herzog

LMLP – Kathy Herzog

BA – Jill Craven

Item: Jan Arndt and Leslie Allen discussed the need for a Panel to review license applications that require Board action.

Action: Cheryl moved to appoint Grant Edward, Cheryl Reynolds, and Terry Pfannenstiel to the Panel with Kathy Herzog and Marcia Simoneau appointed as alternate panel members to review licensure applications that fall under KOMA. Terry seconded the motion. Motion carried.

Action: Cheryl moved to appoint Grant Edwards, Cheryl Reynolds, and Terry Pfannenstiel to the Panel with Kathy Herzog and Marcia Simoneau appointed as alternate panel members to review licensure applications that fall under KAPA. Terry seconded the motion. Motion carried.

VI Item: Adjourn meeting

Action: Jill moved to adjourn the meeting. Cheryl seconded the motion.

Meeting was adjourned at 2:05 p.m.