

LMLP/LCP Advisory Committee Mtg

AGENDA

June 17, 2021

- I. Intro by Chair
- II. Roll Call
- III. Announcement from BSRB Executive Director David Fye
- IV. Additions to the Agenda
- V. Approval of the Agenda
- VI. Review of the Minutes from Advisory Committee Meeting on April 8, 2021
- VII. Approval of the Minutes from Previous Meeting
- VIII. Executive Director's report – David Fye
- IX. Old Business –
  - a. Adding a Member to the Advisory Committee
  - b. Records of Deceased Providers
  - c. BSRB Bill (HB 2208)
- X. New Business –
  - a. CEU Requirements for Diversity, Inclusion and Equity
  - b. 988 National Suicide Prevention Line
  - c. Future Meetings in Person, ZOOM, Hybrid
  - d. KAMP Panel on April 15, 2021
  - e. "In Residence" Requirements
  - f. Update on Board's Decision on Post Graduate Supervision and Definitions
- XI. Additional Agenda Items
- XII. Adjournment - Next Meeting

**Behavioral Sciences Regulatory Board  
Masters Level Psychology Advisory Committee  
April 8, 2021 Minutes**

**Call to Order.** The meeting was called to order by chair David Anderson at 2:00 p.m.

**Master's Level Psychology Advisory Committee Members.** Those who participated by Zoom or by phone were David Anderson, Joshua Tanguay, Thomas Pletcher, Iris Pauly, Shelley Duncan, and Susan Montague.

**BSRB Staff.** Those who participated by Zoom included David Fye, Leslie Allen, and Ashley VanBuskirk.

**Guests.** None

**Additions to the Agenda.** The Chair of the Advisory Committee, David Anderson, added discussion of the disposition of client records for deceased practitioners to the new business section of the agenda.

**Approval of the Agenda.** Joshua Tanguay moved to approve the agenda with the addition mentioned above. Thomas Pletcher seconded. The motion passed.

**Review and Approval of Minutes.** Thomas Pletcher moved to approve the minutes from the February 18, 2021 meeting as written. Shelley Duncan seconded. The motion passed.

**Executive Director's Report**

- The Executive Director for the BSRB, David Fye, informed the committee that the Legislature has extended the State of Emergency related to the pandemic and an Executive Order was issued by the Governor to delay the expiration of professional licenses until May 28, 2021.
- An update was provided on the bills requested by the BSRB (HB 2208 and SB 238). Both bills have passed both chambers with different language and both bills are in conference committee. It is anticipated that a Conference Committee Report (CCR) will be finalized and then the CCR with the BSRB items is expected to be sent to each chamber to be considered by the Legislature. If the Legislature passes the CCR, it will be sent to the Governor for action.

**Old Business**

- a. **Interstate Compact for Occupational Licensure.** Susan Montague noted that there is no new information to report on this compact. In response to questions, the Executive Director and the Chair provided an overview and answered questions on Psypact, a compact for Licensed Psychology involving teletherapy and providing a limited number of days of in-state practice, as well as the bill before the Legislature which would bring Kansas into Psypact.
- b. **Advisory Committee Membership.** The Chair noted that he had reached out to Larry Salmans to see if he was interested in serving on the advisory committee, but he had not received a response (and the BSRB confirmed the office did not receive a response as well). The committee discussed adding members to the advisory committee and discussed the importance of geographic representation across the state. The committee members asked if information was available on racial diversity of licensees. The Executive Director indicated there is a question on ethnicity on the application forms, but it is an optional question, so the information would only be from applicants who chose to respond to the question. The committee discussed the possibility of asking the Board to send an email to licensees to gauge interest in serving on the advisory committee or sending a more targeted message to licensees from geographic regions with less representation on the committee. However, the Chair indicated that he previously received a list

of licensees who had expressed interest in serving on the advisory committee, from a period when members were added to the advisory committee in the past, so he would attempt to see if this list would be helpful for considering new members, prior to the committee considering other options for increasing membership.

