

102-1-20. Unprofessional conduct regarding recordkeeping.

(a) Failure of a psychologist to comply with the recordkeeping requirements established in this regulation shall constitute unprofessional conduct.

(b) Content of psychological records. Each licensed psychologist shall maintain a record for each client or patient that accurately reflects the licensee's contact with the client or patient and the results of the psychological service provided. Each licensee shall have ultimate responsibility for the content of the licensee's records and the records of those persons under the licensee's supervision. The record may be maintained in a variety of media, if reasonable steps are taken to maintain confidentiality, accessibility, and durability. Each record shall be completed in a timely manner and shall include the following information for each client or patient who is a recipient of clinical

psychological services:

- (1) Adequate identifying data;
- (2) the date or dates of services the licensee or the licensee's supervisee provided;
- (3) the type or types of services the licensee or the licensee's supervisee provided;
- (4) initial assessment, conclusions, and recommendations;
- (5) a plan for service delivery or case disposition;
- (6) clinical notes of each session; and
- (7) sufficient detail to permit planning for continuity that would enable another psychologist to take over the delivery of services.

(c) Retention of records. If a licensee is the owner or custodian of client or patient records, the licensee shall retain a complete record for the following time periods, unless otherwise provided by law:

- (1) At least five years after the date of termination of one or more contacts with an adult; and
- (2) for a client or patient who is a minor on the date of termination of the contact or contacts, at least until the later of the following two dates:
 - (A) Two years past the age of majority; or
 - (B) five years after the date of termination of the contact or contacts with the minor.

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