Adopted October 2011

Behavioral Sciences Regulatory Board

BOARD GOVERNANCE POLICY

I. Mission Statement

The mission of the BSRB, in accordance with the intent of the Kansas Legislature, is to protect and serve the consumers of mental health services and the professionals that offer them, through the issuance of licenses, resolution of complaints and the creation of appropriate regulations, accomplished through efficiency, fairness and respect to all those involved.

II. Guiding Principles

A. Persons in Kansas shall expect that licensed mental health providers are qualified, competent, and professional.

B. Persons regulated by the BSRB shall expect equitable and fair treatment in relation to licensing activities, disciplinary processes and administrative regulations.

C. The BSRB shall provide all services in a manner that is timely, cost efficient, courteous and competent.

D. The BSRB shall be guided and led by ethical principles, clear policies, progressive thinking and strategic decision making.

E. The BSRB shall respect the dignity and worth of all individuals.

III. Services

A. Process license applications, and license renewals in a timely manner as defined by pre-established performance goals. These goals are to be set by the Executive Director and communicated to applicants and licensees at the time they initiate a service request.

B. Take disciplinary action when appropriate.

C. Provide timely information to the Public (i.e., mailing lists, list of licensees, maintain current website)

D. Maintain Rules/Regulations and Statutes

IV. Code of Conduct

The purpose of the Code is to instill and assure the public's trust and confidence in its regulatory board for the licensed professions. That trust must embrace the people who serve on the board, including the qualifications for public service that attracted their appointment.

A. Integrity

1. A member of the BSRB shall have no criminal or professional misconduct record, nor is under any investigation of charges or complaints.

2. A member of the BSRB possesses sound moral principles, e.g. is upright, honest, sincere.

3. A member of the BSRB has courage of convictions to withstand pressures to be swayed from the public protection agenda.

4. A member of the BSRB is honest about personal agendas and leaves them outside the boardroom.

5. A member of the BSRB shall reveal any actual or perceived conflicts of interest and appropriately recuse themselves from decisions or actions in those areas of interest.

6. A member of the BSRB shall not represent their personal opinion as that of the Board.

7. A member of the BSRB shall be limited to one unexcused absence a year.

B. Conflict of Interest

A member of the BSRB shall guard against conflict of interests.

1. Compliance

Common components of conflicts of interest policies include, but are not limited to, some or all of the following:

a. A member of the BSRB shall have no personal financial benefit as a result of service to the BSRB except sustenance and mileage;

b. A member of the BSRB who may have a conflict of interest according to stated criteria shall refrain from voting on the matter;

c. A member of the BSRB shall disclose any relationship with any other agency or individual involved with the BSRB and be excluded from matters involving such a conflict;

d. A member of the BSRB serving as part of an organization working in any way with the BSRB shall inform the Board Chair;

e. A member of the BSRB or staff shall not accept any gifts or promotional items received as part of their affiliation with the agency for personal use;

f. A member of the BSRB or staff shall not use the agency's name or agency information for personal gain;

C. Definitions

1. Direct financial interest — is any situation that will result in **a** pecuniary benefit in the form of cash, salary, or property to the person or their spouse.

2. Indirect financial interest — is any situation that will result in a financial advantage to another person or organization with which a person has a relationship or association.

3. Pecuniary benefit — is any benefit in the form of property, but does not include:
    1. Property with a value of less than twenty dollars ($20.00);
    2. Food or drink or entertainment authorized as a property deductible expense for income tax purposes under the U.S. Internal Revenue Code up to an amount of one hundred dollars ($100.00) per year; or
    3. Contributions to a political campaign as a public servant.

D. Confidentiality

Board discussion involving any of the following matters shall remain confidential, unless the Board expressly agrees to the contrary:

1. Any discussion that occurs during executive session;
2. Any discussion concerning actual or potential litigation;

V. Board Meetings

A. Board Composition

Quote K.S.A.

B. Meeting Schedule and Agenda Formation

Board meetings shall take place the second Monday of each month, unless the Board determines otherwise.

1. The following items will always appear on the agenda:

    a. Roll Call
    b. Approval of Agenda

    c. Approval of the Minutes
    d. Public comments
    e. Staff Reports
    f. Complaint Review Committee (CRC) Report
    g. Reports from Professional Board members

C. Chairman Authority/Responsibility

1. Chair — The Chair of the BSRB shall:
    a. Preside at all meetings.
    b. Appoint members of the Advisory Committees.
    c. Appoint members of the CRC
    d. Appoint members to other ad hoc committees

2. Vice-Chair — The Vice-Chair shall discharge the duties of the Chair in his/her absence, disability, resignation, or death.