### **New Business**

- a. **Follow-up from Advisory Committee Training.** The committee provided feedback on the Board Member training provided by Assistant Attorney General Janet Arndt.
- b. **KAMP Panel.** The Chair and the Executive Director have been invited to participate in a panel discussion on ethics and scope of practice for the Kansas Association of Masters in Psychology (KAMP) conference on April 15, 2021.
- c. **Update on Board's Decision on Post Graduate Supervision and Definitions.** The Assistant Director for the BSRB, Leslie Allen, clarified licensee's supervision and quantifying time periods for supervision, including changes proposed in the bills requested by the BSRB (HB 2208 and SB 238). The Assistant Director noted that the definition will be changed in regulations, including a new definition of extenuating circumstances, as related to the need for telephonic supervision.
- d. **Discussion on Disposition of Client Records for Deceased Practitioners.** The Chair noted the Board asked advisory committees to discuss and bring back recommendations on the topic of disposition of client records for deceased practitioners. The Executive Director noted that this issue primarily related to solo practitioners and two main issues on this topic include the questions of who would assume custodianship of records and who would provide access to the public for clients wishing to retrieve these records, if a practitioner passed away and there was no logical custodian of the records. Members of the advisory committee discussed some of the practical differences for policies covering paper records and electronic records and the value of providing guidance to the public on this topic. The advisory committee noted its intention to discuss this topic again at the next advisory committee meeting. Any comments on this topic prior to the meeting could be sent to the Executive Director of the BSRB.

**Adjournment.** The next meeting was scheduled for June 17, 2021 at 2:00 pm. Thomas Pletcher moved to adjourn. Shelley Duncan seconded. The motion carried.

**From:** BSRB <[BSRB@ks.gov](mailto:BSRB@ks.gov)>

**Sent:** Tuesday, April 13, 2021 1:27 PM

**Subject:** BSRB changes regarding online education

Dear Kansas Educators.

The Behavioral Sciences Regulatory Board (BSRB) is reviewing some of the educational requirements for licensure by BSRB. The Board has received requests from individuals asking that residential requirements relating to education be reduced for licensure. The Board has requested input from Kansas Educators regarding online education and how potential changes to residential requirements might impact the programs of Kansas Universities.

Currently, there is a requirement for at least some coursework be taken “in residence” for most professions licensed by the board. The language below is from the education regulation for marriage and family therapy. The other professions have similar language. However, the amount of coursework required “in residence” varies by professions.

(a) Definitions. For purposes of this regulation, 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.

The Board is meeting [on Monday, May 10, 2021 at 10:00 a.m.](#) If you would like to provide public comment for the Board to consider when weighing potential changes to these regulations or concerning online education, please contact David Fye, Executive Director for the BSRB, by sending an e-mail to [David.Fye@ks.gov](mailto:David.Fye@ks.gov), by the end of the day [on Friday, April 30](#). While it is not required that you provide written comments, it does benefit the Board members to have information ahead of the meeting, allowing them more time to review what has been submitted.

Please let me know if you have any questions.

Sincerely,  
David Fye  
Executive Director

**From:** John Wade  
**Sent:** Tuesday, April 27, 2021 2:41 PM  
**To:** [David.Fye@ks.gov](mailto:David.Fye@ks.gov)  
**Subject:** FW: Proposed Changes to Residency Requirement

David,

I am writing to express my concerns regarding the proposed changes to the residency requirement for psychology licensure in Kansas. I can think of no benefits to this proposed change except for convenience in some instances, and several causes for concern.

Psychological treatment and assessment are grounded in the establishment of a therapeutic relationship. Although it is possible in times of emergency like COVID to provide clinical training virtually, it should be a means of last resort in the field of clinical psychology. I think that the experience of the past year has made us all, both educators and students, aware of the profound losses that occur when education is provided remotely, e.g., just think of the challenges of teaching the WAIS through Zoom.

I was somewhat surprised that changing the residency requirement is being considered, given that Kansas usually prides itself on having high standards, e.g., some of the highest CEU requirements in the nation. Although it is hard to predict with certainty the impact on psychology graduate programs in the state, it seems reasonable to be worried. The recent COVID experience at universities would seem to be a good predictor. In courses where students were simply given the option to attend in person or attend virtually, the majority chose to attend virtually because it was easier, but those students were much less satisfied with their experience and education. Students who have been required to attend classes in person (except if they have a COVID concern) express much greater satisfaction with their education. At the graduate level, when training future psychologists, it is even more imperative that future psychologists receive the best training that they can. I also worry at the institutional level that this change would threaten clinical psychology programs in Kansas that want to remain primarily face-to-face, seeing the benefit of in-person education for a profession grounded in human relationships.

Thank you for your consideration.

