

**BEHAVIORAL SCIENCES REGULATORY BOARD  
SOCIAL WORK ADVISORY COMMITTEE  
Tuesday, December 20, 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. 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

You may view the meeting here: <https://youtu.be/EHcCanl9Q20>

To join the meeting by conference call: **877-278-8686 (Pin: 327072)**

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

**Tuesday, December 20, 2022**

**1:00 p.m. - Call to order and Roll Call**

- I. Opening Remarks, Advisory Committee Chair**
- II. Agenda Approval**
- III. Review and Approval of Minutes from Previous Advisory Committee Meeting on October 17, 2022**
- IV. Executive Director's Report**
- V. Old Business**
  - A. Finalize Recommended Changes to Unprofessional Conduct Regulations**
  - B. Discussion on Possible Regulation for Care of Clients in Crisis**
  - C. Discussion on Possible New Language in Continuing Education Regulation K.A.R. 102-2-4a, for Practitioners Providing Certain Coaching or Mentoring**
  - D. Discussion on Workforce Issues**
    - i. Discussion on Reciprocity and License Requirements**
      - 1. K.S.A. 65-6322 Reciprocity Statute**
      - 2. K.A.R. 102-2-6 Program Approval Regulation**
    - ii. Consideration of Possible New Student Temporary License Model**
- VI. New Business**
  - A. Discussion on Meetings for 2023 – Dates, Times, Remote/Hybrid**
- VII. Committee Discussion on Items for Next Year**
  - A. Workforce Issues**
    - i. Continued Review and Discussion on ASWB Exam Release Data**
    - ii. Continued Consideration of Associate Social Work License**
    - iii. Roundtable Meeting with Contacts from Academia and Employing Agencies**
  - B. New Language in Regulations on Coursework Requirements for Applicants from Non-CSWE Accredited Programs**

**VIII. Next Meetings: February 2023**

**IX. Adjournment**

**BEHAVIORAL SCIENCES REGULATORY BOARD  
SOCIAL WORK ADVISORY COMMITTEE  
OCTOBER 17, 2022  
DRAFT MINUTES**

- I. Call to Order.** The meeting was called to order by Co-Chair Cynthia Schendel at 1:00 p.m.

**Social Work Advisory Committee Members.** Advisory Committee members present by Zoom included Cynthia Schendel, Andrea Perdomo-Morales, Sarah Berens, Mary Gill, Mike Gillett, Angi Heller-Workman, Jane Holzrichter, Catherine Rech, Eric Schoenecker, Cristin Stice, and Robin Unruh. Donna Hoener-Queal and Lee Ann Gingery were absent.

**BSRB Staff.** Staff members present by Zoom included David Fye and Leslie Allen.

**Guests.** were present by Zoom.

- II. Agenda Approval.** Mike Gillett moved to approve the agenda as written. Jane Holzrichter seconded. The motion passed.

**III. Public Comment**

**A. Discussion on Communications Related to Release of Demographic Information for Social Work Examination Pass Rates by Representative Susan Ruiz.**

Representative Susan Ruiz, also a Licensed Specialist Clinical Social Worker (LSCSW) licensed in Kansas, spoke to the Advisory Committee about communications she received and concerns on the disparities in passage rates by certain groups of individuals taking the Association of Social Work Boards (ASWB) licensing examinations, the possibility of racial bias, and possible solutions moving forward.

**B. Presentation on Release of Exam Pass Rate Information by Representatives from ASWB including Dr. Stacey Hardy-Chandler, Chief Executive Officer for ASWB; Dale Atkinson, ASWB Legal Counsel; Jennifer Henkel, Senior Director of Member Engagement and Regulatory Services; and Cara Sanner, Regulatory Support Services Program Manager for ASWB.**

Dr. Stacey Hardy-Chandler presented information on the mission of ASWB, the development process for the license examination, and ASWB's approach to disparate outcomes. Dr. Hardy-Chandler noted an examination is an important requirement for licensure, along with supervised education and adequate lack of disciplinary issues, to provide an objective standard to protect the public with a measure that is legally defensible. Dale Atkinson, legal counsel for ASWB, explained how the license examination is defensible, reliable, and valid. Mr. Atkinson explained that the examination provides a uniform measure that is less subjective than other requirements for licensure. Dr. Hardy-Chandler provided information on examination development, noting that

almost 200 individuals are involved, including approximately 90 item writers. It was noted that ASWB item writers are licensed social workers, selected using demographic, geographic, and practice setting diversity. There is a universal pass score across states and jurisdictions and there are also different versions of the test that are rotated. Dr. Hardy-Chandler explained anti-bias measures ASWB is taking to rule-out certain questions and noted that the release of the examination score information reveals a problem, but is not the cause of the problem.

Steps ASWB is taking currently include forming a Social Work Workforce Coalition to expand the diversity of voices contributing to the development of the practice analysis and the examinations, to identify participants and questions for community conversations to ensure a variety of perspectives are heard, and to provide education on exam development and pass rate data; preparing for a social work census in 2024; making more educational resources available to educators for free; and hosting community conversation meetings to listen to individuals and groups on this topic. In addition to the 94-page report on the examination release data, ASWB has state-specific data on its website (ASWB.org), which allows for the results to be broken down by schools. Dr. Hardy-Chandler stated that in review of the examination report, it shows that disparities are not uniform between states, nor between schools in the same state. It appears that pass rates for some schools do not show disparities and she encouraged conversations to continue at the school level to determine what methods are being used at some schools with higher passage rates compared to methods used at schools that are showing more disparities or lower passage rates.

