

**BEHAVIORAL SCIENCES REGULATORY BOARD
LICENSED PSYCHOLOGY ADVISORY COMMITTEE
AGENDA
December 13, 2022**

Due to COVID-19, the Board office is practicing social distancing. The office space does not allow for a meeting while practicing social distancing, therefore, the meeting will be conducted virtually on the Zoom platform.

You may view the meeting here: <https://youtu.be/aLD02XwTRHw>

**To join the meeting by conference call: 877-278-8686
The pin: 327072**

If there are any technical issues during the meeting, you may call the Board office at, 785-296-3240.

The Behavioral Sciences Regulatory Board may take items out of order as necessary to accommodate the time restrictions of Board members and visitors. All times and items are subject to change

Tuesday, December 13, 2022, 6:00 p.m.

- I. Call to order and Roll Call**
- II. Agenda Approval**
- III. Review and Approval of Minutes from Advisory Committee Meeting on October 11, 2022**
- IV. Executive Director's Report**
- V. Old Business**
 - A. Update on PSYPACT Commission**
 - B. Finalization of Recommended Changes to Unprofessional Conduct Regulations**
- VI. New Business**
 - A. Discussion on Reciprocity and other Requirements for Licensure**
 - i. K.S.A. 74-5315 Reciprocity Statute**
 - ii. K.A.R. 102-1-12 Educational Requirements**
 - B. Discussion on K.S.A. 74-5310(a)(2) Definition of Good Moral Character as Requirement for Licensure**
 - C. Discussion on 2023 Advisory Committee Topics**
 - D. Discussion on Meetings in 2023 – Date, Time, Remote/In-Person**
- VII. 2023 Meetings: Tuesday, February 14; Tuesday, April 11; Tuesday, June 13; Tuesday, August 8; Tuesday, October 10; Tuesday, December 12 (All Meetings from 6pm until 8pm)**
- VIII. Adjournment**

**BEHAVIORAL SCIENCES REGULATORY BOARD
LICENSED PSYCHOLOGY ADVISORY COMMITTEE MEETING
OCTOBER 11, 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, Johnna Norton, Jessica Hamilton, Tiffany Johnson, Janine Kesterson, and Zach Parrett were present by Zoom. Abby Callis, Rodney McNeal, and Doug Wright were absent.

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

- II. Agenda Approval.** Johnna Norton moved to approve the agenda with the addition of one topic added to new business: Discussion of practitioner responsibility for clients experiencing a crisis after hours. Tiffany Johnson seconded. The motion passed.
- III. Review and Approval of Minutes from Previous Advisory Committee Meetings on June 14, 2022, and August 2, 2022.** Zach Parrett moved to approve the minutes from June 14, 2022. Jessica Hamilton Seconded. The motion passed. Tiffany Johnson moved to approve the minutes from August 2, 2022. Ric Steele 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). The Executive Director provided a quarterly newsletter showing the number of participants in each state. For licensed psychologists lists Kansas as their home state, 68 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. The PSYPACT annual meeting is scheduled for November 17, 2022.

- B. Continued Discussion on Unprofessional Conduct Regulations.** Advisory Committee members discussed the following possible changes to the unprofessional conduct regulation (K.A.R. 102-1-10a):
- **K.A.R. 102-1-10a(l)(2)** – Replacing the word “credentialed” with another term reflecting current terminology by which the Board authorizes practice;
 - **K.A.R. 102-1-10a(m)** – Replace by bringing the unprofessional conduct regarding recordkeeping regulation (K.A.R. 102-1-20) into the main unprofessional conduct regulation;

- **K.A.R. 102-1-10a(n)(3)** – Replace language “the consent of a participant” with “the consent of a participant, *or assent of a minor participant;*”
- **K.A.R. 102-1-10a(o)(1)** – Replace language “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” with “when conducting a forensic examination, failing to inform the examinee of the purpose of the examination, the difference between a forensic examination and a therapeutic relationship, *and informing them of the scope of the assessment procedure.*”

C. Follow-up Discussion on Accreditation Standards. The Chair of the Advisory Committee noted that educational requirements for licensure for the licensed psychology, for individual who did not attend a program accredited by the American Psychological Association (APA) are based on APA national standards prior to an updated in 2014. After that update, the requirements in regulation for Kansas were not updated to match the new APA accreditation standards. Also, it was discussed that some programs are moving to other standards, such as the Psychological Clinical Science Accreditation System (PCSAS). As training programs move to other standards, applicants that do not attend an APA accredited program may no longer meet the standards for licensure in Kansas. The Advisory Committee discussed that one option to modify the regulations could be by adding language in the regulations that if a required course is not completed, an applicant could still satisfy this requirement by submitting evidence of competency.

