

**BEHAVIORAL SCIENCES REGULATORY BOARD
LICENSED ADDICTION COUNSELOR ADVISORY COMMITTEE
FRIDAY, SEPTEMBER 16, 2022**

Approved Minutes

- I. Call to Order:** The meeting was called to order by Chair Deb Stidham at 11:00 a.m.

Advisory Committee Members in Attendance: Advisory Committee members who participated by Zoom were Deb Stidham, Jacqueline Lightcap, Christina Boyd, Jason Hess, Shane Hudson, Chad Jacobs, Mike James, Charity Kossin, and Dulcinea Rakestraw.

BSRB Staff in Attendance: David Fye, Leslie Allen, and Sami Barksdale were present by Zoom.

Visitors: Eric Thomason.

- II. Review and Approval for the Agenda:** Christina Boyd moved to approve the agenda with no changes. Michael James Seconded. The motion passed.
- III. Presentation-Possible New License Types by Eric Thomason, Director of Behavioral Health for Community Health Center of Southeast Kansas.** Eric Thomason proposed development of a new addiction counseling licensure type under the BSRB, to help combat workforce issues. Mr. Thomason noted that many applicants who are finishing school don't meet the requirements for licensure in Kansas and currently there is no entry level license for these individuals wishing to provide addiction counseling services. The requested change would include individuals holding either a bachelor's degree in psychology or social work and would allow them to obtain a new type of license while taking necessary courses for a current permanent addiction counseling license under the BSRB.
- IV. Review and Approval of Minutes from Meeting on June 24, 2022.** Dulcinea Rakestraw moved to approve the minutes from the Advisory Committee meeting on June 24, 2022. Dulcinea Rakestraw seconded the motion. The motion passed.
- V. Executive Director Report:** David Fye, Executive Director for the Behavioral Sciences Regulatory (BSRB), reported on the following items:
- A. Agency Updates.** The BSRB is still under the Governor's direction to avoid in-person meetings in state buildings. 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 BSRB submits a budget by September 15 each year, which is reviewed by the Governor's Office through the Division of the Budget, then the Governor makes recommendations. There were some increases in cost of some contracted services.

The BSRB was required to submit a three-year IT plan. Two long-term goals are moving applications online and digitizing paper records.

- B. Board Meeting on September 12, 2022.** A representative from CE Broker presented information on ways their company assists licensing boards in auditing of continuing education requirements. A representative from Heart of America Professional Network presented information on ways they provide impaired provider programs to licensing boards, to assist licensees needing assistance with substance abuse and mental health care or as an alternative to discipline. The Board reviewed and made changes to the investigation policy. Additionally, the Board discussed the national rollout of the 988 National Suicide Prevention Lifeline and whether a new regulation should be added concerning after-hours care for clients in crisis. The Board will hold an all-day planning meeting on October 24, 2022, in Olathe, KS.
- C. Other Meetings and Events.** The Executive Director will be providing testimony on recommendations from the 2020 and 2021 Legislative Special Committee on Mental Health Modernization and Reform at the Robert G. (Bob) Bethell Joint Committee to the Home and Community Based Services and KanCare Oversight on September 27, 2022. The Kansas Fights Addiction Grant Review Board met on July 14, 2022, and the next meeting will be September 28, 2022, at 1pm.

VI. Old Business

- A. Continued Discussion on Possible Continuing Education Requirements in Diversity, Equity, and Inclusion (DEI).** The Advisory Committee discussed whether to recommend a new continuing education requirement in DEI. Advisory Committee members discussed concern that there could be a lack of classes offered in this area and concern that some licensees would be able to fulfill the requirement so the continue education language should be broad concerning what topics will meet the requirement. Advisory Committee members expressed support for reducing the number of continuing education hours required in diagnosis and treatment from 6 hours to 3 hours and requiring 3 hours in DEI. For levels of licensing that do not require continuing education hours in diagnosis and treatment, there would be a new requirement of 3 hours in DEI.
- B. Continued Discussion on Possible Changes to Unprofessional Conduct Regulation K.A.R. 102-7-11 and K.A.R. 102-7-11a.** Advisory Committee members reviewed the unprofessional conduct regulations for potential changes. It was noted that the regulations for the addiction counseling profession do not include a requirement that licensees notify the Board upon conviction of certain crimes, which differs from the language of other professions. Dulcinea Rakestraw moved to add language that it would constitute unprofessional conduct to fail to report conviction of any crime Chad Jacobs Seconded. The motion passed.
- C. Continued Discussion on Possible Changes to K.A.R. 102-7-3 Education Requirements.** K.A.R. 102-7-3 includes a requirement that certain education must be

received “in residence,” with the student being physically present at the academic institution in “face-to-face” contact with core faculty members. The Executive Director noted similar professions in most other states don’t have this requirement and it poses a significant issue for applicants from online programs. Christina Boyd moved to remove the physical presence requirement from the “in residence” definition and for the “face-to-face” requirement to be met either in person or by synchronous videoconferencing. Dulcinea Rakestraw seconded. The motion Passed.

D. Continued Discussion on Possible New Licensure Types. The Advisory Committee will discuss this topic further at the next meeting.

VII. New Business

A. Discussion on Unprofessional Conduct Regulations for Care of Clients in Crisis.

The Executive Director highlighted K.A.R. 102-7-11(jj), concerning failing to seek continuing of service or abandoning or neglecting clients in need of professional care. It was noted the Board recently discussed whether it was sufficient for practitioners to provide an after-hours message stating that in case of an emergency, clients should call 911 or 988, or whether a more specific arrangement for after-hours care of clients in crisis was needed. Advisory Committee members discussed the after-hour care policies they utilize and the standard of practice for caring for clients if the licensee is not available or out of office. The Advisory Committee discussed whether the Kansas Department for Aging and Disability Services (KDADS) has any facility licensing rules on this topic. No recommendation was made.

B. Kansas Fights Addiction Grant Review Board (K FAGRB) BSRB Appointee. The Executive Director noted the Board is seeking to identify a permanent appointee on the K FAGRB out of the individuals currently serving on the Advisory Committees for the Board. The Executive Director noted he will be sending a message to all Advisory Committee members and noted individuals interested in being appointed should submit a letter of interest and resume if they are interested in being the Board’s appointee.

C. Presentation-National Addiction Studies Accreditation Commission (NASAC) by Cynthia Moreno Tuohy, Executive Director for the National Association for Addiction Professionals (NAADAC) and Jerry Monroe, Director of Certification and Testing at NAADAC. Due to a scheduling conflict, representatives from NASAC were unable to attend the Advisory Committee meeting, but they will speak to the Advisory Committee at a future meeting.

VIII. Next Meeting. Based on the discussion on possible development of a new license type, the Advisory Committee expressed a desire to meet earlier than the planned next Advisory Committee in December. The Executive Director will poll members to identify the date for the next meeting.

IX. Adjournment. The meeting was adjourned.