

New Changes to BSRB Regulations

December 20, 2022

The Behavioral Sciences Regulatory Board (BSRB) is excited to announce the implementation of new changes in the regulations for professions regulated by the Board. This language was voted on by the Board of the BSRB, was reviewed and approved by the Department of Administration and the Attorney General's office, was published on the BSRB website and received a 60-day open comment period, was reviewed by the Legislative Joint Committee on Administrative Rules and Regulations, received a final vote by the Board of the BSRB on November 14, 2022, and was published in the Kansas Register on December 1, 2022.

To view the specific wording on the changes to regulations, you may view the December 1, 2022, publication of the Kansas Register at <https://sos.ks.gov/publications/kansas-register.html>.

Most of these changes adjust language in the regulations for certain applicants pursuing a clinical-level license and many of these changes match regulatory requirements with recent statutory changes. Also, the Board has strived to make other positive changes to account for issues related to the pandemic, advancements in technology, workforce concerns, and to create better uniformity of license requirements across professions regulated by the BSRB. We have updated forms on our website related to the new requirements in the regulations and we are in the process of ensuring that the Frequently Asked Questions sections of our website reflect the updated information as well. We understand that some forms may have already been received under the previous regulatory requirements or that other forms are in transit. To allow for administrative transition to the new regulations, we will be accepting any forms using the previous requirements through February 1, 2023. **Anyone currently practicing under a Board-approved training plan may continue to practice according to the terms in those training plans.**

The language below is intended to highlight the changes to the regulations, but is not meant to reflect all requirements for attaining certain levels of licensure. For more information on the specific requirements for licensure, please visit our website at <https://ksbsrb.ks.gov>.

Addiction Counseling - K.A.R. 102-7-1 and K.A.R. 102-7-6

K.A.R. 102-7-1 is changed to remove the existing definition of "Client Contact," clarifies that LMAC means Licensed Master's Addiction Counselor, and adds new definitions for "Direct Client Contact," "Extenuating Circumstances," "One Hour," and "Under Direction."

K.A.R. 102-7-6 is changed to state that applicants seeking a clinical license must complete 3,000 hours of postgraduate supervised professional experience, which is consistent with recent statutory changes lowering the number of hours from 4,000 hours to 3,000 hours. New language states that one hour of supervision should occur for every 15 hours of direct client contact; all supervision may be in-person or face-to-face by televideo if certain requirements are met, and supervision by telephone is permitted under extenuating circumstances as approved by the Board; removes language previously requiring the supervisor and supervisee to be in the same physical space; and clarifies that at least 50 hours of supervision must be individual supervision and up to 50 hours may be group supervision, for a total of 100 supervision hours. For clinical license applicants who already hold a doctoral degree, at least 25 hours of individual supervision and up to 25 hours may be group supervision must be attained for a total of 50 supervision hours. Additionally, K.A.R. 102-7-6(d)(2) states that supervision must occur for at least one hour at least twice per month and language allows clinical supervision to be provided by a clinical

addiction counselor or an individual licensed at the clinical level of another profession regulated by the BSRB.

Marriage and Family Therapy - K.A.R. 102-5-1 and K.A.R. 102-5-7a

K.A.R. 102-5-1 is changed to modify definitions of “Direct Client Contact” and “Extenuating Circumstances,” and to add a new definition of “One Hour.” The definition of “One Year of Professional Experience” is changed so that it means 1,500 clock-hours of postgraduate supervised experience in marriage and family therapy, rather than 2,000 hours.

K.A.R. 102-5-7a is changed to reflect that applicants seeking a clinical license must complete 3,000 hours of postgraduate supervised professional experience, which is consistent with recent statutory changes lowering the number of hours from 4,000 hours to 3,000 hours. Language is added one hour of supervision should occur for every 15 hours of direct client contact; all supervision may be completed in person or face-to-face by televideo if certain requirements are met, and supervision by telephone is permitted under extenuating circumstances as approved by the Board; removes language previously requiring the supervisor and supervisee to be in the same physical space; and clarifies that for clinical license applicants, at least 50 hours of supervision must be individual supervision and up to 50 hours may be group supervision for a total of 100 supervision hours; and states that supervision must occur for at least one hour at least twice per month. For clinical license applicants who already hold a doctoral degree, at least 25 hours of individual supervision and up to 25 hours may be group supervision, for a total of 50 supervision hours. Language is added to K.A.R. 102-5-7a(c) that a supervisor must be a Board-approved LCMFT supervisor and under K.A.R. 102-5-7a(c)(2), new language requires extenuating circumstances if an applicant seeks to use a clinical supervisor from another profession, replacing previous language that required a clinical marriage and family therapist be unavailable.

Master’s Level Psychology - K.A.R. 102-4-1a and K.A.R. 102-4-7a

K.A.R. 102-4-1a is changed to modify the existing definition of “Extenuating Circumstances,” and to add new definitions of “Direct Client Contact” and “One Hour.”

