

**BEHAVIORAL SCIENCES REGULATORY BOARD
PROFESSIONAL COUNSELING ADVISORY COMMITTEE MEETING
MONDAY, FEBRUARY 5, 2024**

The meeting will be conducted virtually on the Zoom platform. Advisory Committee members, BSRB staff, and anyone approved for public comment will utilize the Zoom platform while other remote attendees will be directed to the YouTube broadcast (or the conference call phone number) to ensure a secure and accessible meeting. If there are any technical issues during the meeting, you may call the Board office at, 785-296-3240. The Behavioral Sciences Regulatory Board may take items out of order as necessary to accommodate the time restrictions of Board members and visitors. All times and items are subject to change.

You may view the meeting here: <https://youtube.com/live/PbUh71cRV7g?feature=share>
To join the meeting by conference call: 877-278-8686, Pin: 327072.

Monday, February 5, 2024, at 10:00 a.m.

- I. Call to Order and Roll Call
- II. Agenda Approval
- III. Presentation on the National Counselor Examination (NCE) and the National Clinical Mental Health Counseling Examination (NCMHCE) by Dr. Unber Ahmad, Director of Assessments and Lead Psychometrician, and Callie Marino, Vice President of Credentialing and Quality Assurance for the National Board for Certified Counselors (NBCC)
- IV. Review and Approval of Minutes from Previous Advisory Committee Meeting on December 4, 2023.
- V. Executive Director's Report
- VI. Updates on Professional Counseling Multi-State Compact
- VII. Information from Annual Conference for the American Association of State Counseling Boards (AASCB) January 7-9, 2024
- VIII. Old Business
 - A. Continued Discussion on Examination for Clinical License
- IX. New Business
 - A. Jurisprudence Examinations
 - B. Discussion on Supervision
 - C. Review of K.A.R. 102-3-3a and Consideration of Possible Changes
 - D. Additional Topics for 2024?
- X. Next Meeting: Monday, April 1, 2024, at 10 a.m.
- XI. Adjournment

**BEHAVIORAL SCIENCES REGULATORY BOARD
PROFESSIONAL COUNSELOR ADVISORY COMMITTEE MEETING
DECEMBER 4, 2023**

Draft Minutes

- I. Call to Order.** Laura Shaughnessy, Chair of the Advisory Committee, opened the meeting and called roll.

Advisory Committee Members: Advisory Committee members who participated by Zoom were Laura Shaughnessy, Jim Kilmartin, Melissa Briggs, Harriet Bachner, Michael Countryman, Bob Kircher, Vanessa Perez, and Edil Torres-Rivera. Acha Goris and Andrew Secor were absent.

BSRB Staff: David Fye and Leslie Allen were present by Zoom.

Guests: None.

- II. Agenda Approval.** Jim Kilmartin moved to approve the agenda. Vanessa Perez seconded. The motion passed.
- III. Review and Approval of Minutes from Previous Advisory Committee Meeting on October 2, 2023.** Bob Kircher moved to approve the minutes from October 2, 2023. Michael Countryman seconded. The motion passed.
- IV. Executive Director's Report.** David Fye, Executive Director for the BSRB, reported on agency updates, updates from recent Board meetings, and legislative updates.
- V. Updates on Professional Counseling Multi-State Compact.** The Chair of the Advisory Committee, who also serves as the Commissioner for Kansas, informed the Advisory Committee that there were not many updates since the last meeting.
- VI. Old Business**
- A. Continued Discussion on Supervision by Licensees from Other Professions.** The Advisory Committee discussed whether it was best to continue to allow individuals from other professions to provide supervision professional counselors under extenuating circumstances. Currently, statutes require supervision to be provided by professional counselors as long as they are board-approved supervisors, but current regulations also allow certain individuals from other professions to become board-approved supervisors and provide supervision to professional counselor with board approval if extenuating circumstances can be shown necessitating those individuals serving as supervisors. Vanessa Perez moved to keep the regulation how it is currently written. Harriet Bachner seconded. The motion passed.