Sincerely,

John Wade  
Professor  
Director Clinical Psychology Program  
Psychology Department  
Emporia State University

4/15/2021

Dear Dr. Fye,

I received the message that the BSRB is meeting to discuss the requirement that mental health professionals have to graduate from programs that require in-person attendance. I am strongly against such a change.

I want to have my thoughts on record here. I believe that in-person courses are necessary to prepare students to engage in a profession that requires communication skills and the ability to work with vulnerable populations. I also feel that the interaction with other students helps build the necessary skills to utilize data, observe appropriately, problem solve and practice emerging abilities.

I feel that taking away this requirement falls into the category of academic programs working hard to race to the bottom. Without professors, without engagement with professors and other students, the purpose of higher education gets eroded. It is a step towards programs like Academic Partnerships starting to take hold, programs in which the teaching is done by less educated people using uniform lesson planning that reduces the integrity and creativity of academia.

Please do not endorse this change.

Tracy Wechselblatt, Ph.D.

*Tracy Wechselblatt, Ph.D.*

Clinical Psychologist  
Instructor, Psychology Department  
Emporia State University



# FORT HAYS STATE UNIVERSITY

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PSYCHOLOGY

April 27, 2021

Re: Educational Requirements for Licensure

Dear Mr. Fye and members of the BSRB,

We are writing this letter to provide input on the current educational requirements for the Licensed Masters Level Psychologist (LMLP) and the Licensed Clinical Psychotherapist (LCP) regarding residential requirements and core faculty. We are in support of lowering the in-residence requirements for coursework for clinical psychology graduate programs. Additionally, we recommend the allowance of adjunct faculty to teach in these programs as they are often experienced psychologists who have much to offer students.

The Psychology Department at Fort Hays State University has a strong history of providing excellent online education. It is our belief that if the in-residency requirements are lowered for the LMLP/LCP licensure, we will be able to sufficiently train masters level psychologists through online education and professional experiences. The existing FHSU online School Psychology program possesses a very high level of interaction with each individual student in dynamic virtual classrooms. This program has a long history of success, being recognized as among the top online programs for psychology with 100% of graduates finding employment within their first year. Given this outstanding model and the established practices that have informed our current online clinical program planning, we are confident that the LMLP/LCP online program can parallel this history of success.

In the most recent Kansas Governor's subcommittee report on Rural/Frontier Mental Health, the report advocates for flexibility regarding how to best serve rural/frontier areas of Kansas. The report details the shortage of behavioral health providers as well as the unique cultural and psychological needs of rural/frontier areas. In this vein, the FHSU Psychology Department aims to educate primarily Kansans in an online environment in order to potentially train practitioners to serve these rural/frontier areas. Reducing the residency requirements for licensure will permit the aforementioned flexibility required to educate potential rural/frontier providers and consequently serve the state in a greater capacity.

In addition, FHSU currently has several excellent Clinical Psychologists (LCP and LPs) serving as adjunct faculty in our undergraduate psychology program. Our department maintains a close working relationship with our adjunct faculty offering course development and consistent support throughout the year. Additionally, we



often consult with these qualified professionals in making programming decisions regarding graduate clinical coursework. We believe that if the definition of core faculty member is expanded incorporate adjunct faculty, these professionals would be able to add to the education, training, and experience of our graduate students in a profound and meaningful way.

We support the educational requirement updates of lowering the in-residence requirements and expanding the definition of core faculty. Please feel free to reach out if we can provide any additional information. Thank you for the opportunity to provide feedback.


Sincerely,



Brooke Mann, M.S.  
Director – Clinical Psychology Program



Leo Herrman, PhD  
Director - Psychology Screening Clinic



Josh Tanguay, LCP, MS  
Instructor – Psychology Department



Ken Windholz, LCP, MS, LMLP  
Instructor – Psychology Department



Dharma Jairam, Ph.D.  
Department Chair – Psychology

**Clinical Psychology Team**  
Department of Psychology  
Fort Hays State University



04/23/2021

Re: Residential requirements for licensure

Dear Mr. Fye, and members of the Board,

I am writing to provide input concerning the potential for residential requirements as a component of the educational requirements necessary to obtain licensure through the Kansas Behavioral Sciences Regulatory Board. It is my understanding that the current regulations for social work licensure in Kansas do not stipulate any residency requirements to be eligible for licensure.

