

Session of 2023

HOUSE BILL No. 2340

By Committee on Health and Human Services

2-7

1 AN ACT concerning the behavioral sciences; increasing the membership
2 of the behavioral sciences regulatory board; relating to licensure and
3 regulation; professional counselors, social workers, marriage and
4 family therapists, addiction counselors, behavior analysts,
5 psychologists and master's level psychologists; decreasing the years of
6 practice required for reciprocity licensure; requiring that clinical social
7 work supervisors be approved by the board; providing additional
8 continuing education requirements; establishing license categories for
9 applicants from social work programs in candidacy for accreditation
10 and for temporary reinstatement; extending the license period of
11 temporary licenses; amending K.S.A. 65-5802, 65-5806, 65-6302, 65-
12 6313, 65-6314, 65-6402, 65-6407, 65-6608, 65-6614, 65-6618, 65-
13 7504, 65-7505, 74-5302, 74-5318, 74-5361, 74-5365, 74-5366, 74-
14 5367 and 74-7501 and K.S.A. 2022 Supp. 65-5804a, 65-5807, 65-5808,
15 65-6306, 65-6309, 65-6322, 65-6404, 65-6405, 65-6406, 65-6411, 65-
16 6610, 65-6611, 65-6613, 74-5310, 74-5315, 74-5316, 74-5363 and 74-
17 5375 and repealing the existing sections; also repealing K.S.A. 74-
18 5339.

requiring the behavioral sciences regulatory board to process applications
within a certain time and establish an expedited application process;

19
20 *Be it enacted by the Legislature of the State of Kansas:*

21 New Section 1. (a) On and after January 1, 2024, any licensee
22 providing postgraduate clinical supervision for any individual working
23 toward licensure as a clinical social worker shall be a board-approved
24 clinical supervisor.

25 (b) An application for a board-approved clinical supervisor shall be
26 made to the board on a form and in the manner prescribed by the board
27 and shall be accompanied by the fee as provided by K.S.A. 65-6314, and
28 amendments thereto.

29 (c) Each applicant for board-approved clinical supervisor shall
30 furnish evidence satisfactory to the board that the applicant:

31 (1) Is currently licensed by the board as a specialist clinical social
32 worker and has practiced as a specialist clinical social worker for at least
33 two years following licensure;

34 (2) is not the subject of any disciplinary action of the board that
35 would prohibit providing clinical supervision, as determined by the board;
36 and

15

1 (3) (A) Has completed the minimum number of semester hours, or
2 the academic equivalent, of coursework related to the enhancement of
3 supervision skills approved by the board; or

4 (B) has completed the minimum number of continuing education
5 hours related to the enhancement of supervision skills approved by the
6 board.

7 (c) Each board-approved clinical supervisor shall complete, as a part
8 of the continuing education required under K.S.A. 65-6313, and
9 amendments thereto, at least three hours of continuing education related to
10 the enhancement of supervision skills, including at least one hour related
11 to ethics in supervision.

12 (d) This section shall be a part of and supplemental to the social
13 workers licensure act.

14 Sec. 2. K.S.A. 65-5802 is hereby amended to read as follows: 65-
15 5802. As used in the professional counselors licensure act:

16 (a) "Assessment" means selecting, administering, scoring and
17 interpreting instruments designed to describe an individual's aptitudes,
18 abilities, achievements, interests and personal characteristics.

19 (b) "Board" means the behavioral sciences regulatory board created
20 by K.S.A. 74-7501, and amendments thereto.

21 (c) "Consultation" means the application of principles, methods and
22 techniques of the practice of counseling to assist in solving current or
23 potential problems of individuals or groups in relation to a third party.

24 (d) "Extenuating circumstances" means any condition or situation
25 caused by events beyond an individual's control that is sufficiently extreme
26 in nature to result in the:

- 27 (1) Individual's inability to comply with requirements; or
- 28 (2) Inadvisability of requiring the individual to comply with
29 requirements.

30 (e) "Licensed clinical professional counselor" means a person who
31 engages in the independent practice of professional counseling including
32 the diagnosis and treatment of mental disorders specified in the edition of
33 the diagnostic and statistical manual of mental disorders of the American
34 psychiatric association designated by the board by rules and regulations
35 and who is licensed under this act.

36 (f) "Licensed professional counselor" means a person who is licensed
37 under this act and who engages in the practice of professional counseling
38 only under the direction of a licensed clinical professional counselor, a
39 licensed psychologist, a person licensed to practice medicine and surgery
40 or a person licensed to provide mental health services as an independent
41 practitioner and whose licensure allows for the diagnosis and treatment of
42 mental disorders.

43 (g) "Practice of professional counseling" means assisting an

New Sec. 2. (a) Within ¹⁵~~10~~ business days after receipt of an application for any license, registration, permit or certificate issued by the behavioral sciences regulatory board, the board shall notify the applicant whether the board believes that the application is complete. If the application is determined to be incomplete, the board shall notify the applicant of the information needed in order to complete the application. Once the application is determined to be complete, the board shall complete the review of the application and issue a decision thereon within 30 business days.

(b) (1) The behavioral sciences regulatory board shall adopt rules and regulations to establish an expedited application process for any license, registration, permit or certificate issued by the board. Upon request on the application to expedite the processing of such application and payment of the fee, the board shall complete the review of the application and issue a decision thereon within ¹⁵~~10~~ business days.

(2) (A) The board shall set the fee for an expedited application process by adopting rules and regulations. Such fee shall be in addition to any other fee established for the application but shall not exceed \$100. The board shall not charge such expedited application process fee to any applicant who is a military servicemember or military spouse.

(B) As used in this paragraph:

(i) "Military servicemember" means a current member of the army, navy, marine corps, air force, space force, air or army national guard of any state, coast guard or any branch of the military reserves of the United States or a former member who separated from service by honorable discharge or general discharge under honorable conditions.

(ii) "Military spouse" means the spouse of an individual who is a current member of the army, navy, marine corps, air force, space force, air or army national guard of any state, coast guard or any branch of the military reserves of the United States.

[And by renumbering sections accordingly]