David Fye, Executive Director for the BSRB, stated the BSRB recently received a letter from the Council on Social Work Education (CSWE), which urged state licensing agencies to suspend the use of the ASWB examinations as a requirements for licensure and to consider graduation from a CSWE-accreditation program evidence of beginning competence to practice social work in place of passage of the examination (aside from the clinical level of license, which would still require passage of the ASWB examination). Dr. Hardy-Chandler noted that most states require passage of a national examination in statutes or regulations and there are currently no other national social work examinations, so most states would be unable to suspend the use of the examination. She also noted that evaluation of the examination is ongoing and spoke to the value of both educational competency and practice competency and noted the importance of the examination to measure practice competency.

Members of the Advisory Committee asked how the social work demographic information compares to examination outcomes for other professions. Dr. Hardy-Chandler noted that most other professions have not released this type of demographic examination information and stated that some professions are having difficulty collecting this type of demographic data. Dr. Hardy-Chandler noted that ASWB is trying to look at factors that could be negatively impacting individual's ability to pass the test, such as test anxiety, and reported that 47% of 2022 license examination registrants reported that their schools never mentioned a licensing

examination, while other schools better support their students to prepare for passing the examination. It was noted that the Oregon Legislature allocated additional funding to assist exam-takers, starting with members of marginalized groups.

- IV. Minutes Approval.** Eric Schoenecker moved to approve the minutes from the Advisory Committee meeting on August 16, 2022. Angi Heller-Workman seconded. The motion passed.
- V. Executive Director's Report.** The Executive Director for the BSRB, reported on the agency updates and activities at past BSRB Board meetings. Mike Gillett moved to express support for the creation of a new temporary license for applicants for licensure who graduated from programs that are “in Candidacy” for accreditation by CSWE. Robin Unruh seconded. The motion passed.
- VI. Old Business**
- A. Discussion on Draft Language for Social Work Multi-State Compact.** At the past Social Work Advisory Committee meeting, several individuals presented information on draft language for a multi-state compact for the social work profession. One of the requirements in the multi-state compact is passage of a national examination. It was noted that there are concerns with this requirement being included in the compact language, due to the pass rate disparities for individuals who have taken the ASWB license examinations. It was noted that there will likely be another version of the draft language of the compact, but at this time it is unclear whether the final compact language will be available in bill form for consideration by states during the 2023 Legislative session. The Advisory Committee expressed a desire to revisit this topic at a future meeting.
- B. Discussion on ASWB Exam Pass Rate Information.** It was noted that a small number of states do not require an examination or all levels of licensure or have recently removed the requirement of passing an examination. Advisory Committee members discussed demographic breakdown of examination pass rates from other exams, which showed some similar groupings by pass rate. It was noted that a national examination is required for licensure in Kansas, so if the BSRB paused the requirement of a national examination, the agency would either have to stop licensing social workers or would be in violation of the law. Members discussed the value of having greater accessibility to examination test prep materials.
- C. Discussion on Workforce Issues.** Due to time constraints the Advisory Committee was unable to discuss this topic further.
- D. Update on Clinical Supervision, Including Supervisor Training and Board-Approved Supervisor Status.** Due to time constraints the Advisory Committee was unable to discuss this topic further.

**E. Update on Continuing Education-Diversity, Equity, and Inclusion.** Due to time constraints the Advisory Committee was unable to discuss this topic further.

**VII. New Business**

**A. K.A.R. 102-1-15(g) License Psychology Regulation on Continuing Education.** The Executive Director summarized K.A.R. 102-1-15(g), which is a regulation unique to the Licensed Psychology profession, which allows members of that profession to request additional time from the BSRB to complete continuing education hours, if they are approaching their renewal deadline and they can show good cause for needing additional time to complete their hours. The Executive Director noted the Board would be considering whether other professions would benefit from having similar language in their regulations.

**B. Discussion on Possible Regulation for Care of Clients in Crisis.** Due to time constraints the Advisory Committee did not discuss this topic and will move this discussion to the next meeting.

**C. Update on Kansas Fights Addiction Grant Review Board Appointee.** Due to time constraints the Advisory Committee was unable to discuss this item.

**D. Discussion on Dates for Meetings in 2023.** Due to time constraints the Advisory Committee did not discuss this topic and will revisit this topic to the next meeting.

**VIII. Committee Discussion on Items for Next Meeting.** Advisory Committee members requested to continue discussing the report from ASWB on the examination pass rates at the next meeting.

**IX. Next Meeting.** The next meeting of the Advisory Committee will be on Tuesday, December 20, 2022

**VIII. Adjournment.** Lee Ann Gingery moved to adjourn the meeting. Mike Gillett seconded. The motion passed.

**Behavioral Sciences Regulatory Board  
Social Work Advisory Committee  
April 19, 2022, at 1:00 p.m.  
Approved Minutes**

- I. Call to Order.** The meeting was called to order by Co-Chair Andrea Perdomo-Morales at 1:00 p.m.

