

Guidelines for Public Attendees of Meetings

Adopted by the Board on January 10, 2022

Meetings of the Behavioral Sciences Regulatory Board (BSRB) and subcommittee meetings of the BSRB, such as Advisory Committee meetings, fall under the Kansas Open Meeting Act (KOMA) and are open to the public. The KOMA does not require state agencies to provide public comment to individuals, however as part of the BSRB's public protection mission, the agency values the receipt of information and input from members of the public. To ensure that all individuals are treated in a consistent and respectful manner, the agency has created this guidance document to provide general procedures for individuals attending Board Meetings and Advisory Committee meetings as well as general guidance on topics relevant for public comment at these meetings.

Guidelines for Individuals Attending Meetings

In-Person Meetings

When Board and Advisory Committee meetings are held in-person, the BSRB will attempt to provide sufficient physical space for public attendees to be present at the meetings. Unless otherwise noted, in-person meetings will be held in the BSRB Boardroom at 700 SW Harrison St., Ste. 420, Topeka, KS. Additional public access to the meeting will be provided by the agency through the use of a conference call line and by broadcasting the meetings on the BSRB YouTube Channel.

Virtual Meetings

When Board and Advisory Committee meetings are held virtually, public access to the meeting will be provided through the use of a conference call line and by broadcasting the meeting to the BSRB YouTube Channel. If the Board Chair or Advisory Committee Chair permits time for public comment, presenters will be provided a Zoom link to log into the meeting. Individuals presenting information to the Board over Zoom should provide sufficient information to the Executive Director prior to the meeting so that the attendees may be identified in the Zoom waiting room. To ensure the security of the Board and Advisory Committee meetings, if individuals cannot be identified in the Zoom waiting room, they will not be admitted into the Zoom meeting. Individuals who have not received a specific Zoom link to attend the meeting will not be granted access to attend the meeting over Zoom.

General Guidance for Attendees

When attending meetings of the Board or Advisory Committees, cell phones and other devices which create noise should be turned off or disabled during meetings to avoid disruptions. Attendees should avoid side-conversations that could cause distractions during meetings.

Guidelines for Presentation of Information at Meetings

Procedure for Public Comment

The Chair of the Board and Chairs of Advisory Committees will determine whether public comment will be allowed at each meeting. If time for public comment is permitted, the Chair will have authority to determine the amount of time available for public comment. Any individuals wishing to provide public comment at Board or Advisory Committee meetings should contact David Fye, Executive Director for the BSRB, no later than 48 hours prior to the meeting, by sending an e-mail to david.fye@ks.gov. Information in the e-mail to the Executive Director should make clear that the individual is seeking to provide public comment, the specific meeting being referenced, and should indicate the general topic on which the individual wishes to provide public comment. Written comment is not required to be submitted to the Executive Director, but it is strongly encouraged so that members of the Board or Advisory Committees may read the information ahead of the meeting and be better prepared to communicate with the individual providing comment. After receiving requests to provide public comment, the Executive Director will speak with the Chair to determine if public comment will be permitted. If public comment is permitted, the Executive Director will communicate the decision of the Chair and time limit to individuals requesting public comment.

At the meeting, the Chair will recognize the presenter at the appropriate time identified on the agenda. While receipt of public comment is not preceded by the formality of an oath, by appearing before the Board or an Advisory Committee, the presenter hereby certifies that the information is presented truthfully, based upon facts that are capable of verification, and offered in good faith. Presenters should promptly bring to the Board or Committee's attention any necessary corrections to information that they have previously presented. Any individuals presenting public comment should avoid exceeding the time permitted and should conduct themselves in a respectful manner when addressing the Chair and members of the Board or Advisory Committees. At the conclusion of public comment, the Chair may allow time for questions or may move to the next item on the agenda.

Topics Relevant for Public Comment

As a state agency created by the Kansas Legislature, the BSRB is governed by statutes and regulations. Information presented to the Board or Advisory Committees should be relevant to those statutes or regulations governing the agency. The Chair reserves the right to limit testimony that is, in the judgment of the Chair, not relevant to matters germane to the Board or Advisory Committees. Common examples of past public comment topics include requested changes to the statutes or regulations relating to qualifications for licensure, fees, continuing education, or unprofessional conduct of practitioners. The BSRB highly values receipt of information that a licensee may have violated the statutes and regulations for a profession regulated by the agency. However, information on a specific practitioner licensed by the BSRB, information that is relevant to an active investigation, or information that could be grounds for a complaint against a practitioner should be provided to the BSRB through the submission of a complaint/Report of Alleged Violation (RAV), rather than through public comment at a Board or Advisory Committee meeting. Use of a standardized process for receiving this information, investigating allegations, and determining possible discipline helps ensure that both members of the public and licensees are treated consistently and fairly. Instructions on the BSRB's investigation process and instructions on filing a Report of Alleged Violation with the agency can be found on the BSRB's website at <https://ksbsrb.ks.gov/complaints>.