

BSRB Board Meeting

05/09/2016

9:00 a.m.

Called to order by Chair, Grant Edwards, at 9:00 a.m.

Members Present: Kathy Armstrong, Barbara Callahan, Jill Craven, Grant Edwards, Terry Pfannenstiel, Cheryl Reynolds, Larry Salmans, Marcia Simoneau, Deb Stidham and Carolyn Szafran. Larry Salmans joined by phone. Kathryn Herzog was absent.

Guests Present: Sky Westerlund – KNASW, Christi Darnell – Valley Hope, Mitchell DePriest - HGC

Staff Present: Max Foster, Leslie Allen, Cindy D’Ercole, Marilyn Revell
Counsel Present: Jan Arndt, Assistant Attorney General

I. Approval of Agenda

- Add C. under Subcommittee reports for Technology subcommittee report
- New Business – add E. Executive Session to discuss personnel issues

II. Approval of Minutes

Item: Approval of the minutes from March 14, 2016 Board Meeting

Action: Terry moved to approve the minutes as submitted. Todd seconded the motion. Cheryl offered a friendly amendment with a correction to the minutes to **IX. Sub-Committee Reports** - the Board referred an issue to the Document Review Subcommittee to review terms and rotation of the public members to the professional advisory committees. Terry agreed to the friendly amendment and Todd seconded the amendment. The motion passed.

III. Approval of Newly Issued Licenses

Item: Approval of newly issued licenses from 3-1-2016 through 4-30-2016.

Action: Cheryl moved to approve the list of licensees as published, Kathy seconded the motion. The motion passed.

IV. Public Comments

Sky Westerlund, KNASW Executive Director, announced that KNASW was offering two upcoming CEU workshops to licensees. One workshop is scheduled May 20, 2016 concerns ethics overview and documentation, the second workshop offered in June 4, 2016 is on social work safety training. Terry is also offering an ethics workshop on May 20, 2016.

V. **Executive Director Report** – Max Foster

1. Legislative activity:

- a. SB449 – “BSRB Mega Bill” is currently sitting on the Governor’s desk to be signed. This is the bill that deals with many changes to current BSRB statutes – major amendments were the elimination of the social work supervisor training requirements and the requirement of a two-thirds majority instead of a simple majority vote of the board to accept an applicant with a felony conviction. Another change concerns the request of fingerprints for future applicants, the KBI will train the BSRB staff to obtain and maintain this information.
- b. HB 2721 – Consolidation of Boards and Commissions – the bill did not get out of committee, but there was further discussion about legislation being introduced concerning combining the Board of Nursing with the Board of Healing Arts.
- c. HB 2690 – “Trailer Bill” for Licensure of Behavior Analysts – Max testified before the House Insurance and Finance Institutions Subcommittee. The information presented was so lengthy to fix the current statutes that the committee didn’t care to deal with it at this point in the legislative session. Max stated that the plan of action would be to incorporate temporary rules and regulations by July 1, 2016 to license the Behavior Analysts and Assistant Behavior Analysts.
- d. HB2451 - Mandatory Reporting for Suspected Child Abuse or Neglect. BSRB wanted to add Behavior Analysts (BAs) and Assistant Behavior Analysts (ABAs) to the list of mandated reporting professionals. HB 2451 was not passed out of committee, but Representative Reuben added BAs and ABAs to SB 408 concerning mandated reporters. That legislation was passed.

Todd asked if the Advisory Committees can start working on Regulations. Max said that yes, the committee and staff can work on them, but that the regulations can’t be submitted until July 1, 2016.

Max also pointed out to the Board that planning needs to start now as to what BSRB wants to achieve in the 2017 Legislative Session.