VI. New Business

A. Practitioners After Hours Client Crisis Care. The Board recently discussed the rollout of the National Suicide Prevention Hotline, 988, and practitioner responsibility to provide service to clients if they experience a crisis and seek assistance after working hours. The Board discussed whether it was sufficient for a practitioner to have a message directing clients to 988 or 911, or whether a more specific arrangement for care of clients was necessary and whether existing language in the unprofessional conduct regulations was sufficient for this topic. Advisory Committee member discussed adding language that it would constitute unprofessional conduct to fail to notify clients of emergency services, which shall include the following. Failing to notify clients of appropriate emergency services which shall include the following. (1) notifying the clients of appropriate emergency services at beginning of a therapeutic relationship, and (2) including service referral information either in a voicemail communication or through written notice.

VII. Next Advisory Committee Meeting Date. The next meeting will be on Tuesday, December 13, 2022, at 6 p.m.

VIII. Adjournment. The meeting was adjourned.

102-1-10a. Unprofessional conduct.

Each of the following shall be considered unprofessional conduct:

(a) Practicing psychology in an incompetent manner, which shall include the following acts:

(1) Misrepresenting professional competency by offering to perform services that are inconsistent with the licensee's education, training, or experience;

(2) performing professional services that are inconsistent with the licensee's education, training, or experience; and

(3) without just cause, failing to provide psychological services that the licensee is required to provide under the terms of a contract;

(b) practicing with impaired judgment or objectivity, which shall include the following acts:

(1) Using alcohol or other substances to the extent that it impairs the psychologist's ability to competently engage in the practice of psychology; and

(2) failing to recognize, seek intervention, and make arrangements for the care of clients if one's own personal problems, emotional distress, or mental health difficulties interfere with or negatively impact professional judgment, professional performance and functioning, or the ability to act in the client's best interests;

(c) engaging in harmful dual relationships, which shall include the following acts:

(1) Making sexual advances toward or engaging in physical intimacies or sexual activities with either of the following:

(A) Any person who is a client; or

(B) any person that the licensee knows who has a significant relationship with the client, supervisee, or student;

(2) failing to inform the client or patient of any financial interests that might accrue to the licensed psychologist for referral to any other service or for the sale, promotion, or use of any tests, books, electronic media, or apparatus; and

(3) exercising undue influence over any client;

(d) making sexual advances toward or engaging in physical intimacies or sexual activities with, or exercising undue influence over any person who, within the past 24 months, has been a client;

(e) failing to obtain informed consent, which shall include the following acts:

(1) Failing to obtain and document, in a timely manner, informed consent from the client or legally authorized representative for clinical psychological services before the provision of any of these services except in an emergency situation. This informed consent shall include a description of the possible effects of treatment or procedures when there are known risks to the client or patient;

(2) failing to provide clients or patients with a description of what the client or patient may expect in the way of tests, consultation, reports, fees, billing, and collection; and

(3) failing to inform clients or patients when a proposed treatment or procedure is experimental;

(f) ignoring client welfare, which shall include the following acts:

(1) Failing to provide copies of reports or records to a licensed healthcare provider authorized by the client following the licensee's receipt of a formal written request, unless the release of that information is restricted or exempted by law or by these regulations, or the disclosure of the information would be injurious to the welfare of the client;

(2) failing to inform the client or patient that the client or patient is entitled to the same services from a public agency if the licensed psychologist is employed by that public agency and also offers services privately;

(3) engaging in behavior that is abusive or demeaning to a client, student, or supervisee;

(4) soliciting or agreeing to provide services to prospective clients or patients who are already receiving mental health services elsewhere without openly discussing issues of disruption of continuity of care with the prospective client or patient, or with other legally authorized persons who represent the client or patient, and when appropriate, consulting with the other service provider about the likely effect of a change of providers on the client's general welfare;

(5) failing to take each of the following steps before termination for whatever reason, unless precluded by the patient's or client's relocation or noncompliance with the treatment regimen:

(A) Discuss the patient's or client's views and needs;

(B) provide appropriate pretermination counseling;

(C) suggest alternative service providers, as appropriate; and

(D) take other reasonable steps to facilitate the transfer of responsibility to another provider if the patient or client needs one immediately;

(6) failing to arrange for another psychologist or other appropriately trained mental health professional to be available to handle clinical emergencies if the psychologist anticipates being unavailable for a significant amount of time;

(7) failing to be available for the timely handling of clinical emergencies after having agreed to provide coverage for another psychologist;

(8) failing to terminate a professional relationship if it becomes reasonably clear that the patient or client no longer needs the service, is not benefiting from continued service, or is being harmed by continued service;

(9) failing to delegate to employees, supervisees, and research assistants only those responsibilities that these persons can reasonably be expected to perform competently on the basis of their education, training, or experience, either independently or with the level of supervision being provided;

(10) failing to provide training and supervision to employees or supervisees and to take reasonable steps to see that these persons perform services responsibly, competently, and ethically; and

(11) continuing to use or order tests, procedures, or treatment, or to use treatment facilities or services not warranted by the client's or patient's condition;

(g) failing to protect confidentiality, which shall include the following acts:

(1) Failing to inform each client, supervisee, or student of the limits of client confidentiality, the purposes for which the information may be obtained, and the manner in which it may be used;

(2) revealing any information regarding a client or failing to protect information contained in a client's records, unless at least one of these conditions is met:

(A) Disclosure is required or permitted by law;

(B) failure to disclose the information presents a clear and present danger to the health and safety of an individual or the public;

(C) the psychologist is a party to a civil, criminal, or disciplinary investigation or action arising from the practice of psychology, in which case disclosure shall be limited to that action; or

(D) the patient has signed a written release that authorizes the psychologist to release information to a specific person or persons identified in the release; and

(3) failing to obtain written, informed consent from each client or the client's legal representative or representatives or from any other participant before performing either of the following actions:

(A) Electronically recording sessions with the client, or other participants, including audio and video recordings; or

(B) permitting third-party observation of the activities of the client or participant;

(h) misrepresenting the services offered or provided, which shall include the following acts:

(1) Failing to inform a client if services are provided or delivered under supervision;

(2) making claims of professional superiority that cannot be substantiated;

(3) guaranteeing that satisfaction or a cure will result from the performance of professional services;

(4) knowingly engaging in fraudulent or misleading advertising; and

(5) taking credit for work not personally performed;

(i) engaging in improprieties with respect to fees and billing statements, which shall include the following acts:

(1) Exploiting clients or payers with respect to fees;

(2) misrepresenting one's fees;

(3) failing to inform a patient or client who fails to pay for services as agreed that collection procedures may be implemented, including the possibility that a collection agency may be used or legal measures may be taken; and

(4) filing claims for services that were not rendered;

(j) improperly using assessment procedures, which shall include the following acts:

(1) Basing assessment, intervention, or recommendations on test results and instruments that are inappropriate to the current purpose or to the patient characteristics;

(2) failing to identify situations in which particular assessment techniques or norms may not be applicable or failing to make adjustments in administration or interpretation because of relevant factors, including gender, age, race, and other pertinent factors;

(3) failing to indicate significant limitations to the accuracy of the assessment findings;

(4) failing to inform individuals or groups at the outset of an assessment that the psychologist is precluded by law or by organizational role from providing information about results and conclusions of the assessment;

(5) endorsing, filing, or submitting psychological assessments, recommendations, reports, or diagnostic statements on the basis of information and techniques that are insufficient to substantiate those findings;

(6) releasing raw test results or raw data either to persons who are not qualified by virtue of education, training, or supervision to use that information or in a manner that is inappropriate to the needs of the patient or client; and

(7) allowing, endorsing, or supporting persons who are not qualified by virtue of education, training, or supervision to administer or interpret psychological assessment techniques;

(k) violating applicable law, which shall include the following acts:

(1) Impersonating another person holding a license issued by this or any other board;
(2) claiming or using any method of treatment or diagnostic technique that the licensed psychologist refuses to divulge to the board;

(3) refusing to cooperate in a timely manner with the board's investigation of complaints lodged against an applicant or a psychologist licensed by the board. Any psychologist taking longer than 30 days to provide requested information shall have the burden of demonstrating that the psychologist has acted in a timely manner; and

(4) being convicted of a crime resulting from or relating to the licensee's professional practice of psychology;

(1) aiding an illegal practice, which shall include the following acts:

(1) Knowingly allowing another person to use one's license;

(2) knowingly aiding or abetting anyone who is not credentialed by the board to represent that individual as a person credentialed by the board;

(3) furthering the licensure or registration application of another person who is known or reasonably believed to be unqualified in respect to character, education, or other relevant eligibility requirements;

(4) making a materially false statement or failing to disclose a material fact in an application for licensure or renewal of licensure; and

(5) failing to notify the board, within a reasonable period of time, that any of the following conditions apply to the psychologist or that the psychologist has knowledge, not obtained in the context of confidentiality, that any of the following conditions apply to another professional regulated by the board:

(A) A licensee has had a license, certificate, permit, registration, or other certificate, registration, or license in psychology or in the field of behavioral sciences, granted by any state or jurisdiction, that has been limited, restricted, suspended, or revoked;

(B) a licensee has been subject to disciplinary action by a licensing or certifying authority or professional association;

(C) a licensee has been terminated or suspended from employment for some form of misfeasance, malfeasance, or nonfeasance;

(D) a licensee has been convicted of a felony; or

(E) a licensee has practiced in violation of the laws or regulations regulating the profession;

A psychologist taking longer than 30 days to notify the board shall have the burden of demonstrating that the psychologist acted within a reasonable period of time;

(m) failing to maintain and retain records as outlined in K.A.R. 102-1-20;

(n) improperly engaging in research with human subjects, which shall include the following acts:

(1) Failing to consider carefully the possible consequences for human beings participating in the research;

(2) failing to protect each participant from unwarranted physical and mental harm;

(3) failing to ascertain that the consent of the participant is voluntary and informed; and