K.A.R. 102-4-7a is changed to clarify that all supervision may be completed in person or face-to-face by televideo if certain requirements are met, and supervision by telephone is permitted under extenuating circumstances as approved by the Board; removes language previously requiring the supervisor and supervisee to be in the same physical space; clarifies that for clinical license applicants at least 50 hours of supervision must be individual supervision and up to 50 hours may be group supervision for a total of 100 hours; and clarifies that supervision must occur for at least one hour at least twice per month.

Professional Counseling - K.A.R. 102-3-1a, K.A.R. 102-3-3a, and K.A.R. 102-3-7a

K.A.R. 102-3-1a is changed to remove the existing definition of “Academic Equivalent of a Semester Hour” and “Client Contact,” modify an existing definition of “Extenuating Circumstances,” and adds new definitions of “Direct Client Contact,” “One Hour,” “Quarter Credit Hour,” and “Related Field.” The definition of “One Year of Professional Experience” is changed so that it means 1,500 clock-hours of postgraduate supervised experience in professional counseling, rather than 2,000 hours.

K.A.R. 102-3-3a is changed to allow “related fields” for applicants satisfying the requirements in K.A.R. 102-3-3a(b)(2) and for programs satisfying the requirements in K.A.R. 102-3-3a(f) and (g). Additionally, changes state that applicants seeking a clinical license must complete a clinical practicum including 280 hours of direct client contact or additional postgraduate experience providing psychotherapy and assessment as part of a postgraduate supervised experience, a modification consistent with recent statutory changes lowering the number of direct client hours for a practicum from 350 hours to 280 hours.

K.A.R. 102-3-7a is changed to clarify the number of hours of postgraduate supervised professional experience totals 3,000 hours, inclusive of 1,500 hours of direct client contact, which is consistent with recent statutory changes decreasing the total number of hours from 4,000 hours to 3,000 hours; allows all supervision to be in person or face-to-face by televideo if certain requirements are met, and allows supervision by telephone under extenuating circumstances as approved by the Board; removes language previously requiring the supervisor and supervisee to be in the same physical space; clarifies that for clinical license applicants, at least 50 hours of supervision must be individual supervision and up to 50 hours may be group supervision for 100 total supervision hours; and supervision must occur at least one hour at least twice per month. For clinical license applicants who already hold a doctoral degree, at least 25 hours must be individual supervision and up to 25 hours may be group supervision, for a total of 50 supervision hours. Language is changed in K.A.R. 102-3-7a to note the supervisor must be a LCPC Board-approved supervisor and under K.A.R. 102-3-7a(c)(3), new language requires extenuating circumstances if an applicant seeks to use a clinical supervisor from another profession, replacing previous language that required a clinical professional counselor be unavailable.

Psychology - K.A.R. 102-1-1 and K.A.R 102-1-5a

K.A.R. 102-1-1 is changed to add new definitions for “Direct Client Contact” and “Extenuating Circumstances.”

K.A.R. 102-1-5a is changed to allow all supervision in person or face-to-face by televideo if certain requirements are met, and to allow supervision by telephone under extenuating circumstances as approved by the Board.

Social Work - K.A.R. 102-2-1a, K.A.R. 102-2-8, and K.A.R. 102-2-12

K.A.R. 102-2-1a is changed to modify the definition of “Direct Client Contact,” “Extenuating Circumstances,” and to add a new definition of “One Hour.”

K.A.R. 102-2-8 is changed to require applicants seeking a clinical license to attain one hour of supervision for every 15 hours of direct client contact; supervisors providing group supervision may meet with not more than six supervisees at a time, an increase from a previous limitation of four supervisees; and changes reflect that applicants seeking a clinical license must complete 3,000 hours of postgraduate supervised clinical social work experience, which is consistent with recent statutory changes lowering the number of hours from 4,000 hours to 3,000 hours.

K.A.R. 102-2-12 is changed to strike language previously requiring not less than 350 hours of direct client contact as part of a clinical practicum and strikes language which previously allowed the Board to consider applicants who had completed a non-clinical practicum, both changes consistent with statutory changes in 2021 Senate Sub. for HB 2208; states that applicants seeking a clinical license must complete 3,000 hours of postgraduate supervised clinical social work experience, inclusive of 1,500 hours of direct client contact conducting psychotherapy and assessments (the previous language allowing up to 500 hours of clinical social work practice has been removed). The decrease to 3,000 hours is consistent with recent statutory changes lowering the total number of hours from 4,000 hours to 3,000 hours. The language requires clinical license applicants to attain one hour of supervision for every 15 hours of direct client contact; requires that at least 50 hours of supervision must be individual supervision and up to 50 hours may be group supervision for 100 total supervision hours; allows all supervision in person or face-to-face by televideo if certain requirements are met, and to allow supervision by telephone under extenuating circumstances as approved by the Board; and adds language that there must be two separate supervision sessions per month, at least one being individual supervision.