- B. Continued Discussion on Proposed Changes to Unprofessional Conduct Regulations from Other Professions.** The Advisory Committee continued discussion on proposed changes to the unprofessional conduct regulations for the other professions, based on discussion by the other Advisory Committee. The Advisory Committee did not have any additions.
- C. Continued Discussion on Examination for Clinical License.** The Advisory Committee continued discussion on the examination for clinical license. The Executive Director will reach out to someone from the exam company to come and speak to the Advisory Committee regarding the clinical exam. The Advisory Committee discussed possible questions for the Executive Director to forward to the examination company to be addressed at another meeting.

VII. New Business

- A. Discussion on Possible Change to K.A.R. 102-3-3a(b)(1)(A) and Other Possible Changes to K.A.R. 102-3-3a(f) and (g).** The Executive Director noted that most professions for the BSRB recognize a national accrediting body so that individuals who obtain their education from a program accredited by that entity will be able to satisfy most of the educational requirements for licensure and will be able to move through the licensing process quickly. The statutes and regulations for most professions are written to allow applicants who received their education from programs not accredited by the national accrediting body to be able to satisfy the education requirements through educational equivalency, by meeting alternative requirements in the regulations. However, the wording of the relevant regulation for professional counseling provides a third pathway, as it calls for individuals to have obtained their education from a program “not lower than (the standards of the national accrediting entity).” However, evaluating applicants under this unique third pathway puts an undue burden on the BSRB to be knowledgeable about all of the current requirements of the national accrediting body and apply those standards in a way that body would interpret their standards. This process necessitates the BSRB hiring an expert to complete this type of review and this process can be lengthy, which runs contrary to the legislative direction to process license applications as quickly as possible. The Executive Director asked the Advisory Committee to consider recommending the Board change this regulation to match the other professions, eliminating the third pathway. However, the Executive Director noted that it has been some time since the individually listed requirements for applicants from non-accredited programs have been reviewed to ensure they are similar to what the national accrediting body current recommends, so the Executive Director encouraged further review and possible changes to K.A.R. 102-3-3a(b)(1)(A) along with changes to K.A.R. 102-3-3a(f) and (g). The Advisory Committee will discuss at a future meeting.

VIII. Next Meeting. Monday, February 5, 2024, at 10 a.m.

IX. Adjournment. Jim Kilmartin moved to adjourn. Harriet Bachner seconded. The motion passed.

102-3-3a. Education requirements. To qualify for licensure as a professional counselor or a clinical professional counselor, the applicant's education shall meet the applicable requirements specified in this regulation.

(a) Each of the following terms, as used in this regulation, shall have the meaning specified in this subsection:

(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 completing coursework during which the student and one or more core faculty members are in face-to-face contact either in person or by synchronous videoconferencing.

(3) "Primary professional employment" means at least 20 hours per week of instruction, research, any other service to the institution in the course of employment, and the related administrative work.

(b) At the time of application, each applicant shall have met the following requirements:

(1) Received either a master's or a doctoral degree in counseling, or a related field, from a program that meets one of the following requirements:

(A) Is not below the accreditation standards of the council for the accreditation of counseling and related educational programs; or

(B) meets the requirements in subsections (f) and (g); and

(2) as a part of or in addition to the coursework completed for the graduate degree in counseling or a related field, completed at least 60 graduate semester hours, or the academic equivalent, of which at least 45 graduate semester hours, or the academic equivalent, shall clearly meet the coursework requirements in subsection (c).