(4) failing to preserve the privacy and protect the anonymity of the subjects within the terms of informed consent;

(o) engaging in improprieties with respect to forensic practice, which shall include the following acts:

(1) 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;

(2) in the course of giving expert testimony in a legal proceeding, performing a psychological assessment in a biased, nonobjective, or unfair manner or without adequate substantiation of the findings;

(3) failing to conduct forensic examinations in conformance with established scientific and professional standards; and

(4) if a prior professional relationship with a party to legal proceeding precludes objectivity, failing to report this prior relationship and to clarify in both written report and actual testimony the possible impact of this prior relationship on the resulting conclusions and recommendations; and

(p) engaging in improprieties with respect to supervision, which shall include the following acts:

(1) Failing to provide supervision in compliance with subsection (d) of K.A.R. 102-1-5a;

(2) failing to provide supervision to a person working towards licensure as a clinical psychotherapist in compliance with KAR 102-4-7a; and

(3) failing to provide regular, periodic, written supervisory feedback to the supervisee.

(Authorized by and implementing K.S.A. 2000 74-7507 and K.S.A. 74-5324; effective Jan. 4, 2002; amended Jan. 9, 2004.)

74-5315. Licensure of doctoral level psychologist registered, certified or licensed in another state. (a)

The board may grant a license to any person who, at the time of application, is registered, certified or licensed as a psychologist at the doctoral level in another jurisdiction if the board determines that:

(1) The requirements of such jurisdiction for such certification or licensure are substantially the equivalent of the requirements of this state; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure as a psychologist at the doctoral level for at least 48 of the last 54 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) a doctoral degree in psychology from a regionally accredited university or college.

(b) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. [74-5310](#), and amendments thereto, if required by the board.

History: L. 1967, ch. 432, § 15; L. 1986, ch. 299, § 17; L. 2003, ch. 129, § 5; L. 2016, ch. 92, § 66; L. 2019, ch. 55, § 20; May 9.

102-1-12. Educational requirements.

(a) Definitions.

(1) "Core faculty member" means an individual who is part of the program's teaching staff and who meets the following conditions:

(A) Is an individual whose education, training, and experience are consistent with the individual's role within the program and are consistent with the published description of the goals, philosophy, and educational purpose of the program;

(B) is an individual whose primary professional employment is at the institution in which the program is housed; and

(C) is an individual who is identified with the program and is centrally involved in program development, decision making, and student training as demonstrated by consistent inclusion of the individual's name in public and departmental documents.

(2) "In residence," when used to describe a student, means that the student is present at the physical location of the institution for the purpose of completing coursework during which the student and one or more core faculty members are in physical proximity and face-to-face contact.

(3) "Primary professional employment" means a minimum of 20 hours per week of instruction, research, any other service to the institution in the course of employment, and the related administrative work.

(b) A graduate applicant for psychology licensure shall be deemed to have received a doctoral degree based on a program of studies in content primarily psychological as set forth in K.S.A. 74-5310, and amendments thereto, or the substantial equivalent of this program in both subject matter and extent of training, if at the time the applicant graduated from the program, this doctoral degree program was accredited by the American psychological association. If the applicant began the program after March 10, 2006, the accredited program shall require that at least 24 semester credit hours in the substantive areas identified in paragraph (b)(13)(C), or the equivalent number of quarter or trimester credit hours, be completed while the applicant is in residence. If not so accredited, the doctoral degree program from which the applicant was granted the degree shall meet all of the following criteria:

(1) The doctoral program is offered by an institution of higher education that is regionally accredited by an accrediting agency substantially equivalent to those agencies that accredit the universities in Kansas.

(2) The program offers doctoral education and training in psychology, one goal of which is to prepare students for the practice of psychology.

(3) The program stands as a recognized, coherent organizational entity within a university or college.

(4) There is a clear administrative authority with primary responsibility within the program for the substantive content areas as set forth below in paragraph (b)(13) and for the emphasis areas of psychology.

(5) The program is an established, organized, and comprehensive sequence of study designed by administrators who are responsible for the program to provide an integrated educational experience in psychology.

(6) There is an identifiable, full-time, professional faculty whose members hold earned graduate degrees in psychology, and the person responsible for directing the program is

licensed or academically eligible at the doctoral level to engage in the practice of psychology.

(7) The ratio of students to core faculty members does not exceed 15 students to one core faculty member.

(8) The student's major advisor is a member of the psychology faculty.

(9) The program has an identifiable body of students who are matriculated in the program for a degree.

(10) The program publicly states an explicit philosophy of training by which it intends to prepare students for the practice of psychology. The program's philosophy, educational model, and curriculum plan shall be substantially consistent with the mission and goals of the program's sponsor institution and shall be consistent with the following principles of the discipline:

(A) Psychological practice is based on the science of psychology, which, in turn, is influenced by the professional practice of psychology.

(B) Training for practice is sequential, cumulative, graded in complexity, and designed to prepare students for further organized training.

