

DRAFT
Behavioral Sciences Regulatory Board
Addiction Counselor Advisory Committee
September 24, 2021, Minutes

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

Advisory Committee Members. Advisory Committee members who participated by Zoom were Jason Hess, Shane Hudson, Michael James, Jacqueline Lightcap, Dulcinea Rakestraw, Sohna Shook, and Deb Stidham. Lisa Carter participated by phone.

Staff: Staff from the BSRB who participated by Zoom were Executive Director David Fye, Assistant Director and Licensing Manager Leslie Allen, Licensing Specialist Sami Barksdale, and Senior Administrative Assistant Ashley VanBuskirk.

Guests. None.

Agenda Approval: The Chair added one supplemental item to the end of agenda. This item concerns supervision for the clinical level of addiction counselor license.

Approval of June Minutes: Dulcinea Rakestraw moved to approve draft minutes from the Advisory Committee meeting on June 18, 2021. Michael James seconded. The motion passed.

Executive Director's Report: David Fye, Executive Director for the BSRB, reported on the following items:

- **BSRB Website.** The BSRB's website recently experienced a rollover through Sitefinity, which providing hosting services for most state agency websites. Unfortunately, the rollover caused some information to be deleted from the BSRB website and created other issues, such as broken links to materials on the website. However, Ashley VanBuskirk, Senior Administrative Assistant for the BSRB, has been working hard to make the appropriate corrections. The agency hopes to have all website repairs completed within the new few days.
- **New Board Chair and Vice-Chair.** At the July Board meeting, Deb Stidham stepped down as Chair of the Board. The Board elected Leslie Sewester to serve as the new Chair of the Board and elected David Anderson to serve as the new Vice-Chair of the Board.
- **Death of Previous BSRB Executive Director.** Former BSRB Executive Director Mary Ann Gabel passed away on September 1, 2021. Flowers were sent to the visitation on behalf of the Board and the agency. Ms. Gabel served as the first Executive Director for the BSRB.
- **BSRB Budget Update.** Agency budgets are due each fall and the Executive Director submitted the agency's budget on time. Total expenditures in the revised budget estimate for FY 2022 and FY 2023 were the same amounts approved by the 2021 Legislature for each year, though the revised budget estimates reflect internal adjustments based on new information and changes in spending priorities.
- **State Employees Remote Work.** The Governor directed most state employees to return to remote work until the end of October 2021. The agency will continue to monitor the Governor's policy in this area in the event that this direction is extended to a later date.
- **BSRB Staffing.** The BSRB currently has a vacancy for an Administrative Assistant position and the agency has advertised the position on the state job site. The agency is hopeful to fill the position soon.

- **Kansas Fights Addiction Grant Review Board.** A bill was passed during the 2021 Legislative session which created the Kansas Fights Addiction Grant Review Board under the office of the Attorney General. The bill also created the Kansas Fights Addiction Grant Fund, which would receive funding from the proceeds of certain state lawsuits. Groups could apply to receive a portion of this funding for addiction programs. The bill listed the BSRB as one of several entities to have a representative on the Board. The Executive Director noted he has been in contact with the Attorney General's office about this Board, but no meeting have been scheduled.
- **Overdose Fatality Review Board.** The Kansas Department of Health and Environment (KDHE) received a grant from the Centers for Disease Control (CDC) to review and study fatality cases in Kansas involving an overdose. On behalf of the Board, the Executive Director has attended two of the meetings for this group, which have largely been planning meetings. The Executive Director will continue to attend any meetings which are scheduled and will keep the Advisory Committee informed of any updates.

New Business

- A. Review of Applicants for Advisory Committee Membership.** The Executive Director summarized information from the Board Governance Policy and BSRB historical practices on Advisory Committee membership broadly and the process to be followed when reviewing applicants. The Advisory Committee members discussed the applicants for membership on the Advisory Committee and recommended adding two new members: Chad Jacobs and Charity Kossin. The Chair of the Board has authority to add new members to the Advisory Committee, so the Advisory Committee recommendations will be forwarded to the Chair of the Board for consideration.
- B. Synching Expiration Dates for Dual Licensure.** The Advisory Committee Chair noted that 8.0 percent of current licensees hold more than one license under the BSRB. The Board recently discussed the option of synching expiration dates so that licensees would have all expiration dates come up the same time. The Advisory Committee members discussed pros and cons of making this change. The Advisory Committee did not make a recommendation to forward to the Board.

Old Business:

- A. Records of Deceased Practitioners.** The Board has recently discussed possible solutions for situations when a practitioner licensed under the BSRB passes away without a logical custodian of their records being identified. Advisory Committee members expressed general support for a process to identify a custodian in these situations, but noted several potential issues with solutions, such as how custodianship would be passed and other enforcement concerns. Advisory Committee members questioned whether information from the Attorney General's office could be helpful in determining solutions for some of the issues. The Executive Director noted he would speak to the Attorney General's office on this topic.
- B. Consideration of Continuing Education Requirements in Diversity, Equity and Inclusion (DEI).** The Board asked Advisory Committees to discuss whether changes should be made to the statutes and regulations of the professions to require continuing education in areas related to Diversity, Equity, and Inclusion (DEI). Advisory Committee members expressed positive comments on licensees obtaining training in these areas and discussed possible methods of making this change, such as by reducing the required number of continuing education hours in diagnosis and treatment by the same number required in DEI, so that the overall number of required hours

would not change. It was noted that this substitution would be different for Licensed Addiction Counselors, as that level of practitioner does not have a requirement for continuing education hours in diagnosis and treatment. The Advisory Committee did not have a specific recommendation to forward to the Board, but noted that if the Board was in support of making a broad change for all professions, the Advisory Committee would be supportive, so long as there was not an overall increase in the required number of continuing education hours (with the exception of the Licensed Addiction Counselor licensees).

- C. “In Residence” Requirements.** The Chair noted the Board has asked Advisory Committees to discuss whether to change “in residence” requirements for licensure programs. Leslie Allen, Assistant Director and Licensing Manager for the BSRB, noted that the definition of “in residence” for the addiction counselor profession is defined more broadly than most professions under the BSRB and the definition currently allows for mostly online education. The Advisory Committee did not recommend a change to the definition of “in residence.”
- D. Master’s Level Practitioners Testing for a Licensed Addiction Counselor License.** The Chair noted that current law allows a practitioner at the master’s level or above to take the test to become a master’s level addiction counselor, however the language does not allow for the practitioner to take the test to become a Licensed Addiction Counselor (LAC). The Advisory Committee recommended allowing those individuals to be able to test for the LAC.

Supplemental Items:

- A. Exception for Supervision Hours for Clinical Addiction Counselor License.** The Chair noted that KAR 102-7-6 (h) currently includes specific grandfathering language allowing hours accrued prior to August 1, 2011, to be counted towards the required 3,000 hours of clinical supervision, if an attestation was provided that the hours met acceptable standards. The Chair noted that this provision was in place to assist with individuals who accrued hours prior to addiction counselors becoming licensed through the BSRB. The Assistant Director noted that no applicant has used this provision in a significant amount of time and recommends the Advisory Committee consider the removal of this language from the regulations. Advisory Committee members questioned whether removal of the language could adversely affect certain practitioners moving to Kansas from out of state. The Assistant Director noted that hours accrued prior to 2011 could still be counted, but if this language was removed, the approval process would follow the regular process for approving supervision hours. The Advisory Committee recommended the Board remove this specific language from the regulation.

Adjournment. Shane Hudson moved to adjourn. Jason Hess seconded. The motion passed.