

Behavioral Sciences Regulatory Board (BSRB)
Marriage and Family Advisory Committee Meeting
Friday, April 30, 2021

- 1) **Call to Order.** Mary Jones, Advisory Committee Chair, called the meeting to order at 10:00 a.m.

Committee Members: Advisory Committee members present by Zoom were Mary Jones, John Fleeker, Jim Godbey, Leslie Sewester, Jurdene Coleman, Joyce Baptist, and Rebecca Culver-Turner.

Staff: BSRB staff present by Zoom David Fye, Leslie Allen, and Ashley VanBuskirk.

- 2) **Approval of Minutes.**

- Jurdene Coleman moved to approve the minutes of the February 12, 2021 Advisory Committee meeting as written and John Fleeker seconded. The motion carried.

- 3) **Executive Director's Report.** David Fye, Executive Director for the BSRB, reported on the following items:

- During the state of emergency and related extensions during the pandemic, the Governor has issued multiple executive orders. One executive order affecting regulatory boards has delayed enforcement of the expiration of licenses which had expired during this time period. On April 1, the state of emergency was extended to May 28, 2021. The Governor issued an executive order giving regulatory agencies the flexibility to begin enforcing expiration of expired licenses. The Board will discuss this topic at the upcoming Board meeting on May 10.
- This legislation session, two bills were requested by the BSRB (HB 2208 and SB 238). These bills originally included identical language to allow the House and Senate to work on these topics at the same time. HB 2208 was passed by the Legislature and includes most of the statutory changes recommended by the Board of the BSRB. The Executive Director noted that the bill also includes the contents of about five or six other bills that were added to the final version of the bill. The Governor signed HB 2208 into law on April 22. The date of implementation for the bill was changed in conference committee to "upon publication in the Kansas Register," which has not occurred yet, but that publication could happen any time. The BSRB will seek direction from the Board at the Board meeting on May 10 concerning the implementation of some of the provisions in the bill. SB 238 is still pending with the Legislature, however it is anticipated that this bill will not involve the BSRB going forward, should it pass.
- The Governor has signed into law HB 2066, which is a bill that would expedite the licensure application processing time for certain licenses for military members, military spouses, and individuals seeking to establish residency in the state. The implementation of the bill is upon publication in the statute book, which is expected to be sometime in July, so the Board will be making changes to certain applications in preparation for the implementation of the bill. The Executive Director noted he will be attending an upcoming meeting with other regulatory agencies to seek to reach a consensus for the way to track applications under this bill.
- The Executive Director noted the staff of the BSRB has been continuing to review applications and process everything as quickly as possible, though the agency is still experiencing challenges due to having most staff work from home most of each week. The agency has not been able to bring all staff back to the office full-time yet, but a request is pending with the Department of Administration as to when this may be possible.

- 4) **Old Business.**

- **By-Law Review.** The Chair noted that she listed review of the Board governance document under old business for this meeting, but given the number of new business items for this meeting, she would like to follow up on this item at a future meeting.

5) **New Business.**

- **Timeliness of Application Review.** The Executive Director and Leslie Allen, Assistant Director for the BSRB and Licensing Manager, have been seeking to collect updated data on licensure application processing times, however it has been difficult to track this information due to the change in database in the fall and factors related to the pandemic. However, the agency has taken steps to move forward tracking the processing times more clearly. Additionally, the agency recently was able to obtain Jabber technology to allow employees to call licensees while working at home, which should assist in the speed in resolving issues with licensees.
- **Approved Supervisor's List.** In response to a question, Ashley VanBuskirk, Senior Administrative Assistant for the BSRB, provided information that there are currently 88 LCMFT approved supervisors. The Advisory Committee discussed whether to have the Approved Supervisor's list available on the BSRB website. The Assistant Director noted that the list had not been published on the BSRB website in the past, because the complete list includes all of the contact information for supervisors and it was unclear if these supervisors would want that information to be provided publicly in that manner. The Advisory Committee discussed what information should be made available on the BSRB website. The Assistant Director stated a limited version of the list could be created which displayed the city and state or the full business address of licensees.
- **Approved Supervisors Training.** The Chair noted, while the BSRB could not provide training for supervisors, it would be helpful if the agency could provide options to licensees for resources to become approved supervisors. The Advisory Committee noted the desire to have more oversight on the supervision training that is being provided. Jurdene Coleman indicated that she would send information to Leslie concerning this topic, to be reviewed prior to the next meeting.
- **Records of Deceased Practitioners.** The Advisory Committee discussed what happens with the files of clients when a practitioner passes away and the possibility of requiring a process such as a professional will concerning practitioner records. Leslie Sewester noted she would send information on the requirements for addiction counselors through KDADS. The Advisory Committee discussed what measures they felt would be appropriate, including what types of individuals would be the appropriate custodians for the records, such as clinicians; the length of time those records should be available to clients; regulatory requirements on practitioners to have a process in place for disposal or retention of their records upon their death; the value of the BSRB knowing which person is the designee of those records. The Advisory Committee also discussed the possibility of increased education to licensees on this topic and whether having a custodian in place would be something that would be checked during an audit. The Chair indicated that she would report the findings to the Board and revisit this topic at the next Advisory Committee meeting.
- **Review of Terms of Advisory Members.** The Assistant Director provided an updated list to the Advisory Committee members on when their terms started. The Advisory Committee will review their information and if there are any changes, they will submit to the Assistant Director to correct. Advisory Committee members may serve up to four 2-year terms. Two of the Advisory Committee members terms will expire in June 2022.
- **Diversity, Equity, and Inclusion CEUs for Licensees.** The Advisory Committee discussed whether to add a requirement in continuing education hours in diversity, equity and inclusion for licensees. The Executive Director summarized the discussions of other advisory committees that have expressed positive support for this change conceptually. The Advisory Committee members expressed their support for adjusting the continuing education hour statutes to include continuing education in these topic areas as well. The Chair of the Advisory Committee noted she would take

the Advisory Committee's position back to the full Board for discussion at the next Board meeting on May 10.

- 6) **Next Meeting.** The next Advisory Committee meeting is scheduled for Friday, June 25, 2021 at 10:00 a.m.
- 7) **Adjourn.** Jim Godbey motioned to adjourn the meeting and Joyce Baptist seconded. The motion carried.

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