**Social Work Advisory Committee Members.** Advisory Committee members present over Zoom included Andrea Perdomo-Morales, Carolyn Szafran, Donna Hoener-Queal, Sarah Berens, Mary Gill, Mike Gillett, Lee Ann Gingery, Angi Heller-Workman, Jane Holzrichter, Catherine Rech, Eric Schoenecker, Cristin Stice, and Robin Unruh.

**BSRB Staff.** Staff members present over Zoom included David Fye, Leslie Allen, and Sami Barksdale.

- II. Agenda Approval.** Eric Schoenecker moved to approve the agenda as written. Carolyn Szafran seconded. The motion passed.
- III. Minutes Approval.** Donna Hoener-Queal moved to approve the minutes from the Advisory Committee meeting on February 15, 2022. Jane Holzrichter seconded. The motion passed.
- IV. Executive Director's Report.** David Fye, Executive Director for the BSRB, reported on the following topics:
- A. BSRB Staff Update.** The BSRB is still under most of the Governor's pandemic directions, including the limitation on in-person meetings, so the agency is unable to hold Board or Advisory Committee meetings in person currently. Most staff are working in the office full-time, though the two investigators are using a telework hybrid model, working in the office three days each week and utilizing the BSRB Telework Pilot two days each week.
- B. 2022 Legislative Session.** The Executive Director provided a brief summary of the legislative process to enact a bill, including legislative deadlines. The Legislature is currently on a three-week break, before returning and wrapping up most items during the legislative Omnibus period. The appropriations bill (House Substitute for Substitute for Senate Bill (SB) 267) was passed by the Legislature and is pending review and action by the Governor. The Executive Director provided a summary of legislative action on the Board's recommendations, beginning with the introduction of SB 387, the hearing and Senate Committee discussion on that bill, Amended SB 387 being passed out of the Senate Committee after the Senate Committee voted to remove the licensed psychology Board recommendation, SB 387 dying on the Senate calendar, follow up efforts to have Amended SB 387 reintroduced, heard, and worked in a House Committee, and the activities in Legislative conference committees. Ultimately, two Board recommendations were passed in the final version of SB 453.

The final bill included Board recommendations for the addiction counselor profession and the social work profession, but not the Board's recommendation concerning continuing education changes for the Licensed Psychology profession. Another bill relevant to the BSRB is House Bill (HB) 2087, which was passed with the previous contents of Substitute for SB 34. HB 2087 requires all agencies to submit a report to the Joint Committee on Rules and Regulations, for all agency regulations, explaining if each regulation is necessary for the implementation of state law. There are over 120 regulations for the BSRB, so creation of this report will necessitate the agency diverting staff time from regular duties and will likely cause licensing delays or lead the agency to hire additional part-time staff.

- C. March Board Meeting.** The Executive Director provided updates from the Board meeting on March 14, 2022. Most full Board meetings will begin at 9am, at least while meetings are held remotely. The Board is reviewing the Investigation Policy for the Board, which was last updated in 2009. The Executive Director will be presenting a report to the Board with proposed changes to the Policy at the May Board meeting. Certain statutes and regulations state authority for actions as "the Board," but some of these tasks have been delegated over the years to the BSRB, the Executive Director, the Complaint Review Committee, etc. The Executive Director noted he will bring sections of statutes and regulations before the Board to clarify delegation authority and possibly have the Board vote to renew some of these delegations. The Board discussed Board-approved supervisor training and if there are adequate opportunities for supervisor trainings. In future meetings, the Board intends to discuss impaired provider programs, telehealth standards, and other topics.
- D. April Board Meeting.** On April 15, 2022, a special Board meeting was held for the Board to discuss language added and passed by the Legislature in SB 453, concerning graduates of an online Master's of Social Work program at Fort Hays State University. This program is in candidacy for accreditation through the national accrediting body for social work, the Council on Social Work Education (CSWE), but does not expect to reach full accreditation until February 2023. Under the licensure statutes and regulations of the BSRB, if applicants obtained their education from schools not accredited by CSWE, then those applicants alternatively must meet separate requirements in the regulations. One such regulation requires half of the coursework to be completed "in residence," while the applicant was physically present at the school. Graduates of an online program would not be able to meet this standard. The language added by the Legislature directed the BSRB to treat graduates from this online Fort Hays State program as if they had graduated from a CSWE accredited school, for the purpose of fulfilling licensure requirements (retroactively for past graduates and for future graduates through the end of FY 2023). The Board expressed interest in re-examining licensure requirement which require a physical presence while obtaining coursework and also the creation of a new provisional/temporary license for applicants who graduated from a school while their program is in candidacy for CSWE accreditation.



**E. Conferences.** The Executive Director will be attending upcoming conferences for the Association of State and Provincial Psychology Boards (ASPPB) and the Association of Social Work Boards (ASWB) later this month and will provide a report on any items relevant to the Advisory Committee.

