

**Behavioral Sciences Regulatory Board
Board Meeting Agenda
March 11, 2019**

Call to Order. The meeting was called to order by Chair Kathy Armstrong at 10:00 a.m.

Roll Call.

Board members present. Barbara Callahan, Carolyn Szafran, Jill Craven, Kathy Armstrong, Larry Salmans, and Terry Pfannenstiel. Those who joined by telephone were Kathy Herzog, Marcia Simoneau, Leslie Sewester.

BSRB Staff. Max Foster, Leslie Allen, Cindy D’Ercole and Linda Hoover.

Guests. Janet Arndt, Assistant Attorney General; Jane Weiler, Assistant Attorney General; Jamie Nellans, an LSCSW in Johnson County; Becky Fast, Director of the Kansas Chapter of the NASW; Kari Presley, with Kearney and Associates of Topeka, KS; Stuart Little, Ph.D. of Behavioral Health Association of Kansas; Jason Groever of Mirror, Inc.; Nick Reinecker and Kathy Coleson Nathan.

I. Agenda Approval. Max indicated there are three sets of minutes to review. Leslie Allen indicated that Becky Fast provided a handout for discussion. Jill moved to accept the agenda as amended. Carolyn seconded the motion. The motion carried.

II. Approval of Minutes.

- a. January 14, 2019. Terry moved to accept the minutes as presented. Barb seconded the motion. The motion carried.
- b. February 14, 2019. Terry moved to accept the minutes as presented. Barb seconded the motion. The motion carried.
- c. February 25, 2019. Jill moved to accept the minutes as presented. Barb seconded the motion. The motion carried.

III. Approval of Newly Issued Licenses (January 1, 2019 through February 28, 2019). Larry moved to accept the newly issued licenses. Barb seconded the motion. The motion carried.

IV. Public Comments.

- a. Jamie Nellans, an LSCSW in Johnson County. She wanted the BSRB to be aware of what she experienced during the audit of her license.
- b. Becky Fast of Director of Kansas Chapter of National Association of Social Workers. She thanked BSRB for introducing SB 193. The key barrier to Social Work reciprocity centers on post-graduate supervised practice experience.
- c. Nick Reinecker and Kathy Coleson Nathan are from Inman, Kansas. They attended as concerned citizens.

V. Executive Director’s Report

- a. Database Supported by Board of Healing Arts (BOHA). Weekly meetings are being held.
- b. Presentations / Meetings Attended
 - Social Worker licensure – Washburn University
 - Senate Public Health and Welfare members
 - House Health and Human Services members
 - Rep. Schreiber – Licensure of Art Therapists
 - Budget Hearings. House Appropriations Committee and Senate Ways and Means Committee
 - SB 193 Senate Public Health and Welfare Committee

- c. Fiscal Note Requests
 - HB 2331 – Victims of Sexual Abuse by Ordained Ministers
 - HB 2227 – Prohibiting conversion therapy under age 18
 - SB 193
- d. Public Hearings
 - Fee reduction regulations became effective March 8, 2019.
 - DSM V
- e. Future Meetings / Presentations of Interest (April 2019):
 - Complaint Process Presentation by Max at Washburn University
 - Social Worker Licensure Presentation by Max and Leslie at Park University
 - Counseling Psychology Department by Max and Leslie at KU
 - Non-Cabinet Agency Directors – Max;
 - SB 193 –House Health and Human Services

VI. Staff Reports

VII. Complaint Review Committee Report. Terry reported that 22 cases were reviewed in February 2019. There were two CAOs or SPOs, four proposed diversions; one suspension; 10 were dismissed because the facts did not support the allegations; three cautionary letters were sent. Two cases were identified for further investigation. Investigators and Jane Weiler are doing an excellent job.

VIII. Executive Session. Terry moved that, pursuant to K.S.A. 2019 Supp. 75-4319(b)(2), the Board recess into Executive Session and reconvene the open meeting in this room at 11:10 a.m. The subject matter to be discussed in the Executive Session concerns pending litigation. The justification is consultation with the Board’s legal counsel, Assistant Attorneys General Janet Arndt and Jane Weiler, that would be deemed privileged in the attorney-client relationship. The Board’s Executive Director, Max Foster, is included as the client. The Board will reconvene the open meeting in this same location at 11:10 a.m. Jill seconded the motion. The motion carried.

At 11:10 a.m. the public meeting resumed. Terry moved that the Behavioral Sciences Regulatory Board authorize the Kansas Assistant Attorney General’s office to file an appeal *In the Matter of Jessica Ann Oliver vs Kansas Behavioral Sciences Regulatory Board*, Case Number 2017-CV-00728 in Shawnee County Kansas District Court. Jill seconded the motion. The motion carried.

IX. Public Comments.

- a. **Stuart Little.** Stuart Little of the Behavioral Health Association of Kansas (BHAK) reported that the BHAK supports SB 193 and amendment made in committee regarding LCSWSW. The BHAK Board asked if it is possible to include other clinical professions licensed by the BSRB.
- b. **Becky Fast.** Presented the KNASW viewpoints of the Practice and Profession of Social Work.
- c. **Nick Reinecker.** Presented his viewpoints on DSM 5.

X. Staff Report. Leslie Allen presented definitions of Direct Client Contact for professions licensed by BSRB.

XI. Professions Reports

- a. **Psychology.** Barb reported that this Advisory Committee met December 2018. Discussed accreditation systems. Next meeting set for April 16, 2019 at 6:00 p.m.
- b. **Social Work.** Carolyn reported that this Advisory Committee met January 9, 2019. Sub-Committee met to further review the “Supervisor’s Training Manual” on January 27, 2019.
- c. **Professional Counselor.** Jill reported that the next scheduled meeting is set for April 1, 2019 at 10:00 a.m.
- d. **Masters Level Psychology.** Larry reported that this Advisory Committee met January 14, 2019 and Fort Hays State University is looking into changing their psychology program. Will meet today.
- e. **Marriage and Family Therapy.** Terry reported that this Advisory Committee met in February 2019. Reviewed MO/KAN coalition upcoming conference in April 2019 for licensed MFTs and others. The committee denied a request for a hardship regarding supervision.
- f. **Addiction Counseling.** Jill reported that this Advisory Committee met February 15, 2019 via Zoom. Mike James is the new committee member. Supervision requirements were discussed. The next meeting will be April 19, 2019 at 10:00 a.m.
- g. **Behavior Analysts.** Max reported there has not been a meeting of this Advisory Committee.

XII. Old Business. None

XIII. New Business. There was discussion of the following topics.

- a. Direct Client Contact – In Person versus TeleVideo. The Board requested that each Advisory Committee review their definition of direct client contact and recommend any changed.
- b. Reciprocity. An amendment has been recommended for regular licensure requirements of LCSW. The Social Work amendment to SB 193 changes standard license requirements for the LCSW. The Board has asked the Advisory Committees to review their current post-graduate supervised experience requirements to consider if changes might be needed when comparing Kansas to other states.

Adjourn. Terry moved to adjourn. Larry seconded the motion. The motion carried.