

**Behavioral Sciences Regulatory Board
Professional Counselor Advisory Committee
May 3, 2021, 10:00 a.m.
Minutes**

Members Present: Those who participated by Zoom were Laura Shaughnessy, Bob Kircher, Elaine Ptacek, Gary Price, Ken Hughey, and Leslie Sewester.

Staff Present: David Fye, Leslie Allen, Janet Arndt, and Ashley VanBuskirk.

Guests Present: None.

1. **Call to Order.**
2. **Agenda Approval.** No changes were made to the agenda.
3. **Minutes Approval.** Robert Kircher motioned to approve the minutes of the February 1, 2021 Advisory Committee meeting. Leslie Sewester seconded. The motion carried.
4. **Executive Director's Report.** David Fye, Executive Director for the Behavioral Sciences Regulatory Board (BSRB), reported on the following topics:
 - a. The Governor and Legislature extended the state of emergency through May 28, 2021, and the Governor issued an executive order extending the delay on enforcement of expiration of professional licenses through May 28 or until the disaster is declared ended, whichever is earlier. Since then, the Governor issued another executive order providing more flexibility for regulatory agencies to begin enforcing expiration of licenses. The Board will meet on May 10, 2021 and will consider whether to return to enforcing expiration of licenses;
 - b. HB 2208, the bill originally requested on behalf of the Board of the BSRB which included statutory changes affecting licensees, was passed by the 2021 Legislature and signed into law by the Governor. The effective date for the bill was changed from upon publication in statute book to upon publication in the Kansas Register. At this time, the bill has not been published in the Register, but the BSRB is working on an implementation plan for the bill and will seek direction from the Board at the Board meeting on May 10;
 - c. HB 2066 was enacted by the 2021 Legislature, regarding expedited processing time for professional license for military members, military spouses, and other individuals. The bill has an implementation date of upon publication in the statute book, so the BSRB is working on an implementation plan for the bill; and
 - d. Staff of the BSRB has received Jabber technology on their computers which is allowing them to be able to make and return phone calls applicants.

5. **Old Business**

- a. **Planning Committee Work for Upcoming Year.** The Chair provided the opportunity for members of the Advisory Committee to offer suggestions on topics to be focused on during this year. Leslie Allen, Assistant Director for the BSRB, noted that the topics of art therapy and “other related fields,” as related to licensure of professional counselors, could be reviewed by the Advisory Committee in an effort to provide additional clarity to the licensing staff of the BSRB. The Assistant Director noted she would provide additional information on these topics at the next Advisory Committee meeting.

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6. New Business

- a. **Review of Proposed Multi-State Compact for Professional Counselors.** The Advisory Committee discussed a proposed multi-state compact, which had been endorsed by the National Board of Certified Counselors (NBCC). Assistant Attorney General Janet Arndt provided a review of the compact and offered insight on how the compact could affect the BSRB. The Executive Director indicated he would contact NBCC to request a representative speak to the Advisory Committee concerning this proposed compact.
- b. **Retention or Disposal of Practitioner Records in Case of Death of a Provider.** The Chair and the Executive Director noted the Board recently discussed what would occur if a practitioner passed away and there was not a custodian in place over the practitioner's records, including who would take possession of the records and who would handle requests from clients to view their records. The Board asked each of the Advisory Committees to discuss the topic and provide recommendations back to the Board. The Advisory Committee members noted their desire to have process in place for handling this scenario and noted that some associations provide guidance to practitioners on this topic. The Committee discussed the option of adding a question on renewal applications to ensure that licensees have a process in place for the custodianship of their records. The Advisory Committee did not make an official recommendation, but Advisory Committee members were advised to send a message to the Executive Director if they had further thoughts on this topic.
- c. **Consideration of Continuing Education Requirements in Diversity, Equity and Inclusion.** The Executive Director reported there have been discussions at the national level from other states, concerning adding a requirement that a certain number of continuing education hours be obtained in the areas of diversity, equity, and inclusion. It was also noted that some of the Advisory Committees of the BSRB were discussing whether to recommend to the Board a change to statute to require continuing education hours in these areas. Gary Price moved to require 3 continuing education hours in diversity, equity, and inclusion as a part of the 30-hour continuing education requirements, and to replace 3 hours of continuing education in diagnosis and treatment of mental disorders. Ken Hughey seconded. The motion passed.

- 7. Adjournment.** The next meetings were scheduled for Monday, June 7, 2021 and Monday, August 2, 2021, both meetings to begin at 10:00 a.m. Elaine Ptacek motioned to adjourn the meeting. Gary Price seconded. The motion carried.