## **V. Old Business**

### **A. Discussion on Clinical Supervision, Workforce Issues, and Possible Continuing Education Requirements in the Areas of Diversity, Equity, and Inclusion (DEI).**

Advisory Committee members requested old business topics be separated in future agendas, rather than being grouped together. Advisory Committee members discussed the BSRB survey of social workers in December 2021 and summarized past Advisory Committee discussion on continuing education involving DEI. Concerning workforce concerns, the Executive Director noted the BSRB previously licensed new Associate Level Social Workers. Over the years, most of these licensees have retired, but a small number continue to renew their license. Leslie Allen, the Assistant Director and Licensing Manager for the BSRB, noted the statutory authority to license new individuals at this level was removed by the Legislature, so it would require passages of a bill to license new members of this group. Advisory Committee members asked whether other jurisdictions licensed social workers at this level and the requirements for those licenses. The Executive Director noted he would gather more information on these topics. Advisory Committee discussed whether reopening this level of licensure would lead to lower licensure standards and whether this would run contrary to the public-protection mission of the Board. Advisory Committee members also discussed whether reopening the associate-level license would lead individuals to stop at this level, or whether it would be stepping stool for more individuals to pursue a higher level of license. Advisory Committee members discussed reviewing the current licensure requirements, specifically including the “in residence” requirement for students attending non-CSWE accredited programs. Advisory Committees asked whether there is a regulation under the BSRB that lists what level of licensure is needed by individuals working in different types of facilities. The Assistant Director and Licensing Manager noted the BSRB does not have a regulation on this topic, but that type of evaluation is generally done by facilities employing social workers. The Advisory Committee noted it intends to work on each of the topics listed under old business at future meetings, focusing first on workforce issues.

## **VI. New Business**

**A. Advisory Committee Member Expectations for FY 2023.** The Executive Director summarized information in the Expectations for Board Members Policy and the Advisory Committee Policy as related to responsibilities of Advisory Committee members for the next fiscal year, including conduct of Advisory Committee members, attendance at meetings, and other responsibilities. If members are unable to attend meetings, they are asked to contact the Executive Director in advance of these meetings and to limit unexcused absences to no more than one each year.

**B. Unprofessional Conduct Regulation.** Advisory Committee members received a copy of the unprofessional conduct regulations for the profession (K.A.R. 102-2-7) at the previous Advisory Committee meeting and were asked to discuss whether any changes were needed. Members of the Advisory Committee discussed the following subjects:

- Advisory Committee members noted the current unprofessional conduct regulations lack language concerning appropriate technology related to telehealth practice. Members expressed support for adding language on e-mail, texting, and compliance with the Health Insurance Portability and Accountability Act (HIPAA) for televideo services. Members noted there are highlighted changes to the code of ethics on this topic, so that information will be forwarded to Advisory Committee members;
- Advisory Committee members noted difficulty reviewing the unprofessional conduct regulations, though the Executive Director noted the agency is bound to the legislative formatting style. The Executive Director noted other Advisory Committees expressed a similar concern, so the BSRB will be looking to see if the agency can create a more user-friendly version of the regulations in the future;
- Advisory Committee members expressed support for updating terminology in K.A.R 102-2-7(l), noting that the items in regulation do not match the list recognized in the code of ethics; and
- Advisory Committee members noted the lack of substantial language on practitioner self-care.
- Advisory Committee members were asked to continue reviewing the unprofessional conduct regulations for further discussion at the next meeting.

**C. Proactive Discussion to Public Protection.** The Executive Director noted the public protection mission of the BSRB and that a significant amount of work by the agency is reactionary. The agency would like to take a more proactive approach and the Executive Director and Assistant Director have been speaking to students about licensure and unprofessional conduct to educate students on issues prior to those individuals becoming licensed. Advisory Committee member noted that possible proactive approaches could include providing more visibility to restrictions on the use of the term “social worker” and the possibility of creating instructional videos on statutes, regulations, or scenarios of certain conduct. The Executive Director asked Advisory Committee members to review materials on the BSRB website and to report back additional suggestions at the next Advisory Committee meeting.

**VII. Future Meetings in 2022:** Tuesday, June 21, 2022; Tuesday, August 16, 2022; Tuesday, October 18, 2022; and Tuesday, December 20, 2022.

**VIII. Adjournment.** Lee Gingery moved to adjourn the meeting. Carolyn Szafran seconded. The motion passed.

**Behavioral Sciences Regulatory Board  
Social Work Advisory Committee  
June 21, 2022, at 1:00 p.m.  
Approved Minutes**

- I. Call to Order.** The meeting was called to order by Co-Chair Andrea Perdomo-Morales at 1:00 p.m.

**Social Work Advisory Committee Members.** Advisory Committee members present by Zoom included Andrea Perdomo-Morales, Carolyn Szafran, Mary Gill, Lee Ann Gingery, Angi Heller-Workman, Jane Holzrichter, Catherine Rech, Eric Schoenecker, Cristin Stice, and Robin Unruh.