(c) Each applicant shall have satisfactorily completed formal academic coursework that contributes to the development of a broad conceptual framework for counseling theory and practice as a basis for more advanced academic studies. This formal academic coursework shall consist of at least 45 graduate semester hours, or the academic equivalent, that are distributed across the substantive content areas provided in this subsection. None of these credit hours shall be earned through independent study courses. There shall be at least two

discrete and unduplicated semester hours, or the academic equivalent, in each of the following substantive content areas:

(1) Counseling theory and practice, which shall include studies in the basic theories, principles, and techniques of counseling and their applications to professional settings;

(2) the helping relationship, which shall include studies in the philosophical bases of helping relationships and the application of the helping relationship to counseling practice, as well as an emphasis on the development of practitioner and client self-awareness;

(3) group dynamics, processes, and counseling approaches and techniques, which shall include studies in theories and types of groups, as well as descriptions of group practices, methods, dynamics, and facilitative skills;

(4) human growth and development, which shall include studies that provide a broad understanding of the nature and needs of individuals at all developmental levels and in multicultural contexts;

(5) career development and lifestyle foundations, which shall include studies in vocational theory, the relationship between career choice and lifestyle, sources of occupational and educational information, approaches to career decision-making processes, and career development exploration techniques;

(6) appraisal of individuals and studies and training in the development of a framework for understanding the individual, including methods of data

gathering and interpretation, individual and group testing, and the study of individual differences;

(7) social and cultural foundations, which shall include studies in change processes, ethnicity, subcultures, families, gender issues, the changing roles of women, sexism, racism, urban and rural societies, population patterns, cultural mores, use of leisure time, and differing life patterns. These studies may come from the behavioral sciences, economics, political science, and similar disciplines;

(8) research and evaluation, which shall include studies in the areas of statistics, research design, development of research, development of program goals and objectives, and evaluation of program goals and objectives;

(9) professional orientation, which shall include studies in the goals and objectives of professional organizations, codes of ethics, legal considerations, standards of preparation and practice, certification, licensing, and the role identities of counselors and others in the helping professions; and

(10) supervised practical experience, which shall include studies in the application and practice of the theories and concepts presented in formal study. This experiential practice shall be performed under the close supervision of the instructor and on-site supervisor with the use of direct observation and the preparation and review of written case notes. Direct observation may include the use of one-way mirrors in a counseling laboratory, the use of videotaped or

audiotaped sessions, or the use of synchronous videoconferencing or similar synchronous communication devices.

(d) Each applicant for licensure as a clinical professional counselor whose master's or doctoral degree is earned before July 1, 2003 shall have earned the graduate degree in accordance with subsections (b) and (c).

(e) Each applicant for licensure as a clinical professional counselor whose master's or doctoral degree is earned on or after July 1, 2003 shall meet the following education requirements:

(1) Have earned a graduate degree in accordance with subsections (b) and (c);

(2) in addition to or as a part of the academic requirements for the graduate degree, have completed 15 graduate semester credit hours, or the academic equivalent, supporting diagnosis and treatment of mental disorders using the "diagnostic and statistical manual of mental disorders" adopted in K.A.R. 102-3-15. The 15 graduate semester credit hours, or the academic equivalent, shall include both of the following:

(A) The applicant shall have satisfactorily completed two graduate semester hours, or the academic equivalent, of discrete coursework in ethics and two graduate semester hours, or the academic equivalent, of discrete coursework in psychopathology and diagnostic assessment, including the study of the latest edition of the "diagnostic and statistical manual of mental disorders" and assessment instruments that support diagnosis.

(B) The applicant shall have satisfactorily completed coursework addressing treatment approaches and interdisciplinary referral and collaboration; and

(3) Have met one of the following experience requirements:

(A) Satisfactory completion of a graduate-level, supervised clinical practicum of professional experience that includes psychotherapy and assessment. The practicum shall integrate diagnosis and treatment of mental disorders with use of the "diagnostic and statistical manual of mental disorders" adopted in K.A.R. 102-3-15 and shall include at least 280 hours of direct client contact; or

(B) completion of additional direct client contact hours providing psychotherapy and assessment as part of the postgraduate supervised experience. The experience shall consist of the number of hours that the applicant was lacking to attain 280 hours of direct client contact during the practicum. The postgraduate hours and the practicum hours completed shall total at least 280 hours. This experience shall be in addition to the 3,000 hours of postgraduate, supervised experience required for each licensed clinical professional counselor as required in K.A.R. 102-3-7a.

