

**Behavioral Sciences Regulatory Board  
Board Minutes  
September 13, 2021  
DRAFT**

**Call to Order.** The meeting was called to order by Chair Leslie Sewester at 10:00 a.m.

**I. Roll Call.**

**Board Members.** Members present by Zoom: David Anderson, Donna Hoener-Queal, Jacqueline Lightcap, Bruce Nystrom, Andrea Perdomo-Morales, Mary Jones, Johnna Norton, Leslie Sewester, Deb Stidham, and Carolyn Szafran.

**Staff.** BSRB Staff present by Zoom: David Fye, Leslie Allen, Cindy D’Ercole, and Ashley VanBuskirk. Laine Barnard, Assistant Attorney General, and Jane Weiler, Assistant Attorney General were present by Zoom.

**Guests.** None.

**II. Agenda Approval.** David Anderson moved to approve the agenda as written. Deb Stidham seconded. The motion passed.

**III. Public Comment.** None.

**IV. Minutes Approval.**

- Deb Stidham requested an amendment to correct a grammatical error. Carolyn Szafran moved to approve the minutes from the Board meeting on July 12, 2021, with the change. Deb Stidham seconded. The motion passed.

**V. Executive Director’s Report.** David Fye, Executive Director for the BSRB, reported on the following items:

- **Former Executive Director of the BSRB, Mary Ann Gabel, Passed Away on September 1, 2021.** Flowers were sent to the visitation on behalf of the Board.
- **Update on BSRB YouTube Channel.** Since the launch of the BSRB YouTube channel in January 2021, the agency has streamed or uploaded 29 videos of Board or Advisory Committee meetings. Those videos have been viewed a combined 658 times.
- **Revised Budget Estimate for FY 2022 and FY 2023 and Information on Performance Measures Due on September 15, 2021.** The budget and performance measure are due September 15, 2021.
- **Agency’s Strategic 3-Year IT Plan Has Been Submitted.** The Executive Director noted that all state agencies were required to submit an updated 3-year IT this plan has been submitted as of last week.
- **BSRB Return to Primarily Remote Work as of August 25.** The Governor recently directed most employees to working remotely, due to concerns about the COVID-19 variant.

- **Additional Technology Purchased to Support Remote Work.** The Executive Director noted that the agency recently purchased equipment from the state surplus to assist staff being able to work from home.
- **BSRB Hiring a Senior Administrative Assistant, Advertisement Closing September 23, 2021.** One of the agency staff members resigned and the agency is advertising the position. The agency hopes to fill the position quickly.
- **Board Governance Policy.** The Executive Director noted he has been reviewing the Board Governance Policy and has reached out to the Attorney General's office for guidance on certain topics. He noted he has also reached out to different agencies for comparisons of practices.
- **PSYPACT.** The 2021 Legislature enacted legislation to add Kansas to a multi-state compact for Licensed Psychologists named PSYPACT, with an effective date of January 1, 2022. While the Commissioner for Kansas would not have voting rights until January 2022, the Board was asked to identify a Commissioner for discussion purposes at meetings and the Board has selected the Executive Director as the Commissioner for PSYPACT in Kansas.
- **Kansas Fights Addiction Grant Review Board.** The Executive Director reported no meetings have been scheduled for the Kansas Fights Addictions Grant Review Board, but he will continue to monitor any activities of this group and bring back information to the Board.
- **Overdose Fatality Review Board.** The Kansas Department of Health and Environment (KDHE) received a grant from the Centers for Disease Control (CDC) and can put together a group to review cases. They met on January 24<sup>th</sup> and the Executive Director attended that meeting. They are still very new so have not had many meetings and none have been scheduled as of yet.
- **Advisory Committees / Other Committees Facilitated.** Many Advisory Committees have met recently to recommend new members be added.
- **NBCC Conference August 4 – 6.** The Executive Director attended the National Board for Certified Counselors (NBCC) in Denver, CO, which was a great opportunity for the Director to learn about effective practices in other jurisdictions.

**VI. Staff Reports.** Leslie Allen, Assistant Director and Licensing Manager for the BSRB, provided updated information on the number of permanent licensees for active practitioners, per the distinct fields licensed by the BSRB.

**VII. New Business.**

- A. **Welcome New Board Public Member Donna Hoener-Queal.** The Board welcomed Donna Hoener-Queal as a new public member and Ms. Hoener-Queal introduced herself to the Board.
- B. **Appointment to Master's Level Psychology Advisory Committee and Social Work Advisory Committee.** The Board Chair appointed Donna Hoener-Queal to the Master's Level Psychology Advisory Committee and Social Work Advisory Committee as public member.
- C. **Review of BSRB Website Posting Policy.** Assistant Attorney General, Laine Barnard, discussed the current BSRB website posting policy. Assistant Attorney General, Jane Weiler discussed the disciplinary side of having actions posted on the

