

**Behavioral Sciences Regulatory Board (BSRB)
Marriage and Family Advisory Committee Meeting
Friday, June 25, 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, Jim Godbey, Jurdene Coleman, Joyce Baptist, and Rebecca Culver-Turner.

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

- 2) **Approval of Minutes.**

- Jim Godbey moved to approve the minutes of the April 30, 2021, Advisory Committee meeting as written. Joyce Baptist seconded. The motion carried.

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

- **BSRB Operations.** The state of emergency related to the COVID-19 pandemic ended on June 15, 2021. During the pandemic, the Governor issued a series of Executive Orders for states agencies. One of these Executive Orders delayed the enforcement of expiration of licenses which had expired during the pandemic. In April 2021, the Governor issued an Executive Order allowing state agencies the ability to return to enforcing the expiration of licenses. At the May Board meeting, the Board voted to begin enforcing the expiration of licenses after May 28, 2021. A message regarding the Board's decision was posted to the BSRB website and a message was sent to all individuals whose licenses had expired during the pandemic. Per the Governor's direction, staff of the BSRB returned to working in the office as of June 14, 2021.
- **HB 2208.** This legislation session, two bills were requested by the BSRB (HB 2208 and SB 238), which included Board recommended changes to statutes affecting licensees. These bills originally included identical language to the 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. The Executive Director noted that the bill also includes the contents of about five or six other health-related 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.
- **HB 2066.** The Governor has signed HB 2066 into law. The bill that expedites the licensure processing time for certain reciprocity licenses for military members, military spouses, and select other individuals. The implementation of the bill is "upon publication in the statute book," which is expected to take place 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.

- 4) **Old Business.**

- **Approved Supervisor's List.** The BSRB has a list of Board-approved supervisors for the professions of marriage and family therapy and professional counselors. The lists include the names, locations, and type of licenses held by those practitioners. It does not include the supervisor's physical addresses or email addresses. The Advisory Committee members discussed

several options and recommended posting a list of supervisors with names, cities, and email addresses on the BSRB website.

- **Approved Supervisor's Training.** The Advisory Committee members discussed the topic of supervisor trainings and noted they intended to gather a list of trainings. Any members who have information on training should forward that information to the Chair of the Advisory Committee.
- **Records of Deceased Practitioners.** The Board plans to address this topic at the annual planning meeting in September, but asked Advisory Committees to discuss potential language to be added to statute or regulation to address the situation when a practitioner passes away unexpectedly and there is no logical custodian for patient records. The Executive Director noted that other Advisory Committees have been discussing this topic and were supportive of adding a question to the licensure renewal form, either to verify that practitioners had identified a custodian of their records or, more specifically, asking practitioners to list the name of the individual who would assume custodianship of their records if they should pass away unexpectedly. Additionally, regulatory language on professional conduct would need to be changed to give notice to licensees that this will be a requirement as part of the licensure process. If the custodian's name is not listed on the renewal form, verification of custodian could be checked during the audit process. The Advisory Committee noted it's support of changes to address these problems. Committee members discussed how clients would be informed of the new custodian for their records and questioned whether naming the custodian of the documents would be part of the informed consent process between practitioners and clients. Committee members also questions whether this information could be part of training plans and how to education practitioners setting up a custodianship and also the responsibilities of custodians.
- **Required Diversity, Equity, and Inclusion CEU's for Licensees.** The Board plans to discuss whether to require continuing education hours in Diversity, Equity, and Inclusion (DEI) at the Board's annual planning meeting in September. The Board asked Advisory Committees to discuss this topic and submit any recommendations back to the Board. The Advisory Committee noted a general support for requiring 3 hours in this area, so long as the definition of DEI was broadly defined. The Advisory Committee also expressed support for allowing continuing education hours to count in multiple categories, so that hours that address both ethics and DEI (or hours that address both diagnosis and treatment and DEI) could be used to satisfy both requirements as part of the licensure renewal process.
- **Board Governance Policy Review.** The Board of the BSRB last adopted a revised version of the Board Governance Policy in 2011. The Executive Director noted that the Board will receive a copy of this document at the next Board meeting and the Executive Director will be working on identifying language in the document that could be updated to match the current practices of the Board. The Executive Director will also identify other items for the Board to examine to decide if those items should stay in the Policy or should be adjusted.

5) **New Business.**

- **How Future Meetings are Held.** The Advisory Committee discussed whether they would like future meetings to be held in person, online over Zoom, or a combination of the two options. The Advisory Committee members noted their preference to continue meeting by Zoom with the use of the conference call phonenumber.

6) **Next Meeting.** The Executive Director will send out a doodle poll to determine the date of the next Advisory Committee meeting for August. The October Advisory Committee meeting was scheduled for Friday, October 8, 2021, to begin at 10:00 a.m.

7) **Adjourn.** Joyce Baptist motioned to adjourn the meeting. Jim Godbey seconded. The motion carried.