(f) In order to be approved by the board, each educational program in professional counseling, or a related field, shall meet the following requirements:

(1) Have established program admission requirements that are based, in part or in full, on objective measures or standardized achievement tests and measures;

(2) require an established curriculum that encompasses at least two academic years of graduate study;

(3) have clear administrative authority and primary responsibility within the program for the core and specialty areas of training in professional counseling;

(4) have an established, organized, and comprehensive sequence of study that is planned by administrators who are responsible for providing an integrated educational experience in professional counseling;

(5) engage in continuous systematic program evaluation indicating how the mission objectives and student learning outcomes are measured and met;

(6) be chaired or directed by an identifiable person who holds a doctoral degree in counseling or a related field that was earned from a regionally accredited college or university upon that person's actual completion of a formal academic training program;

(7) have an identifiable, full-time, professional faculty whose members hold earned graduate degrees in professional counseling or a related field;

(8) have an established, identifiable body of students who are formally enrolled in the program with the goal of obtaining a degree;

(9) require an appropriate practicum, internship, or field or laboratory training in professional counseling that integrates didactic learning with supervised clinical experience;

(10) conduct an ongoing, objective review and evaluation of each student's learning and progress and report this evaluation in the official student transcripts;

(11) require that at least 30 graduate semester credit hours, or the academic equivalent, of coursework be completed in residence at one institution and require that the practicum or internship be completed at the same institution; and

(12) require that the number of graduate semester hours, or the academic equivalent, delivered by adjunct faculty does not exceed the number of graduate semester hours, or the academic equivalent, delivered by core faculty members.

(g) In order for an applicant to qualify for licensure, the college or university at which the applicant completed the degree requirements for counseling or a related field shall meet these requirements:

(1) Be regionally accredited, with accreditation standards equivalent to those met by Kansas colleges and universities;

(2) document in official publications, including course catalogs and announcements, the program description and standards and the admission requirements of the professional counseling education and training program;

(3) identify and clearly describe in pertinent institutional catalogs the coursework, experiential, and other academic program requirements that must be satisfied before conferral of the graduate degree in counseling;

(4) clearly identify and specify in pertinent institutional catalogs its intent to educate and train professional counselors;

(5) have clearly established the professional counselor education program as a coherent entity within the college or university that, when the applicant's graduate degree was conferred, met the program standards in subsection (f); and

(6) have conferred the graduate degree in counseling upon the applicant's successful completion of an established and required formal program of studies.

(h) The following types of study shall not be substituted for or counted toward the coursework requirements of subsections (b), (c), (d), and (e):

(1) Academic coursework that the applicant completed as a part of or in conjunction with the undergraduate degree requirements;

(2) academic coursework that has been audited rather than graded;

(3) academic coursework for which the applicant received an incomplete or failing grade;

(4) coursework that the board determines is not closely related to the field or practice of counseling;

(5) graduate or postgraduate coursework or training provided by any college, university, institute, or training program that does not meet the requirements of subsections (f) and (g); and

(6) any continuing education, in-service activity, or on-the-job training.

(i) The following types of study may be counted toward the 60 graduate semester hours required under paragraph (b)(2):

(1) No more than six graduate semester hours of independent study that is related to the field or practice of counseling, except that independent study shall not be used to meet any of the substantive content area requirements specified in subsection (c); and

(2) no more than four graduate semester hours for thesis research and writing. (Authorized by K.S.A. ~~2021-2023~~ Supp. 65-5804a and K.S.A. 74-7507; implementing K.S.A. ~~2021-2023~~ Supp. 65-5804a; effective Dec. 19, 1997; amended July 19, 2002; amended Aug. 8, 2003; amended Oct. 27, 2006; amended Dec. 12, 2014; amended Dec. 16, 2022; amended P-
_____.)