D. Emergency Executive Succession

1. In the event that the Board Chair is unable to perform the duties of the Office discharge the duties of the Office to the Vice-Chair.

2. In the event that the Executive Director is unable to perform the duties of the office of Executive Director, the BSRB may request an interim Director. If the BSRB is unable to meet immediately, the Board Chair will seek an interim Director until the Board can meet.

VI. Board-Executive Director Relationship

A. Organizational Structure

1. Staff will communicate personnel issues to the Executive Director;
2. The Executive Director will communicate matters that should be addressed by the Board to the Chair of the Board;

3. The Chair of the Board will present these Board related issues to the Board;

4. The Executive Director will communicate to the staff the Board wishes, intentions, policies, etc.

B. **Delegation to the Executive Director**

1. The Executive Director shall be the administrative head of the organization, serving at all times under the Board. The Executive Director will be responsible for implementing and executing the policies and activities approved by the Board. She/He shall assist in the developing of the over-all program and shall recommend policies and activities for consideration by the Board.

2. The Executive Director shall have sole authority to employ, eliminate, and fix the duties and salaries of other employees or independent contractors of the organization, subject to policies, regulations and limitations approved by the State of Kansas.

C. Executive Expectations

1. The Executive Director shall keep the Board advised of BSRB activities by issuing a monthly report to the Board, which summarizes pertinent information.

2. The Executive Director shall prepare the agenda for Board meetings in consultation with the Board Chair.

3. The Executive Director shall prepare the agenda in consultation with the Board Chair for an annual Board retreat which shall allow for issues before the Board that need in depth consideration.

D. Monitoring the Executive Director's Performance

1. The Board shall, when necessary, utilize executive session to discuss issues concerning the Executive Director. The Board shall also formally evaluate the Executive Director on an annual basis, with emphasis on whether set outcomes are attained.

VII. Advisory Committees

Purpose: A BSRB Advisory Committee, as a creation of the Board, has the purpose of supporting the Board in carrying out its mission to protect the public. Members serve at the pleasure of the Board. Actions pertaining to informing, licensing, and disciplining of those persons regulated by the Board are the methods for accomplishing the mission.

Process: An Advisory Committee fulfills its purpose by addressing issues referred to it by the Board through the Advisory Committee Chairperson or the Executive Director. A Committee may suggest issues it believes the Board should consider by referring those through the Chairperson of the Advisory Committee. When the latter occurs the Board has three courses of action from which to choose:

1. The Board can agree the issue needs to be addressed at the Board level.

2. The Board can agree the issue should be addressed and refer the matter to the appropriate person or committee for additional information, review, or analysis, which will then be brought back to the Board.

3. The Board can decide to not address the issue.

Structure of the Committee: The Chairperson of the Committee will be a Board member licensed in the discipline of the committee. A public member of the Board will also be a member. There will be a minimum of three additional members appointed. These members shall provide representation of the levels of licensing for that discipline. It is suggested that those members be selected from among public and private practitioners and educators. The Executive Director will be a non-voting, ex officio member. The Credentialing Specialist and the Assistant Attorney General representing the Board are encouraged to attend. Former BSRB Board members may serve on the Advisory Committee.

Terms for Advisory Committee members will be two years. They will be appointed by the Chairperson of the BSRB and can serve up to four terms. Appointments to the committee should be staggered so that approximately one third of the committee terms will be expiring each year. The policies and procedures under which the BSRB Board Members are expected to operate will apply also to the Advisory Committee Members. The Chairperson of the BSRB can remove members.

Selection: Members for the Committee may be nominated by anyone, including the public, committee members, members of a professional organization — either the discipline's own or other's — or through self-nomination. In reviewing nominations the Committee should work to ensure that there is representation based on geographical, gender, and public vs. private settings.

The Committee as a whole discusses nominations. The nominee's resume, a letter stating the reasons why he or she desires to be appointed, and a copy of the Board's mission and goals to which the nominee has indicated agreement, are reviewed. The Chairperson of the Committee will submit the names of the nominee(s) to the BSRB Board Chairperson at the Board meeting. The Chairperson will review the nominations and may request input before making a decision, which will be announced at the next Board meeting.

After the appointment has been approved the Executive Director will inform the Advisory

Committee appointee by letter. The Executive Director may assist the new member by providing information, which will help orient the member to the Board's, and Advisory Committee's, role and function.

VIII. Complaint Review Committee Policy

The CRC operates as part of the Investigations Policy document. That document is attached in Appendix A.