(11) The program, except for industrial and organizational psychology programs, requires an internship that meets the following requirements:

(A) Consists of at least 1,800 hours over one year of full-time training or two consecutive years of half-time training;

(B) accepts as interns only applicants enrolled in a doctoral program as defined in this subsection or in a program that meets the requirements of paragraph (b)(2) of K.A.R. 102-1-5a;

(C) has a clearly designated doctoral-level staff psychologist who is responsible for the integrity and quality of the training program. This person shall be licensed, certified, or registered in the jurisdiction in which the program exists to engage in the practice of psychology and shall be present at the training facility for a minimum of 20 hours per week;

(D) provides training and supervision in a wide range of professional activities, including diagnosis, remediation techniques, interdisciplinary relationships, and consultation, and provides experience with a population of clients or patients presenting a diverse set of problems and backgrounds;

(E) is taken after the completion of all graduate courses other than those designated for writing the dissertation, including both the required graduate coursework emphasizing the practice of psychology and the preinternship training requirements;

(F) provides the intern or resident with a minimum of four hours of general training supervision for every 40 hours of training experience. At least one hour of individual clinical supervision shall be provided for every 10 hours during which the supervisee has direct patient or client contact;

(G) provides the majority of supervision by licensed, doctoral-level psychologists;

(H) exists as a distinct and organized program that is clearly recognizable within an institution or agency, as well as in pertinent public, official documents issued by the institution or agency, and that is clearly recognizable as a training program for psychologists;

(I) identifies interns as being in training and not as staff members;

(J) has a training staff that consists of at least two doctoral-level psychologists who serve on a full-time basis as individual clinical supervisors and who are licensed, certified, or registered as psychologists in the jurisdiction in which the program exists;

(K) is an integrated and formally organized training experience, not an after-the-fact tabulation of experience; and

(L) provides at least two hours per week in didactic activities, including case conferences, seminars, in-service training, and grand rounds.

(12) Before awarding the doctoral degree, the program requires each student to complete a minimum of three full-time academic years of graduate study, or the equivalent, and to complete an internship that meets the requirements of paragraph (b)(11). At least two of the three academic training years, or the equivalent, shall be completed at the institution from which the doctoral degree is granted, and at least two consecutive semesters, or the equivalent number of quarters or trimesters, shall be completed while the student is in residence at the same institution. The program's coursework shall also include the skill courses appropriate for the applicant's major or area of emphasis.

(13) The program has and implements a clear and coherent curriculum plan that provides the means whereby all students can acquire and demonstrate substantial understanding of and competency in the current body of knowledge in the following three substantive areas:

(A) The breadth of scientific psychology, its history of thought and development, its research methods, and its applications. Each student shall have completed a one-semester course consisting of three semester credit hours, or the equivalent number of quarter or trimester credit hours, in each of the following six areas:

(i) Biological aspects of behavior, including clinical neuropsychology and the biological foundations of psychopathology;

(ii) cognitive and affective aspects of behavior, including theories of perception, human learning and memory, cognitive development, and theories and research in human learning;

(iii) social aspects of behavior, including social psychology, advanced social psychology, and social psychology theories, research, and clinical applications;

(iv) the history and systems of psychology, including the history of psychology and theories of personality;

(v) psychological measurement, including an introduction to mathematical methods in psychology, educational measurement methods in psychological research, and research methods in clinical psychology; and

(vi) research methodology and techniques of data analysis, including statistical methods in psychology, research design in education, multivariate analysis, and multivariate statistical methods;

(B) the scientific, methodological, and theoretical foundations of practice. Each student shall have completed a one-semester course consisting of three semester credit hours, or the equivalent number of quarter or trimester credit hours, in each of the following four areas:

(i) Individual differences in behavior, including the basis and nature of individuality, intelligence and cognition, and cross-cultural counseling;

(ii) human development, including advanced child behavior and development, behavioral analysis of child development, the psychology of the adult personality, gerontology, and counseling with adults;

(iii) dysfunctional behavior or psychopathology, including advanced psychopathology; and

(iv) professional, ethical, legal, and quality assurance principles and standards, including professional, legal, and ethical problems in clinical psychology and legal, ethical, and professional issues in counseling; and

(C) the methods of diagnosing or defining problems through psychological assessment and measurement and the strategies and techniques of therapeutic intervention or remediation. A minimum of 24 semester credit hours in this substantive area, or the equivalent number of quarter or trimester credit hours, shall be completed by the student while the student is in residence and shall be distributed between the following two areas:

(i) Nine semester credit hours in assessment, or the equivalent number of quarter or trimester credit hours. Assessment courses shall include theories and methods of assessment and diagnosis, including intelligence testing, behavioral and personality assessment in children, theory and construction of personality tests, and techniques of psychodiagnostic assessment; and

(ii) 15 semester credit hours, or the equivalent number of quarter or trimester credit hours, in techniques of therapeutic interventions and effective therapeutic intervention, consultation, and supervision, including counseling and interviewing skills, theories of group counseling, psychological clinical services, psychotherapy, group therapeutic techniques, and psychotherapy with families.