**BSRB Staff.** Staff members present by Zoom included David Fye and Leslie Allen

- II. Agenda Approval.** Angi Heller-Workman moved to approve the agenda as written. Carolyn Szafran seconded. The motion passed.
- III. Minutes Approval.** Eric Schoenecker moved to approve the minutes from the Advisory Committee meeting on April 19, 2022. Jane Holzrichter seconded. The motion passed.
- IV. Executive Director's Report.** David Fye, Executive Director for the BSRB, reported on the following topics:
- A. Agency Updates.** The BSRB is still under the Governor's direction to avoid in-person meetings. The Executive Director noted he will update the Advisory Committee when that direction is changed. Until the limitation is lifted, the BSRB will continue to hold most Board and Advisory Committee meetings virtually. The Executive Director provided an update on the BSRB Fee Fund, which has a balance of about \$2.0 million. As part of the yearly performance evaluation process from the Department of Administration, all state employees should have a mid-year check-in to allow supervisors to provide feedback on their performance, allow questions from staff, and consider changes to work responsibilities. The Executive Director noted that the BSRB will provide mid-year check-in meetings for all employees later this month.
- B. Board Meeting on May 9.** The Board discussed the pre-approval of continuing education (CE) hours and the pre-approval of CE providers. All Advisory Committees were asked to discuss whether their profession would want pre-approved CEs, as currently only the social work profession has pre-approved CE providers and pre-approved CE classes. At the Board meeting, there was a split as some Advisory Committees requested this change while other Advisory Committees did not. Also at the Board meeting, 15 Advisory Committee members were reappointed to new two-year terms and those terms will start in July, as the state fiscal year begins on July 1. The Board recognized three Advisory Committee members that had served the maximum number of years of service on the Advisory Committees. The Board passed

a delegation motion allowing for alternate presiding officer in the event that the Chair and the Vice-Chair of the Board are unavailable for a meeting; reviewed draft language for regulations discussed at past meetings; and considered a model from Minnesota to provide a temporary license to students who graduate from schools that are in candidacy for Council for Social Work Education (CSWE) accreditation. The Board received a report from the Executive Director with potential changes to the Board's Investigation Policy and creation of subcommittees were requested by the Professional Counselor Advisory Committee (unprofessional conduct regulation review) and the Marriage and Family Therapy Advisory Committee (creation of a supervision manual similar to the existing manual for the social work).

**C. Other Meetings and Events.** The Executive Director attended an Educator meeting for the Association of Social Work Boards (ASWB) and the Mid-Year Meeting from the Association of State and the Provincial Psychology Boards (ASPPB). The Executive Director provided a summary of items discussed at these meetings, including an announcement from the American Psychology Association (APA) that the body is working on accreditation standards for Master's Level Psychology programs and hopes to have these standards available for comment in the fall of 2023. The Executive Director noted that several of the conversations at several of the national meetings have included discussions on multi-state compacts. The Executive Director will be attending a conference on August 3, 2022, hosted by the National Board for Certified Counselors in Philadelphia. The Executive Director provided information on Legislative committees with a health focus that would be meeting in the fall.

## V. Old Business

**A. Continued Discussion on Unprofessional Conduct Regulations.** At the past Advisory Committee meeting, Committee members discussed possible changes to the regulations. At that meeting, Committee members noted the term "supervisor" and asked whether that could include employment supervisors. The Executive Director noted he consulted with legal counsel for the Board who clarified that, absent language indicating employment supervision, the term supervisor should apply to the practice of social work, rather than as a function of employment. The Advisory expressed support of adding a definition of the term supervisor, especially concerning relationships between supervisors and supervisees. The Advisory Committee members discussed KAR 102-2-7(y) concerning sexual activities or engaging in physical intimacies with current clients, supervisees, or students and KAR 102-2-7(z) concerning those activities with a former client within 24 months of ending the therapeutic relationship. Advisory Committee members asked how long those regulations have been in place. The Executive Director stated KAR 102-2-7(y) has existed since 1982, but KAR 102-2-7(z) was put in place in 2000. Advisory Committee members discussed the benefit of having uniformity across all profession's unprofessional conduct regulations and also for consistency with the unprofessional conduct standards for the profession's code of ethics. It was noted that the code of ethics by the national association states a practitioner should never have a

sexual relationship with a client or former client. Some Advisory Committee members expressed support for changing the standard in KAR 102-2-7(z) from 24 months to never having sexual relationships with former clients. Advisory Committee members expressed support for updating language concerning technology standards, based on changes in technology over time. The Advisory Committee noted it will receive any additional comments on possible changes to the unprofessional conduct regulations through the end of the year, then those proposed changes will be submitted to the Board for consideration.

- B. Continuing Education Requirements in the Area of Diversity, Equity, and Inclusion.** Andrea Perdomo-Morales, Co-Chair of the Advisory Committee, noted the BSRB survey sent to social workers in December 2021 showed that social workers supported a continuing education requirement in the areas of Diversity, Equity, and Inclusion (DEI). The Advisory Committee discussed whether to recommend that the full Board continue to look at this topic and include it as a discussion item on the Board's agenda. Advisory Committee members expressed support for education in this area and how to avoid confusion on this topic. Advisory Committee members discussed the proposal from the Licensed Psychology profession to include continuing education requirements in DEI that was removed by the Legislature from the BSRB bill introduced to the 2022 Legislature and the difficulty in regulating DEI requirements. Lee Ann Gingery moved for this topic to be taken to the Board and for the Advisory Committee to continue to discuss this topic as well. Carolyn Szafran seconded. The motion passed.
- C. Proactive Approaches to Public Protection.** The Executive Director noted the BSRB stopped licensing new applicants at the Associate Social Work level many years ago, but he continued to allow individuals with that level of license to renew their licenses. The Advisory Committee previously discussed potentially reopening that level of license, so the Executive Director provided information on similar associate-level licenses in other states and jurisdictions as well as recent bills from other jurisdictions that were exploring new levels of licensure. There is a recommendation that this topic be further discussed at future meetings. The Advisory Committee noted it would like to discuss this topic in more detail at a future meeting.
- D. Discussion on Workforce Issues.** Advisory Committee members did not reference any new items on this topic.
- E. Discussion on Clinical Supervision.** The Executive Director noted the BSRB survey to social workers asked several questions on the topic of supervision, the Board has recently discussed whether there are adequate trainings for supervisors, and the Advisory Committee would be discussing the topic of whether to require Board-approved supervisors. Advisory Committee members discussed the benefit of having Board-approved supervisors, the benefit of training of supervisors, and the history of this topic in Kansas. It was noted two other professions currently require Board-approved supervisors, the marriage and family therapy profession and the professional counseling profession. Lee Ann Gingery moved to take this topic to the

