

BEHAVIORAL SCIENCES REGULATORY BOARD
SOCIAL WORK ADVISORY COMMITTEE
DECEMBER 20, 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: Andrea Perdomo-Morales, Cynthia Schendel, Sarah Berens, Mary Gill, Mike Gillett, Lee Ann Gingery, Angi Heller-Workman, Jane Holzrichter, Catherine Rech, Eric Schoenecker, and Cristin Stice. Robin Unruh and Donna Hoener-Queal were absent.

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

Guests. None

II. Agenda Approval. Jane Holzrichter moved to approve the agenda as written. Eric Schoenecker seconded. The motion passed.

III. Minutes Approval. Catherine Rech moved to approve the minutes from the Advisory Committee meeting on October 17, 2022. Cristin Stice seconded. The motion passed.

IV. Executive Director's Report. The Executive Director for the BSRB, reported on agency updates, activities at past BSRB Board meetings, and legislative updates.

V. Old Business

A. Finalize Recommended Changes to Unprofessional Conduct Regulations. The Advisory Committee members discussed the following recommended changes to the unprofessional conduct regulation for the profession (K.A.R. 102-2-7):

- i. **New Item on Social Media.** The Advisory Committee reviewed possible recommendations concerning social media from a past Professional Counseling Advisory Committee. The Advisory Committee decided to table the discussion on this item and revisit the topic for a possible recommendation at a future meeting.
- ii. **K.A.R. 102-2-7(i).** The Advisory Committee recommended replacing “color, race, gender, religion, national origin, or disability” with “race, ethnicity, national origin, color, sex, sexual orientation, gender identity and expression, age, marital status, political belief, religion, immigration status, and mental or physical disability.”
- iii. **K.A.R. 102-2-7(y).** The Advisory Committee recommended adding additional language “making sexual advances toward, *including but not limited to sexual harassment*, or engaging in physical intimacies with sexual activities with one’s client, supervisee, or student.”
- iv. **K.A.R. 102-2-7(z).** The Advisory Committee recommended adding additional language “making sexual advances toward, *including but not limited to sexual harassment*, engaging in physical intimacies or sexual activities with, or exercising undue influence over any person who, within the past 24 months, has been one’s client.” The Advisory Committee did not recommend a change to the

length of time in the regulation, but noted the Committee may wish to continue discussion on that topic at a future meeting.

- v. **New Item on Advertising.** The Advisory Committee recommended adding new language “engaging in professional activities, including but not limited to, billing practices and advertising, involving dishonesty, fraud, deceit, or misrepresentation.”

B. Discussion on Possible Regulation for Care of Clients in Crisis. The Executive Director noted the Board asked Advisory Committees to discuss whether new regulatory language should be added to provide direction to practitioners on their responsibilities to clients who are in crisis after hours. Additionally, the Board was seeking input on whether a reference for individuals to call 911 or 988 when they were in crisis is sufficient or whether more other responsibilities should be expected. Advisory Committee members discussed whether K.A.R. 102-2-7(nn) could be modified to resolve this topic. Advisory Committee members discussed what would constitute reasonable care to clients after normal working hours. Advisory Committee members asked whether the BSRB could provide example language to licensees, but it was noted that the BSRB was discouraged from providing such language in the past, because it could be interpreted as a requirement. Due to time constraints, the Advisory Committee tabled the discussion to be continued at a future meeting.

C. Discussion on Possible New Language in Continuing Education Regulation K.A.R. 102-2-4a, for Practitioners Providing Certain Coaching or Mentoring. The Executive Director noted there has been a call for multiple groups to assist individuals who are struggling to pass the licensing examinations. It was noted that one way the Board be helpful in this process is to consider changing the continuing education regulations to allow a certain number of continuing education hours each license period to individuals who were mentoring or coaching individuals who were preparing to take the licensing examination. Advisory Committee members discussed this topic, including the limit on the number of hours and how to document those hours. Lee Ann Gingery moved to submit a recommendation to the Board to allow up to 10 total hours during each 2-year license period, evidenced by signed documentation by the individual receiving the mentoring or coaching. Eric Schoenecker seconded. The motion passed.

D. Discussion on Workforce Issues

- i. **K.S.A. 65-6322 Reciprocity.** The Executive Director noted Advisory Committees were discussing the reciprocity statutes for the profession, and for the non-clinical level of license, the current reciprocity standards require to have been licensed in a jurisdiction with substantially equivalent license requirements or to have practiced in that jurisdiction for 48 of the past 54 months and met other requirements. The Executive Director asked Advisory Committees to discuss whether the length of time should be shortened. Lee Ann Gingery moved to decrease the period of time to 12 of the past 18 months, and for the applicant to be able to obtain a provisional license if they are short of the 12 months required, until they had 12 months of practice in that jurisdiction. Mike Gillett seconded. Motion Passed.

VI. Other Items. Due to time constraints, discussion on other items was postponed until a future meeting.

VII. Next Meeting. The Executive Director will poll Advisory Committee members to identify a date for the February meeting.

VIII. Adjournment. Meeting was adjourned.

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