

102-4-1a. Definitions. Each of the following terms, as used in this article of the board's regulations, shall have the meaning specified in this regulation:

(a) "Academic equivalent," as used in K.A.R. 102-4-3a, means the proportionate credit awarded for formal academic coursework when this coursework is completed on the basis of trimester credit hours or quarter credit hours rather than semester credit hours.

(b) "Alternate psychology supervisor" means a person who is not licensed or registered as a psychologist in the state or jurisdiction where the supervision occurred, but who satisfies meets all of the following alternate qualifications:

(1) The supervisor has received a graduate degree in psychology.

(2) The supervisor has practiced as a psychologist for ~~no fewer than~~ at least two calendar years before supervising the applicant.

(3) The supervisor had legal authority to engage in the independent practice of psychology in Kansas or in the state or jurisdiction where an applicant's supervision occurred.

(c) "Client" means a person who is a direct recipient of master's level psychology services or clinical psychotherapy services.

(d) "Clinical psychotherapy practice" means the independent practice of master's level psychology and the application of psychology theory and methods to the treatment and prevention of psychosocial dysfunction, disability, or impairment, including behavioral, emotional, and mental disorders. Clinical psychotherapy shall include the following:

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- (1) Assessment;
 - (2) diagnosis of mental disorders;
 - (3) planning of treatment, which may include psychotherapy and counseling;
 - (4) treatment intervention directed at interpersonal interactions, intrapsychic dynamics, and life management issues;
 - (5) consultation; and
 - (6) evaluation, referral, and collaboration.
- (e) "Clinical supervision training plan" means a formal written agreement that establishes the supervisory framework for postgraduate clinical experience and describes the expectations and responsibilities of the supervisor and supervisee.
- (f) "Consultation" means collegial deliberation within the context of a voluntary, professional relationship in which the consultant offers the consultant's best advice and expertise that the consultee can either accept or reject and in which the objectives and requirements of supervision as established in K.A.R. 102-4-7a are lacking. Professional consultation shall not be substituted for professional psychology supervision and shall not meet the requirements of K.S.A. 74-5362, and amendments thereto, regarding the practice of master's level psychology under the direction of a licensed practitioner.

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(g) "Continuing education" means programs or activities that have content designed to enhance a licensee's knowledge, skills, values, ethics, or ability to practice as a master's level psychologist or a clinical psychotherapist.

(h) "Cooperating agency" means a public or private agency, institution, or organization that provides psychological services and that has a prior agreement with an academic institution to participate in a practicum program in compliance with the requirements of K.A.R. 102-4-6a.

(i) "Direct client contact" means the provision of master's level psychology services to a client or clients in an individual, family, or group format with interaction being conducted in person or remotely with real-time, two-way interactive audio, visual, or audiovisual communications, including the application of videoconferencing, in which confidentiality is protected. Interaction that includes electronic mail, instant messaging, texting, or facsimile shall not be considered direct client contact.

(i) (j) "Dual relationship" means a professional relationship in which the objectivity or competency of the licensee is impaired or compromised due to any of the following present or previous relationships with the client or supervisee:

- (1) Familial;
- (2) sexual;
- (3) emotional; or
- (4) financial.

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~~(j)~~ (k) "Extenuating circumstances" means any conditions condition or situation caused by unexpected events that are beyond the individual's control caused by events beyond a person's control that is sufficiently extreme in nature to result in either of the following:

(1) The person's inability to comply with the requirements of this regulation; or

(2) the inadvisability of requiring the person to comply with the requirements of this regulation.

~~(k)~~ (l) "Job orientation" ~~or~~ and "on-the-job training" means mean a training program or presentation of information that is so specific to a particular job or employment position that the training or information cannot be generalized to another work setting.

~~(l)~~ (m) "Malfeasance" means the performance of an act by a licensee that is prohibited or ~~that~~ constitutes wrongdoing or misconduct.

~~(m)~~ (n) "Merits the public trust" means that an applicant or licensee possesses the high standard of good moral character and fitness that is required to practice master's level psychology or clinical psychotherapy as demonstrated by the following personal qualities:

- (1) Good judgement;
- (2) integrity;
- (3) honesty;
- (4) fairness;

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- (5) credibility;
- (6) reliability;
- (7) respect for others;
- (8) respect for the laws of the state and the nation;
- (9) self-discipline;
- (10) self-evaluation;
- (11) initiative; and
- (12) commitment to the psychology profession and its values and ethics.

~~(n)~~ (o) "Misfeasance" means the improper performance of a lawful act
licensee.

~~(o)~~ (p) "Nonfeasance" means the omission of an act that a licensee is
required to perform.

(q) "One hour" means either of the following:

(1) One period of 50-60 continuous minutes; or

(2) two periods of 25-30 continuous minutes each.