As you might be aware, Fort Hays State University offers a Bachelors of Social Work (BSW) program on our campus in Hays, at four outreach sites (Garden City, Dodge City, Liberal, and Colby) in western Kansas, and online. All of our BSW program options are fully accredited by the Council on Social Work Education (CSWE). While our campus and outreach BSW programs meet face to face in a traditional setting, we do not require any form of residency for our online BSW program. We have designed the program to include many interactive (both synchronous and asynchronous) opportunities to take the place of traditional classroom instruction. These modalities have been deemed equivalent to our campus program by CSWE.

In 2020, we also began offering an online MSW program with a clinical specialization, which has been granted candidacy status by CSWE, and is on track to be fully accredited in 2023. Similar to our online BSW program, our MSW Program incorporates multiple forms of online content delivery and interaction. Additionally, the MSW program requires a week-long "clinical intensive" residency on campus, in which students further refine their skills and undergo comprehensive exams. While we have no plans to discontinue the MSW residency requirement, we would be very concerned by any attempt to delineate a residency requirement for licensure at any level (LBSW, LMSW, LSCSW). Online education and training have gained wide acceptance across multiple disciplines, and many empirical investigations have found online education to be comparable or even more effective than traditional classroom learning. Further, our program serves students in rural and frontier locations across Kansas, and has been successful in recruiting, training and supporting social workers in underserved areas. We contend that the ability to offer online education is essential to continue serving Kansans living in these geographical areas.

I welcome the opportunity to provide additional testimony as desired. Thank you for the opportunity to provide input and for your partnership in serving the needs of Kansans.

Tim Davis, Ph.D., LSCSW  
Professor and Chair

**From:** Kristen Kremer <kpkremer@ksu.edu>

**Sent:** Friday, April 30, 2021 2:21 PM

**To:** Fye, David [BSRB] <David.Fye@ks.gov>

**Subject:** Re: Follow Up on BSRB Request for Feedback on Possible Changes to Residence Requirements - Please Provide Feedback by Friday, April 30

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello Mr. Fye,

On behalf of the social work program at Kansas State University, I would like to provide our support for reducing the in-residence requirement to obtain licensure in the state of Kansas. I believe this would be beneficial for a variety of parties throughout Kansas. For students, this would allow greater flexibility in completing coursework. This would benefit non-traditional students who may need to work full-time and would be unable to complete coursework on-campus during the day. Students in rural areas who may not live within driving distance of a social work program would also benefit from accessing remote learning opportunities. In turn, this would benefit the entire state of Kansas which is lacking in licensed social workers primarily in rural areas.

Please let me know if any additional information is required.

Best regards,  
Kristen

**From:** Kirk, Sarah Beth <skirk@ku.edu>

**Sent:** Tuesday, April 27, 2021 4:40 PM

**To:** Fye, David [BSRB] <David.Fye@ks.gov>

**Subject:** RE: Follow Up on BSRB Request for Feedback on Possible Changes to Residence Requirements - Please Provide Feedback by Friday, April 30

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello David,

We have to adhere to APA accreditation standards and so there are residency standards associated with those standards as well as making sure supervision and practicum experiences occur in-person (non-COVID times). I think some of those requirements may shift (allowing a bit more online courses, tele-health) but that is to be determined. So I think we would support whatever the American Psychological Association accreditation standards state (there are residency requirements for a certain proportion of time spent in the program).

Ric Steele also is very familiar with APA standards and could likely reiterate my thoughts on this.

Best,

Sarah

Sarah Kirk, PhD, ABPP

Her/She

Director of KU Psychological Clinic

Assistant Director of Clinical Psychology Program

340 Fraser Hall

1415 Jayhawk Blvd, Lawrence, KS 66045

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**From:** Todd Frye <tmfrye@mnu.edu>  
**Sent:** Tuesday, April 27, 2021 3:37 PM  
**To:** Fye, David [BSRB] <David.Fye@ks.gov>  
**Subject:** Re: [EXTERNAL] Follow Up on BSRB Request for Feedback on Possible Changes to Residence Requirements - Please Provide Feedback by Friday, April 30

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi David-

Thank you for the opportunity to share my thoughts. I hope it's okay to just put them in this e-mail.

The question of allowing more on-line learning as part of academic preparation in counseling is an important one. We are now at a new point in time in which social media and technology has pushed us to consider new ways of delivering counseling, supervision, and education. Fortunately, the technology is better now than it's ever been, resulting in more options for increased rigor on-line that is similar to that of face to face residential experiences.