(14) The program requires at least 90 semester credit hours, or the equivalent number of quarter or trimester credit hours, of formal graduate study in the psychology program. At least 60 of these semester credit hours, or the equivalent number of quarter or trimester credit hours, shall be distributed among the content areas specified in paragraph (b)(13).

(15) At least 60 semester credit hours of the coursework for the doctoral program, or the equivalent number of quarter or trimester hours, are clearly designated on the transcript as graduate-level courses in the program, exclusive of practicum, internship, and dissertation credits. The number of credits received through extension programs shall not exceed 10 semester credit hours or the equivalent number of quarter or trimester credit hours. The number of postdoctoral credit hours from a regionally accredited university or college taken to meet licensure requirements shall not exceed 10 semester credit hours or the equivalent number of quarter or trimester credit hours.

(16) When the program has an applied emphasis, which may include clinical psychology, counseling psychology, or school psychology, the training shall also include a minimum of at least two semesters of a coordinated practicum. The practicum in the application of skills related to the areas of emphasis shall be performed in a setting that is preapproved by the appropriate administrative authorities of the program.

(17) The program advertises in official documents, including course catalogues and announcements, the program standards and descriptions and the admission requirements of the program.

(18) The program has admission requirements that are, in part or in full, based on objective, standardized achievement tests and measures.

(19) The program includes an ongoing, objective review and evaluation of student learning and progress, and the program reports this evaluation in the official transcript.

(20) The program includes a comprehensive examination or an equivalent assessment approved by the board of the applicant's knowledge and progress within the training program, and the program requires that the applicant pass this requirement before awarding the doctoral degree.

(21) As a part of the graduation requirements, each student is required to initiate, prepare, conduct, and report original research or an equivalent project as determined by the program. This original research or equivalent project shall not be substituted for successful completion of the comprehensive examination required under paragraph (b)(20).

(22) The institution offering the graduate program has a library and equipment and resources available that are adequate for the size of the student body and the scope of the program offered, including suitable scientific and practicum facilities.

(Authorized by K.S.A. 2005 Supp. 74-7507; implementing K.S.A. 74-5310; effective May 1, 1982; amended May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended Dec. 18, 1998; amended Oct. 27, 2000; amended March 10, 2006; amended, T-102-4-24-07, April 24, 2007; amended April 11, 2008.)

74-5310. Issuance of license; fee; qualifications. (a) The board shall issue a license as a psychologist to any person who pays a nonrefundable application fee prescribed by the board, if required by the board, not in excess of \$225 and, if required by the board, a nonrefundable original license fee not in excess of \$150, who satisfies the board as to such person's training and experience after a thorough review of such person's credentials and who passes a satisfactory examination in psychology. Any person paying the fee must also submit evidence verified by oath and satisfactory to the board that such person:

(1) Is at least 21 years of age;

(2) is of good moral character;

(3) has received the doctor's degree based on a program of studies in content primarily psychological from an educational institution having a graduate program with standards consistent with those of the state universities of Kansas, or the substantial equivalent of such program in both subject matter and extent of training; and

(4) has had at least two years of supervised experience, a significant portion of which shall have been spent in rendering psychological services satisfying the board's approved standards for the psychological service concerned.

(b) The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under subsection (a)(3). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of subsection (a)(3) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the educational institution to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.

History: L. 1967, ch. 432, § 10; L. 1969, ch. 393, § 1; L. 1972, ch. 309, § 1; L. 1986, ch. 299, § 15; L. 1988, ch. 243, § 15; L. 1990, ch. 286, § 3; L. 1996, ch. 153, § 29; L. 2002, ch. 59, § 2; L. 2009, ch. 135, § 2; L. 2016, ch. 92, § 64; L. 2019, ch. 55, § 19; May 9.

65-6306. Qualifications for licensure; baccalaureate social worker; master social worker; specialist clinical social worker; practice of licensed specialist clinical social worker; approval of colleges or universities, criteria. (a) The board shall issue a license as a baccalaureate social worker to an applicant who has:

(1) A baccalaureate degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) passed an examination approved by the board for this purpose; and

(3) satisfied the board that the applicant is a person who merits the public trust.

(b) The board shall issue a license as a master social worker to an applicant who has:

(1) Except as provided in subsection (f), a master's degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) passed an examination approved by the board for this purpose; and

(3) satisfied the board that the applicant is a person who merits the public trust.

(c) The board shall issue a license in one of the social work specialties to an applicant who has:

(1) A master's or doctor's degree from an accredited graduate school of social work, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) had two years of full-time post-master's or post-doctor's degree experience under the supervision of a licensed social worker in the area of the specialty in which such applicant seeks to be licensed;

(3) passed an examination approved by the board for this purpose; and

(4) satisfied the board that the applicant is a person who merits the public trust.