Board and to continue to discuss this topic as an Advisory Committee. Jane Holzrichter seconded. The motion passed.

## **VI. New Business**

- A. Implementation of SB 453 - Regulatory Language Considerations for LSCSW Applicants with no Clinical Practicum.** The Executive Director summarized an amendment made to 2021 HB 2208 which removed language that previously allowed the BSRB to consider applicants for the clinical-level social work license even if those applicants had not obtained a clinical practicum. The method previously used to evaluate those applicants was included in K.A.R. 102-2-12. Following that language being struck from statute in 2021, the BSRB submitted a change to delete the language in corresponding to that authority in regulation. In 2022 SB 453, the Legislature added back the ability for the BSRB to evaluate those applicants, but now that the statute has been enacted, the BSRB will need to submit new regulation language clarifying how to evaluate these applicants. This topic will be discussed by the Advisory Committee members at the next meeting
- B. Temporary Licenses for Graduates of Programs in Candidacy for CSWE Accreditation.** The Executive Director noted the BSRB reviews education for all applicants according to the statutes and regulations. Some applicants received their education from a program accredited by a recognized national accrediting body and others attended a non-accredited program. Applicants from non-accredited programs must meet a separate set of standards in regulations. Currently, the standards for non-accredited programs state that half of an applicant's education must be completed "in residence," which is defined as physically at the school. The accreditation process can take three and half years to complete, so it is possible that students may graduate from a school deemed to be "in candidacy" for accreditation, but those students would receive their education prior to their school becoming accredited. New online schools would be unable to meet the "in residence" standard, so those graduates would not meet the BSRB requirements for licensure, until their programs became accredited. The Executive Director noted that the state of Minnesota provides a temporary license to applicants who graduate from programs that are in candidacy for accreditation, then once those schools become accredited, the students can convert to a permanent license. The Executive Director noted he provided materials on this potential change to the Board, but also wanted to receive comments from the Advisory Committee on this potential change as well. Advisory Committee members expressed support for offering a temporary license for these applicants.
- C. "In Residence" Requirement for Licensure.** The Executive Director noted that most Advisory Committees are considering removing the physical presence requirement from the "in residence" definition for educational requirements, which is included in KAR 102-2-6 for the social work profession. The current "in residence" definition states that the student is at the physical location of the school with the student and one or more core faculty members are in face-to-face contact. The Executive Director noted the physical presence requirement is not consistent with the national accrediting body's standards and when he has spoken to other states, he has found no other state with a similar requirement. Consideration of changes to this regulation will be considered at the next meeting.

- D. Social Work Compact.** The Executive Director noted a multi-state compact for the social work profession is close to being released in draft form by representatives from the Department of Defense and other parties. It is expected the language will be viewable sometime in July. The Executive Director will provide the draft language to the members of the Advisory Committee when it is available for review.
- VII. Special Recognition for Carolyn Szafran.** Members of the Advisory Committee and staff of the BSRB thanked Carolyn Szafran for her service to the Board and the Advisory Committee.
- VIII. Information on New Social Work Board Member.** The Executive Director announced that the Governor has appointed Cynthia Schendel to serve as the new Board member for social work, beginning on July 1, 2022.
- IX. Next Meeting.** The next meeting of the Advisory Committee will be on Tuesday, August 16, 2022.
- VIII. Adjournment.** Carolyn Szafran moved to adjourn the meeting. Lee Ann Gingery seconded. The motion passed.

**102-2-4a. Continuing education for licensees.**

(a) During each two-year renewal period, each licensee shall complete 40 units of documented and board-approved continuing education oriented to the enhancement of a social worker's practice, values, ethics, skills, or knowledge during each two-year renewal period. Continuing education units accumulated in excess of the 40-unit requirement shall not be carried over to the next renewal period.

(b) As part of the 40 continuing education units required for each renewal cycle, each applicant for renewal or reinstatement of a license shall complete a program on professional ethics consisting of not less than a total of three units. Each ethics program shall meet the following requirements:

- (1) Fall within one of the types of continuing education experiences listed in subsection (e), except for those identified in paragraphs (e)(5), (6), (7), (8), (12), and (13);
- (2) focus on ethical issues of the behavioral sciences; and
- (3) be clearly related to the enhancement of social work practice, values, skills, and knowledge.

(c) Beginning January 1, 2002, as part of the 40 continuing education units required for each renewal cycle, each applicant for renewal or reinstatement of a license as a master social worker or a specialist clinical social worker shall complete not less than a total of six units of continuing education related to the diagnosis and treatment of mental disorders. The continuing education units shall meet the following requirements:

- (1) Fall within one of the types of continuing education experiences listed in subsection (e), except for those identified in paragraphs (e)(5), (6), (7), (8), (12), and (13); and
- (2) relate to the diagnosis and treatment of mental disorders consistent with the principles and values of the social work profession.