As a result of the emerging opportunities that technology provides the educational community has really developed solid forms of on-line androgogy that are proving to be effective in helping students meet course objectives. Examples of these are discussion boards, lecture recordings, and other student projects, ect.

I for one have always been hesitant to put a counseling program on-line because so much of what we do is embodied. However, not only is the industry changing but as a result of COVID our future will include more technology driven services. Therefore, I am in favor of allowing partially or fully on-line counseling degree programs to be considered as meeting minimal standards for licensure in Kansas. Is something lost, yes but is it enough to put the public at risk, no.

I hope my few thoughts help in your decision making. Please feel free to reach out to me with any questions.

Peace,



Todd Frye, PhD, LCPC, LCMFT, NCC  
Chair, Counselor Education Department  
office: 913-971-3731



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**From:** Janet Smith <jsmith@pittstate.edu>  
**Sent:** Tuesday, April 13, 2021 2:47 PM  
**To:** Fye, David [BSRB] <David.Fye@ks.gov>  
**Subject:** Online Education

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Thanks for the opportunity to provide comment. I have served as the program director for clinical psych at Pittsburg State University for many years. I fully support the idea to allow more online coursework. While I believe some courses need to be in person, with advances in online pedagogy and technology, many courses can now be effectively delivered online. This also would be a huge asset for rural institutions as it would open up the pool of qualified instructors as there are usually very few local options for a course to be taught by an adjunct when core faculty are not able to cover all courses.

Thanks for all you do for us.  
Jan Smith

Janet Smith, Ph.D.  
Special Assistant to the Provost for HLC Accreditation  
Pittsburg State University  
1701 South Broadway  
Pittsburg, KS 66762  
(620) 235-4537

**From:** Cindy Turk <cindy.turk@washburn.edu>  
**Sent:** Tuesday, April 13, 2021 2:33 PM  
**To:** Fye, David [BSRB] <David.Fye@ks.gov>  
**Subject:** BSRB changes regarding online education

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

I am writing in response to the email that I received offering the opportunity to provide input on potential BSRB changes regarding online education. I am a licensed psychologist and teach at Washburn University where our MA program leads to the LMLP.

I believe that technology has advanced to the point that it makes sense to allow some coursework leading to the LMLP to be done totally online or in a hybrid format. However, even with the challenges we have faced with the pandemic, I think that it would be a mistake to allow all training to be 100% online. Some courses (e.g., assessment, therapy techniques, interviewing skills) are not easily translated into a virtual format, even over Zoom. I hope that the board is **not** moving in the direction of allowing students to get their degree entirely online. The quality of training, especially for those courses involving basic clinical skills, will suffer. Additionally, face-to-face interaction with faculty and more advanced students facilitates socializing new students to the ethics and professionalism expected of licensed providers.

Thank you for allowing this input.



Cynthia L. Turk, Ph.D.  
Past President, Southwestern Psychological Association  
Professor & Chair, Department of Psychology  
Washburn University  
1700 SW College Ave  
Topeka, KS  
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Department of Family and Human Services

April 26, 2021

To the Members of the Kansas Behavioral Sciences Regulatory Board,

As the Department Chair and Program Coordinators of the Family and Human Services Addiction Counseling programs at Washburn University, we believe **it is appropriate to reduce residential requirements** relating to education, for several reasons:

- Technological advances have developed to the point that it is now possible to provide very high-quality online education and assessment of student skills.
- Reducing the residential requirement allows residents of remote and rural areas to seek further education, which in turn allows them to pursue licensure and meet the serious mental health needs of these underserved communities.
- With the increasing use of online "telehealth" services, it is appropriate to allow universities to meet educational and assessment requirements through similar online platforms.

Thank you for your consideration.

A handwritten signature in black ink that reads "Jessica Cless".

Jessica Cless, PhD LMFT  
Master of Arts Coordinator, Addiction Counseling  
Assistant Professor, Family and Human Services  
Washburn University

A handwritten signature in black ink that reads "Stacy Conner".

Stacy Conner, Ph.D., LMFT, LMAC  
Bachelor of Applied Science Coordinator  
Assistant Professor, Family and Human Services  
Washburn University

A handwritten signature in black ink that reads "Kayla Waters".

Kayla Waters, Ph.D., LP, LCAC  
Department Chair, Family and Human Services  
Washburn University