~~(p)~~ (r) "Postgraduate work experience" means the postgraduate,
supervised practice of psychology that meets the requirements provided in
K.A.R. 102-4-7a.

~~(q)~~ (s) "Practice of psychology," "practice of master's level psychology,"
and "practice of master's level psychology or clinical psychotherapy" mean the
application by persons trained in psychology of established principles of learning,
motivation, perception, thinking, and emotional relationships to problems of

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behavior adjustment, group relations, and behavior modification. The application of these principles may include the following activities and services:

(1) Counseling and the use of psychological remedial measures with persons having adjustment or emotional problems in the areas of work, family, school, and personal relationships, whether those services are provided to individuals or in groups;

(2) the measuring and testing of personality, intelligence, aptitudes, attitudes, and skills;

(3) the teaching of the subject matter; and

(4) the conducting of research on problems relating to human behavior, except that in all cases involving the care of the sick and ill as defined by the laws of this state, the primary responsibility shall remain with those individuals licensed under the Kansas healing arts board.

(~~r~~) (t) "Practicum," whether entitled a residency, an internship, or a field placement, means a formal component of the academic curriculum in the professional psychology program that engages the student in the supervised, professional practice of psychology and provides opportunities to apply classroom learning to actual practice situations in the field setting.

(~~s~~) (u) "Prior-approved continuing education" means any of the following forms of continuing education:

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(1) Any single program for which the program material has been submitted by a provider to the board, approved by the board, and assigned a continuing education number;

(2) any program offered by a provider with approved-provider status; or

(3) academic psychology courses audited or taken for credit.

(~~t~~) (v) "Professional psychology supervision" means the oversight established in a formal relationship between the supervisor and supervisee for the purpose of developing the supervisee's responsibility, skill, knowledge, attitudes, and ethical standards in the practice of psychology.

(~~u~~) (w) "Quarter credit hour" means two-thirds of a semester credit hour.

Quarter credit hours shall be rounded as follows:

(1) One quarter credit hour equals .7 semester credit hours.

(2) Two quarter credit hours equal 1.3 semester credit hours.

(3) Three quarter credit hours equal 2.0 semester credit hours.

(4) Four quarter credit hours equal 2.7 semester credit hours.

(5) Five quarter credit hours equal 3.3 semester credit hours.

(~~v~~) (x) "Semester credit hour," as used in K.A.R. 102-4-3a, means a unit of academic credit based on ~~a minimum of~~ at least 13 clock-hours of formal didactic classroom instruction that occurred over the course of an academic semester and for which the applicant received formal graduate academic credit.

(~~w~~) (y) "Substantially equivalent" means equal in value in all essential and material requirements.

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~~(x)~~ (z) "Termination of the professional relationship" means the end of the professional relationship between a licensee and a client resulting from any of the following:

- (1) The mutual consent of the licensee and the client;
- (2) the completion of the professional services;
- (3) the dismissal of the licensee by the client;
- (4) the dismissal of the client by the licensee; or
- (5) the transfer of the client to another professional for active treatment or therapy with the belief that treatment will continue.

~~(y)~~ (aa) "Trimester credit hour" means a unit of academic credit received under an academic year consisting of three equal terms. A trimester credit hour shall be equivalent to a semester credit hour.

~~(z)~~ (bb) "Under the direction," when used to describe a licensed master's level psychologist, means that the licensee has a formal relationship with an individual providing guidance and oversight in which both of the following conditions are met:

(1) The directing individual provides the licensee with the following, commensurate with the welfare of the client and the education, training, and experience of the licensee:

(A) Professional monitoring and oversight of the licensed master's level psychology services provided by the licensee;

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(B) regular and periodic evaluation of the treatment services provided to clients by the licensee; and

(C) verification that guidance and oversight was provided to the licensee.

(2) With each license renewal, the licensee receiving direction provides the board with the following:

(A) The name of the directing individual, the type of license held by the directing individual, and other pertinent identifying information; and

(B) a description of the work setting and the master's level psychology services conducted under direction.

~~(aa)~~ (cc) "Undue influence" means ~~misusing~~ the misuse of one's professional position of confidence, trust, or authority over a client or supervisee or the taking advantage of a client's vulnerability, weakness, infirmity, or distress for either of the following purposes:

(1) To improperly influence or change a client's or supervisee's actions or decisions; or

(2) to exploit a client or supervisee for the financial gain, personal gratification, or advantage of the licensee or a third party. (Authorized by and implementing K.S.A. ~~2007-Supp.~~ 74-7507; effective Dec. 19, 1997; amended Aug. 4, 2000; amended Oct. 27, 2006; amended Dec. 19, 2008; amended P-
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