(d) One unit shall consist of a minimum of 50 minutes of classroom instruction between instructor and participant or a minimum of an actual hour of other types of acceptable continuing education experiences listed in subsection (e).

(e) Acceptable continuing education, as defined in K.A.R. 102-2-1a and whether taken within the state or outside the state, shall include the following types of experiences:

(1) An academic social work course or an academic course oriented to the enhancement of social work for academic credit. Each licensee shall be granted 15 continuing education hours for each academic credit hour that the licensee successfully completes. The maximum number of allowable continuing education hours shall be 40;

(2) an academic social work course, or an academic course oriented to the enhancement of a social worker's practice, values, ethics, skills, or knowledge, that is audited. Continuing education credit shall be computed on the basis of the actual contact time that the licensee spends attending the course, up to a maximum of 15 hours for each academic credit hour. The maximum number of allowable continuing education hours shall be 40;

(3) a program, seminar, institute, workshop, or minicourse. The maximum number of allowable continuing education hours shall be 40;

(4) if a posttest is provided, an activity consisting of completing a computerized interactive learning module, viewing a telecast or videotape, listening to an audiotape, or reading. The maximum number of allowable continuing education hours shall be 40;

(5) if a posttest is not provided, an activity consisting of completing a computerized interactive learning module, viewing a telecast or videotape, listening to an audiotape, or reading. The maximum number of allowable continuing education hours shall be 10;



(6) a cross-disciplinary offering in medicine, law, the behavioral sciences, a foreign or sign language, a computer science, professional or technical writing, business administration, management sciences, or other disciplines if the offering is clearly related to the enhancement of social work practice, values, ethics, skills, or knowledge. The maximum number of allowable continuing education hours shall be 10;

(7) a self-directed learning project approved by the board. The maximum number of allowable continuing education hours shall be 10;

(8) supervision of undergraduate and graduate practicum students or specialty applicants. Continuing education credit for this supervision shall not exceed four continuing education hours per semester. The maximum number of allowable continuing education hours shall be 16;

(9) a program presented by an approved program provider. The maximum number of allowable continuing education hours shall be 40;

(10) a single program approved by the board. The maximum number of allowable continuing education hours shall be 40;

(11) the first-time preparation and presentation of a social work course, seminar, institute, or workshop, or the substantial revision and presentation of a social work course, seminar, institute, or workshop. Ten hours may be given for each initial preparation and presentation and for each substantial revision. The maximum number of allowable continuing education hours shall be 20;

(12) the preparation of a professional social work article published for the first time in a recognized professional journal, a book chapter published by a recognized publisher, or a written presentation given for the first time at a statewide or national professional meeting. If more than one licensee or other professional authored the material, the continuing education credit shall be prorated among the authors. The maximum number of allowable continuing education hours shall be 10;

(13) participation in a professional organization or appointment to the board of directors of a professional organization, if the goals of the organization or board are clearly related to the enhancement of social work practice, skills, values, and knowledge. The maximum number of allowable continuing education hours shall be 12 and shall not exceed six continuing education hours per year.

(f) Approval shall not be granted for any of the following:

(1) Identical programs if the programs are completed within the same license renewal period;

(2) first aid, CPR, infection control, or occupational health and safety courses;

(3) in-service training if the training is for job orientation or on-the-job training, or is specific to the employing agency; or

(4) any activity for which the licensee cannot demonstrate that the program's goals and objectives reasonably appear to enhance the licensee's social work practice, knowledge, values, skills, or ethics.

(g) Each licensee shall maintain individual continuing education records. Continuing education records shall document the licensee's attendance as required by K.A.R. 102-2-5. In addition to the specific submission requirements set forth in K.A.R. 102-2-11, any licensee may be required to submit these records to the board before the license renewal. (Authorized by K.S.A. 74-7507; implementing K.S.A. 65-6313 and 74-7507; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1986; amended Feb. 25, 1991; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 11, 2003.)

**65-6322. Licensure of social worker licensed in another jurisdiction.** (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice social work in another jurisdiction, if the board determines that:

(1) The standards for registration, certification or licensure to practice social work at the baccalaureate level in another jurisdiction are substantially the equivalent of the requirements in the social workers licensure act and rules and regulations of the board for licensure as a baccalaureate social worker; or

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

(A) Registration, certification or licensure to practice social work at the baccalaureate 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) completion of a baccalaureate degree in social work from a regionally accredited university.

(b) The board may issue a license to an individual who is currently registered, certified or licensed to practice social work in another jurisdiction, if the board determines that:

(1) The standards for registration, certification or licensure to practice social work at the master's level in another jurisdiction are substantially the equivalent of the requirements in the social workers licensure act and rules and regulations of the board for licensure as a master social worker; or

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

(A) Registration, certification or licensure to practice social work at the master 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) completion of a master's degree in social work from a regionally accredited university.