2. Fiscal Activity Report –

- a. FY 2016 budget analysis
Capital Outlay / Tablets and PC’s – Cheryl asked that the Board authorize the Technology subcommittee to make the

- decision to purchase the new tablets for Board members and staff. This needs to be added to “New Business”
- b. Delegated audit authority
 - c. Closing of FY 2016 – Kansas Legislature gave the Governor and Secretary of Administration “blanket” authority to balance the budget in 2016.
 - d. FY 2017 – many reports are to be submitted by Max
3. ASWB Spring Meeting
 - a. “Social Work in the Age of Mobility” – Max was on a panel to talk about legislative advocacy.
 - b. “Three Pillars” of Regulators, Educators and Practitioners
 - c. Several Board members are encouraged to attend an ASWB new Board member conference in the future: Kathy Armstrong, Jill Craven, Deb Stidham, and Todd Frye.
 4. Discussions/meeting with Legislative subcommittee and stakeholders such as Valley Hope, KDADS about the Addiction Counselor reciprocity requirements for licensure in Kansas. Deb Stidham stated that she is currently on a workforce development committee concerning addiction counselors in Kansas
 5. Legislation for the 2017 legislative session
 6. Non-Cabinet Agency Heads Meeting
 - a. Performance based budgeting will change the way the BSRB budget narrative is written by Max.
 7. Office 365 – BSRB has now “migrated” to the office 365 environment for email.
 - a. Email address for board members. Cheryl asked if the Board members could have emails connected to the BSRB website: www.ksbsrb.ks.gov
 - b. Staff emails are represented as: max.foster@ks.gov
 8. Speaking activities for the BSRB staff
 - a. Avila University – Max and Leslie speaking with LPC and LMLP students.

10:20 Grant ordered a 10 minute break for the Board

10:35 Grant reconvened the meeting

VI. Staff Reports – Leslie Allen

- a. Many Regulations changes are necessary since our bill has passed. 102-1-12 – concerning LP internships (pre-doctoral) for non-APA accredited programs, the LP committee agreed that if the program only requires 1500 hours but the applicant completes 1800 hours, those hours will be accepted.
- b. Applications that need review for full board, Leslie asked the Board to meet between regularly scheduled meetings for this purpose. Cheryl asked if the Board could appoint a formal hearing

panel to take care of these requests. Jan Arndt stated that the Board could delegate a hearing panel or hear it at the July meeting. The Board agreed to hear these requests after the July Board meeting.

VII. Complaint Review Committee Report – Terry Pfannenstiel - CRC met on April 11, 2016:

17 cases were reviewed

9 cases were dismissed due to facts not supporting the violations

3 CAOs were issued

3 Diversion agreements

1 cautionary letter was sent

1 referred to the Board for licensure recommendation.

The backlog of cases is getting caught up. The next meeting is scheduled for June 13, 2016.

VIII. Professions Reports

- A. Psychology** – Barbara Callahan – a brief LP Advisory committee meeting was held by phone on March 25 at noon to discuss the hours required in the graduate practicum/internship for applicants. The regular meeting was held on April 12, 2016. KAR 102-1-12 is the regulation concerning education requirements for licensed psychologists. The regular meeting was held on April 12, 2016. Rodney O’Neal has been added to the committee. LMLPs, LCPs and LPs are the only BSRB licensees that are currently allowed to administer/purchase psychological tests with psychometric measurements. There have been many questions on this issue. The next meeting is scheduled for June 14, 2016.
- B. Social Work** – Carolyn Szafran and Marcia Simoneau – The SW Advisory committee met on March 30, 2016. Sharon Stuewe gave a history and timeline of the supervision requirements for LSCSWs. The committee had been working towards the supervision requirements for social workers for at least three years prior to the Professional Counselors and then the Marriage and Family therapists expressed an interest. The Social Workers had been looking at this issue for about 15 years and seriously for at least eight years. Carolyn said that the advisory committee is looking at creating a supervision manual that would be available in print form and on the BSRB website. Sharon is chairing the subcommittee that will create the supervision manual. The committee will be using some of the data collected from the survey conducted last fall in creating the manual as well. Terry stated that the AMFT has a supervisor training manual that is excellent. Kathy Armstrong noted that the DCF has done some extensive training for their supervisors. Anything that DCF can share with the committee would be appreciated. How do we handle situations where people are identifying themselves at social workers that do not hold a BSRB license? We can’t refer them to the CRC, because that person doesn’t hold a license. Jan pointed out that the

Attorney General's office should be contacted for a cease and desist order. This is a concern that needs to be addressed further. Next meeting is scheduled for Wednesday, May 18, 2016.