(d) (1) The board shall issue a license as a specialist clinical social worker to an applicant who:

(A) Has met the requirements of subsection (c);

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (c) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of the following content areas: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;

(C) has completed a graduate level supervised clinical practicum of supervised professional experience, including psychotherapy and assessment, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual or additional postgraduate supervised experience as determined by the board;

(D) has completed as part of or in addition to the requirements of subsection (c) not less than two years of postgraduate supervised professional experience, in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating circumstances, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual;

(E) for persons earning a degree under subsection (c) prior to July 1, 2003, in lieu of the education and training requirements under subparagraphs (B) and (C), has completed the education requirements for licensure as a specialist clinical social worker in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary license to practice as a specialist clinical social worker on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under subparagraphs (B), (C) and (D), has completed the education and training requirements for licensure as a specialist clinical social worker in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board; and

(H) has paid the application fee.

(2) A licensed specialist clinical social worker may engage in the social work practice and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client

has symptoms of a mental disorder, a licensed specialist clinical social worker shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed specialist clinical social worker may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(3) Notwithstanding any other provision of this subsection, a licensed master social worker who has provided to the board an acceptable clinical supervision plan for licensure as a specialist clinical social worker prior to the effective date of this act shall be licensed as a specialist clinical social worker under this act upon completion of the requirements in effect for licensure as a specialist clinical social worker at the time the acceptable training plan is submitted to the board.

(4) A person licensed as a specialist clinical social worker on the day immediately preceding the effective date of this act shall be deemed to be a licensed specialist clinical social worker under this act. Such person shall not be required to file an original application for licensure as a specialist clinical social worker under this act.

(e) The board shall adopt rules and regulations establishing the criteria that a social work program of a college or university shall satisfy to be recognized and approved by the board under this section. The board may send a questionnaire developed by the board to any college or university conducting a social work program for which the board does not have sufficient information to determine whether the program should be recognized and approved by the board and whether the program meets the rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the program to be considered for recognition and approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about a social work program of a college or university. In entering such contracts the authority to recognize and approve a social work program of a college or university shall remain solely with the board.

(f) (1) Notwithstanding any pending candidacy for accreditation of the masters of social work program at Fort Hays state university, the board shall:

(A) Accept a master's degree from such program as from an accredited college or university for the purpose of issuing a license as a master social worker to an applicant under subsection (b); and

(B) not impose any additional or alternative requirements to accreditation upon an applicant with such degree based on such program's pending candidacy for accreditation.

(2) The provisions of this subsection shall apply retroactively and shall expire on July 1, 2023.

History: L. 1974, ch. 372, § 6; L. 1980, ch. 242, § 17; L. 1981, ch. 352, § 1; L. 1988, ch. 243, § 17; L. 1989, ch. 276, § 3; L. 1994, ch. 164, § 2; L. 1999, ch. 117, § 12; L. 2019, ch. 55, § 25; L. 2021, ch. 88, § 18; L. 2022, ch. 77, § 3; April 28.

102-2-1a. Definitions.

(a) “Approved-provider status” means that the provider has been approved by the board to provide any continuing education program. Approved-provider status may be granted for a one-year probationary period to new applicants. After completion of the probationary year, approved providers may reapply for approval every three years.

(b) “Client” means an individual, a family, or a group that receives social work services.

(c) “Client-therapist relationship” means a professional relationship in which an LMSW or LSCSW is engaged in the diagnosis and treatment of a mental disorder of the client.

(d) “Clinical practicum” means a formal component of the academic curriculum in a graduate level social work educational program that engages the student in supervised clinical social work practice including direct client contact and that provides opportunities to apply classroom learning to actual practice situations in the field setting.

(e) “Clinical social work practice” means the professional application of social work theory and methods to the treatment and prevention of psychosocial problems, disability, or impairment, including emotional and mental disorders. Clinical social work shall include the following:

- (1) Assessment;
- (2) diagnosis;
- (3) treatment, including psychotherapy and counseling;
- (4) client-centered advocacy;
- (5) consultation;
- (6) evaluation; and
- (7) interventions directed to interpersonal interactions, intrapsychic dynamics, and life support

and management issues.

(f) “Clinical supervision training plan” means a formal, written contract between a supervisor and a supervisee that establishes the supervisory framework for postgraduate clinical experience and the expectations and responsibilities of the supervisor and the supervisee.

(g) “Consult,” as used in K.S.A. 65-6306 and K.S.A. 65-6319, and amendments thereto, means a contact made by the licensee with the appropriate medical professional for the purpose of promoting a collaborative approach to the client’s care and informing the medical professional of the client’s symptoms, but not for the purpose of confirming the diagnosis. The timing of any consult by the licensee shall be managed in a way that enhances the progress of assessment, diagnosis, and treatment, and shall not be required to be completed in the initial session of service delivery.

(h) “Continuing education” means a formally organized learning experience that has education as its explicit, principal intent and that is oriented toward the enhancement of social work practice, values, skills, knowledge, and ethics.