(c) Applicants for licensure as a specialist clinical social worker shall demonstrate:

(1) That the applicant meets the requirements of subsection (b);

(2) that the applicant is currently licensed to practice social work at the clinical level in another state; and

(3) competence to diagnose and treat mental disorders by meeting at least two of the following areas acceptable to the board:

(A) Passing a national clinical examination approved by the board;

(B) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery, stating that the applicant is competent to diagnose and treat mental disorders.

(d) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. [65-6411](#), and amendments thereto, if required by the board.

**History:** L. 2019, ch. 55, § 1; May 9.

### **102-2-6. Program approval.**

(a) Definitions. The following terms shall be defined as follows:

(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 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) To be recognized and approved by the board, an undergraduate or graduate social work program shall be accredited by the council on social work education or shall be in substantial compliance with all of the following standards:

(1) The program shall have a curriculum plan that has been or will be fully implemented during the current academic year.

(2) The program shall have graduated a class of students or shall graduate a class of students during the current academic year.

(3) The social work program shall meet the following conditions:

(A) Have autonomy with respect to an identified budget and an established governance and administrative structure;

(B) have responsibility for participation in personnel recruitment, retention, promotion, and tenure decisions;

(C) have support staff assigned to the program; and

(D) have other necessary resources and authority required for the achievement of specified program objectives.

(4) The program shall have a field education program that is clearly incorporated as an integral component of the curriculum and the social work degree requirements. The field education program shall engage the student in supervised social work practice and experiential opportunities that apply classroom learning in the field setting.

(5) The program shall have a clear plan for the organization, implementation, and evaluation of the class and field curricula.

(6) The program shall have social work faculty advisors who are sufficiently knowledgeable about the social work program and who are available to advise social work students.

(7) The program's written policies shall make explicit the criteria for evaluation of student academic and field performance.

(8) The program's written policies shall include procedures for the termination of student participation in the professional social work degree program, and each student

shall be informed of these termination procedures.

(9) The social work program shall be contained within a college or university that is regionally accredited.

(10) No less than 50% of the required program coursework shall be completed “in residence” at one institution, and the field education program shall be completed at the same institution.

(c) In addition to the standards in subsection (b) of this regulation, each undergraduate social work program that is not accredited by the council on social work education shall meet all of the following standards:

(1) The program shall specify in the university or college course catalog that its primary educational objective is preparation for beginning professional social work practice.

(2) The program coursework shall be identified and described in the course catalog of the university or college.

(3) The program shall have a designated director whose educational credentials include either a baccalaureate or a graduate degree in social work and who holds a full-time appointment in the educational institution.

(4) Each program faculty member who teaches the content on social work practice and each program faculty member who coordinates the field education program shall fulfill these requirements:

(A) Hold a graduate degree in social work; and

(B) have had two or more years of professional social work practice experience.

(5) The core faculty shall be responsible for essential program functions, including the following duties:

(A) Regular design, modification, approval, implementation, and evaluation of the program curriculum and educational policies;

(B) systematic and continual evaluation of program results in view of the specified objectives of the program;

(C) teaching of social work practice courses and other social work courses;

(D) coordination of field education program experiences and provision of instruction for the field education program; and

(E) establishment and maintenance of program integrity and attainment of program visibility.

(6) The program director shall have primary responsibility for the coordination and educational leadership of the program and shall be provided with the time and financial resources needed to fulfill those responsibilities.

(7) The program shall have a minimum of two full-time, core faculty members whose primary assignment is to the program.

(8) The field education program provided as part of the program shall consist of a minimum of 400 clock hours successfully completed in the field setting. Except as provided by paragraph (b)(3)(ii) of K.A.R. 102-2-2a, each student participating in the field education program shall be directly supervised by an individual either licensed or academically eligible for licensure in social work in the jurisdiction in which the supervised field education program is completed.

(d) In addition to the standards of subsection (b) of this regulation, each graduate social work education program that is not accredited by the council on social work education shall meet all of the following standards:

(1) The program shall be an integral part of an educational institution that is institutionally accredited to award the master's or doctoral degree in social work.

(2) The program shall specify in the university or college course catalog that it prepares graduate students for advanced social work practice.

(3) The educational level for which accreditation has been received shall be specified in any program documents referring to accreditation.

(4) The program shall have a full-time dean or director as its chief executive officer.

(5) The graduate program shall offer, as its basic program design, two full-time academic years of professional education that leads to a graduate degree in social work. A minimum of one academic year of the program shall be in full-time status, as defined by the educational institution.

(6) Each program faculty member who teaches the content on social work practice and each program faculty member who coordinates the field education program shall fulfill these requirements:

(A) Hold a master's degree in social work;

(B) have had post-master's professional social work practice experience; and

(C) be qualified for licensure to practice social work in the state of Kansas.

(7) The program faculty shall have responsibility for curriculum design, modification, approval, and implementation and for systematic, continual evaluation of the program.

(8) The faculty shall be responsible for educational policy in matters of admission, advising, retention, and graduation of students.

(9) The faculty shall be responsible for continual and systematic guidance of students through the professional educational program.

(e) Upon request of the board, each school shall present documentation to the board that it has satisfactorily met the standards of subsection (b) and the standards of either subsection (c) or (d), as applicable.

(Authorized by K.S.A. 2005 Supp. 74-7507; K.S.A. 65-6306; implementing K.S.A. 65-6306; effective May 1, 1982; amended May 1, 1987; amended Oct. 24, 1997; amended Oct. 27, 2006.)