- C. **Professional Counseling** – Todd Frye – No meeting was held since the last Board meeting.
- D. **Master's Level Psychology** – Larry Salmans – No meeting was held, but plans to schedule a meeting in the next two weeks.
- E. **Marriage and Family Therapy** – Terry Pfannensteil – MFT Advisory committee met on April 15, 2016. The committee is recommending Jurdene Ingram as a new advisory committee member to be appointed by Grant today. Terry announced that Kansas applicants in the MFT field have a higher than national average scores in every category on the national test. "Sexting" is against the law now, but a bill is in process now to make it not a crime between teenagers of the same age. Currently it is a criminal act for a person over 16 years of age to be "sexting" someone under the age of 16. Next meeting is scheduled for June 10, 2016 at 10 a.m.
- F. **Addiction Counseling** – Deb Stidham – the AC Advisory committee met on April 29, 2016. Dalyn Schmidt resigned from the committee. The 3 new committee members were present: Chelle Wilson, Jason Hess and Duane Olberding. Deb shared the workforce development findings with the committee. The committee was also prepared to look at the regulations needed for SB449. Next meeting is scheduled for June 15, 2016 at 1 p.m.
- G. **Behavioral Analysis** – Leslie Allen reported that the temporary regulations have been stamped (approved) by the DOA office and have sent to the AG's office for review. When those are approved, BSRB will follow through with the permanent regulations for processing and approval.

IX. Subcommittee Reports

- A. **Document and Policy Review** – Cheryl Reynolds – The Committee met by phone on April 18, 2016. The committee will be presenting changes to the Board as they happen for approval. At the next meeting, the committee will be looking at Advisory Committee policies, Orientation documents as well as CRC documents.
- B. **Legislative** – Cheryl Reynolds – The Committee met on April 25, 2016 to discuss and clarify reciprocity requirements for the Addiction Counseling profession. Several stakeholders from the community joined the discussion. The committee will need to meet after the July Board meeting and before the September Board meeting to prepare a presentation packet for the September Board meeting
- C. **Technology** – Cheryl Reynolds – Cheryl presented what the committee researched and recommended to the Board at this point for the upgrade of tablets. The committee will need to meet quickly to make suggestions for the purchase of new tablets for Board members and staff. The committee will be meeting with staff and the OITS people to meet deadlines for purchases of equipment.

X. New Business –

Item: Appointment of new Advisory Committee Members

Action: Grant appointed Jurdene Ingram to the Marriage and Family Therapy Advisory Committee.

Max announced that the September out-of-town board meeting will be held at Rock Springs Ranch. He will check on dates available.

XI. **Item: Approval needed for applicant Haji Williams**

Action: Cheryl moved to approve Haji Williams' LMSW application for licensure. Todd seconded the motion. Motion passed.

Item: Approval needed for applicant Sheena Slack

Action: Cheryl moved to approve Sheena Slack's LMSW application for licensure. Terry seconded the motion. Motion passed.

Item: Executive session to discuss personnel issues

Action: Cheryl moved for the Board to go into Executive Session to protect the privacy of the employee for 10 minutes to discuss personnel issues and to invite Max Foster as the Executive Director to join the Executive Session. Terry seconded the motion. Motion passed. Larry exited the meeting.

11:18 Grant called a recess of the Board to into Executive session.

11:30 Board reconvened to regular session.

XII. **Adjournment**

Action: Jill moved to adjourn the meeting. Terry seconded the motion. Motion passed. Meeting was adjourned by Grant at 11:31 a.m.