(i) “Direct client contact” means a service to a client system that utilizes individual, family, or group interventions through face-to-face interaction or the use of electronic mediums of face-to-face interaction in which confidentiality is protected.

(j) “Dual relationship” means a professional relationship with a client, student or supervisee in which the objectivity of the licensee is impaired or compromised because of any of the following present or previous relationships:

- (1) familial;

- (2) sexual;
- (3) social;
- (4) emotional;
- (5) financial;
- (6) supervisory; or
- (7) administrative.

(k) "Extenuating circumstances" means conditions caused by unexpected events beyond the person's control.

(l) "LBSW" means a licensed baccalaureate social worker.

(m) "LMSW" means a licensed master social worker.

(n) "LSCSW" means a licensed specialist clinical social worker.

(o) "Malfeasance" means the performance of an act that a licensee should not perform.

(p) "Merits the public trust" means that an applicant or licensee possesses the high standard of good moral character and fitness required to practice social work as demonstrated by the following personal qualities:

(1) Good judgement;

(2) integrity;

(3) honesty;

(4) fairness;

(5) credibility;

(6) reliability;

(7) respect for others;

(8) respect for the laws of the state and the nation;

(9) self-discipline;

(10) self-evaluation;

(11) initiative; and

(12) commitment to the social work profession values and ethics.

(q) "Misfeasance" means the improper performance of a lawful act by a licensee.

(r) "Nonfeasance" means the omission of an act that a licensee should perform.

(s) "Practice setting" means the public or private social work delivery system within which social work is practiced or social work services are delivered.

(t) "Practicum" means a formal component of the academic curriculum in the social work educational program that engages the student in supervised social work practice and provides opportunities to apply classroom learning to actual practice situations in the field setting.

(u) "Prior-approved continuing education" means any of the following forms of continuing education:

(1) Any single-program material that has been submitted by a provider to the board, approved

by the board, and assigned a continuing education number;

(2) any program offered by a provider with approved-provider status; or

(3) academic social work courses audited or taken for credit.

(v) "Private, independent practice of social work" means the unsupervised provision of social work services as a self-employed person, a member of a partnership, a member of a professional corporation, or a member of a group, and not as a salaried employee of a person or a public or private agency, organization, institution, or other entity.

(w) “Retroactively approved continuing education” means material submitted for continuing education credit by the licensee after attending the workshop, conference, seminar, or other offering and that is reviewed and subsequently approved by the board.

(x) “Single-program provider status” means that the provider has been granted approval to offer a specific continuing education program.

(y) “Social work consultation” means a voluntary professional relationship in which the consultant offers advice and expertise that the consultee can either accept or reject and in which the objectives and requirements of social work supervision as defined in K.A.R. 102-2-1a(aa) and K.A.R. 102-2-8 are lacking. Social work consultation shall not be substituted for supervision.

(z) “Social work practice specialty” means a postgraduate practice with emphasis upon a specific, identifiable field of practice.

(aa) “Social work supervision” means a formal professional relationship between the supervisor and supervisee that promotes the development of responsibility, skill, knowledge, attitudes, and ethical standards in the practice of social work.

(bb) “Termination of a client relationship” means the end of the professional relationship resulting from any of the following:

- (1) The mutual consent of the social worker and the client;
- (2) the completion of therapeutic or casework services;
- (3) dismissal of the social worker by the client;
- (4) dismissal of the client by the social worker; or
- (5) the transfer of the client to another professional for active therapy or casework services with the belief services will continue.

(cc)(1) “Under the direction” means the formal relationship between the individual providing direction and the licensee in which both of the following conditions are met:

(A) The directing individual provides the licensee, commensurate with the welfare of the client and the education, training, and experience of the licensee with the following:

- (i) Professional monitoring and oversight of the social work services provided by the licensee;
- (ii) regular and periodic evaluation of treatment provided to clients by the licensee; and
- (iii) verification that direction was provided to the licensee.

(B) The licensee receiving direction provides the following to the board, with each license renewal:

- (i) The name, identifying information, and type of licensee of the directing individual;
- (ii) a description of the work setting and the social work services provided under direction; and
- (iii) documentation that direction was provided including dates, location, and length of time as verified by the directing individual.

(2) A licensed master social worker who is practicing clinical social work under supervision as specified in K.A.R. 102-2-8(d) shall be deemed to be practicing under direction.

(dd) “Undue influence” means misusing one’s professional position of confidence, trust, or authority, or taking advantage of the vulnerability, weakness, infirmity, or distress of a client, supervisee, or student for either of the following purposes:

- (1) To improperly influence or change the actions or decisions of a client, supervisee, or student; or

(2) to exploit a client, supervisee, or student for the financial gain, personal gratification, or advantage of the social worker or a third party.

(Authorized by and implementing K.S.A. 1999 Supp. 74-7507; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended April 3, 1989; amended February 25, 1991; amended Aug. 4, 2000.)