- website to protect the public. Both members of the Attorney General's office highlighted suggested changes to language in the policy to add clarity on what items should be posted. It was decided that the suggested changes will be brought back to the Board for consideration.
- D. **Off-Site Board Meeting/Board Retreat.** The Executive Director spoke with the Board regarding the Governor's direction not to hold in-person meetings. The Board discussed having an online option for an all-day meeting or splitting up the meeting into two different days. The Board agreed to have two different meetings. The first date would be September 27, 2021, from 9 am to 12pm. The Executive Director will send out a Doodle poll to provide options on dates for the second meeting day.
  - E. **Licensed Psychology Advisory Committee Recommendations for New Members.** The Board Chair appointed Jessica Hamilton, Tiffany Johnson and Zachary Parrett to the Licensed Psychology Advisory Committee.
  - F. **Master's Level Psychology Advisory Committee Recommendations for New Members.** The Board Chair appointed Lauren Lucht, Kari Wold and Rebecca Jabara to the Master's Level Psychology Advisory Committee.
  - G. **Composition of Behavior Analyst Advisory Committee.** The Executive Director discussed the composition of the Behavior Analyst Advisory Committee. The current Chair of the Advisory Committee is Bruce Nystrom. This Advisory Committee has not met recently, and appointments are needed. The Board reduced the number of Board members on the Advisory Committee to two members, one professional member and one public member. The Board Chair appointed Jacqueline Lightcap as public member to the Behavior Analyst Advisory Committee. The Executive Director will work with the Advisory Committee Chair to schedule a meeting and review letters of interest for new members of the committee.
  - H. **Updated Contractual Agreements with National Board for Certified Counselors (NBCC), Attorney General's Office, and Department of Administration.** The Executive Director made the Board aware of the contractual agreements with the NBCC, the Attorney General's Office, and the Department of Administration. The Executive Director asked Assistant Attorney General, Laine Barnard to review the NBCC agreement. Ms. Barnard reviewed the changes to the contract and discussed those changes with the Board. The Board feels comfortable with the Executive Director moving forward with the NBCC contract. For the yearly contract with the Attorney General's Office, the fee has not changed from last year for this fiscal year, however there may be changes in future years. The agency receives assistance from the Department of Administration for numerous things. The fee is going up a little bit, however it is not a big amount. The Board did not request any changes to the agreements.
  - I. **Review Provisional License Criteria.** The Assistant Director spoke with the Board about providing provisional licenses to applicants if individuals are short any licensure requirements, such as being short a course. These types of licenses have been handled by the agency in the past, however the Assistant Director wanted to check and see if these licenses should go before the Board for review. The Board directed staff to continue the current process and allow the Executive Director or Assistant Director finalize these decisions.

**VIII. Old Business.**

- A. Forum for Future Board Meetings – In Person, Online, or Hybrid.** The Executive Director recommended pausing the decisions to hold in person meetings until the agency has direction that it is safe to meet in person again. Meetings will be held virtually until further notice.
- B. Review of Applications for Individuals who Received their Education from an Institution not Accredited by a National Accrediting Body.** The Executive Director informed the Board that the agency has contracted with a couple of outside experts that are reviewing qualifications for licensure in certain cases. Andrew Secor is reviewing qualifications for the professional counselor profession. Kendal Carswell is reviewing qualifications for the addiction counselor profession.
- C. Syncing Expiration Dates for Multiple Licenses Under the BSRB.** The Executive Director reported that there are a little over 1,000 licensees that have more than one license with the Board. The Board discussed whether licensees would be able to sync up the expiration dates for licenses. The Board asked Advisory Committees to discuss this topic and report back to the Board.

**IX. Complaint Review Committee Report.** Bruce Nystrom, Chair of the Complaint Review Committee, noted the CRC met in August and he provided a brief report on the number of violations that were received.

**X. Professions Reports.**

- A. Licensed Psychology.** The Executive Director noted the Advisory Committee met on August 10 and discussed PSYPACT updates. The Advisory Committee members also discussed possible new Advisory Committee members and recommended 3 individuals.
- B. Social Work.** Carolyn Szafran, Co-Chair of the Advisory Committee, noted the Advisory Committee was scheduled to meet August 17, but the meeting was cancelled. The Advisory Committee will be reviewing applicants for membership at the next meeting. Next meeting is scheduled for September.
- C. Professional Counseling.** The Executive Director noted the Advisory Committee met on August 2 and discussed a multi-state compact for professional counselors which has been enacted in Georgia and Maryland. The Advisory Committee will have continued discussion on disposal of records of deceased practitioners and CEU's on diversity, equity and inclusion and their next meeting in October.
- D. Master's Level Psychology.** David Anderson, Chair of the Advisory Committee, noted the Committee met on August 17 and discussed reviewing applicants to be on the committee. The committee recommended 3 individuals to add to the committee. The Advisory Committee had continued discussion on disposal of records from diseased practitioners and CEU's on diversity, equity and inclusion. Next meeting is scheduled for October.
- E. Marriage and Family Therapy.** Mary Jones, Chair of the Advisory Committee, noted the Committee has not met since the last Board meeting but is scheduled to meet in October.

**F. Addiction Counseling.** Deb Stidham, Chair of the Advisory Committee, reported the Advisory Committee has not met since the last Board meeting. Next meeting is scheduled for September 24.

**G. Behavior Analysis.** The Executive Director will work with the Committee Chair to find a good date to meet.

**XI. Adjourn.** Deb Stidham motioned to adjourn the meeting. Mary Jones seconded. The motion passed.

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