

**BEHAVIORAL SCIENCES REGULATORY BOARD
LICENSED PSYCHOLOGY ADVISORY COMMITTEE MEETING
DECEMBER 13, 2022**

Draft Minutes

- I. Call to Order.** Ric Steele, Chair of the Advisory Committee, called the meeting to order at 6 p.m.

Committee Members. Ric Steele, Richard Nobles, Tiffany Johnson, Jessica Hamilton, Rodney McNeal, Zach Parrett, and Doug Wright were present via Zoom. Johnna Norton, Abby Callis, and Janine Kesterson were absent.

BSRB Staff. David Fye and Leslie Allen were present via Zoom.

- II. Agenda Approval.** Doug Wright moved to approve the agenda as written. Rodney McNeal seconded.
- III. Review and Approval of Minutes from Previous Advisory Committee Meetings on October 11, 2022.** Richard Nobles moved to approve the minutes. Doug Wright seconded. The motion passed.
- IV. Executive Director Report.** David Fye, Executive Director for the Behavioral Sciences Regulatory (BSRB) provided a report on agency activities, actions from recent Board meetings, and legislative updates.
- V. Old Business**
- A. PSYPACT Update.** The Executive Director provided an update on the Psychology Interjurisdictional Compact (PSYPACT). For licensed psychologists who list Kansas as their home state, 74 individuals were providing telehealth services in compact states under PSYPACT authority, and 7 individuals were providing limited in-state services in compact states under PSYPACT authority. Currently, there are 32 active states in PSYPACT. In January, the PSYPACT Commission will assess a fee of \$10 to the BSRB per each individual who listed Kansas as their home state and practiced under PSYPACT authority in 2022.
- B. Finalization of Recommendation Changes to Unprofessional Conduct Regulations.** Advisory Committee members discussed the following final recommended changes to the unprofessional conduct regulations (K.A.R. 102-1-10a and K.A.R. 102-1-20):
- i. **K.A.R. 102-1-20.** The Advisory Committee recommended moving the language of the Unprofessional Conduct Regarding Recordkeeping regulation (K.A.R. 102-1-20) to the main unprofessional conduct regulation (K.A.R. 102-1-10a), with adjustments given the different in language styles between the two sections. Additionally, the Advisory

Committee recommended adding new language “failing to identify a repository for client records, should the psychologist become incapacitated or unable to access their records.”

- ii. **K.A.R. 102-1-10a(c).** The Advisory Committee recommended adding language to K.A.R. 102-1-10a(c)(1)(A) to replace “client” with “client, supervisee, or student.”
- iii. **K.A.R. 102-1-10a(e).** The Advisory Committee recommended adding a new item (4) with the following language: “failing to inform the client of the limit of a professional relationship and the requirements imposed by other parties.”
- iv. **K.A.R. 102-1-10a(g).** The Advisory Committee recommended changing introductory language from “failing to protect confidentiality, which shall include the following acts” to “failing to protect confidentiality or privacy, which may include, but is not limited to.” Additionally, the Advisory Committee recommended changing K.A.R. 102-1-10a(g)(2)(D), by modifying the language at the end of the item to change the word “and” to “or.”
- v. **K.A.R. 102-1-10a(l).** The Advisory Committee recommended changing references to “credentialed” with “authorized to practice” to reflect the current terminology by which the Board permits practices.
- vi. **K.A.R. 102-1-10a(m).** The Advisory Committee recommended replacing existing language with the language from the Unprofessional Conduct Regulation on Recordkeeping, with adjustments to that regulation noted above for K.A.R. 102-1-20.
- vii. **K.A.R. 102-1-10a(n).** The Advisory Committee recommended changing K.A.R. 102-1-10a(n)(3) from “failing to ascertain that the consent of the participant is voluntarily...” to “failing to ascertain that the consent of a participant or the participants representative, and assent of a minor participant is voluntary...”
- viii. **K.A.R. 102-1-10a(o).** The Advisory Committee recommended changing the language in K.A.R 102-1-10a(o)(1) to replace “when conducting a forensic examination, failing to inform the examinee of the purpose of the examination and the difference between a forensic examination and a therapeutic relationship” to “when conducting a forensic examination, failing to inform the examinee of the purpose of the examination and the difference between a forensic examination and a therapeutic relationship, and informing them of the scope of the assessment procedures.”

VI. New Business

A. Discussion on Reciprocity and other Requirements for Licensure. The Advisory Committee discussed K.S.A. 74-5315, the reciprocity statute for the licensed psychology profession. This statute says there are two methods to get licensed through reciprocity. The first path is for applicants from a jurisdiction that has substantially equivalent requirements for licensure and the second path requires a demonstration that the applicant practiced as a psychologist at the doctoral level 48 of

the preceding 54 months immediately preceding the application and has met other requirements. Advisory Committee members discussed whether 48 months is a good standard. Richard Nobles moved to recommend to the Board lowering the time requirement from 48 months to 12 months out of 18 months. Jessica Hamilton Seconded. The motion passed.

B. Discussion on KSA. 74-5310(a)(2) Definition of Good Moral Character as Requirement for Licensure. The Executive Director noted the licensure statute for the licensed psychology profession requires an applicant demonstrate “good moral character,” though the other professions require an applicant “merit the public trust,” which is the more accepted standard nationally. Doug Wright moved to recommend to the Board replacing “good moral character” with “merit the public trust.” Rodney McNeal seconded. The motion passed.

C. Discussion on Committee Discussion Topics and Forum for Meetings in 2023. The Advisory Committee tabled discussion on Advisory Committee topics for 2023 to the next meeting.

VII. Next Advisory Committee Meeting Date. The next meeting will be on Tuesday, February 7, 2023, at 6 p.m.

VIII. Adjournment. Rodney McNeal moved to Adjourn. Richard Nobles seconded. The motion passed.