

**BEHAVIORAL SCIENCES REGULATORY BOARD  
BOARD MEETING AGENDA  
MONDAY, MARCH 11, 2024**

The Board meeting will be a remote-only meeting. The meeting will be conducted virtually on a Zoom platform and by telephone conference call. If there are any technical issues during the meeting, you may call the Board office at, 785-296-3240.

You may view the meeting here: <https://youtube.com/live/of-L4nU8-DA?feature=share>

To join the meeting by conference call: 877-278-8686 (Pin: 327072)

The Behavioral Sciences Regulatory Board may take items out of order as necessary to accommodate the time restrictions of Board members and visitors. All times and items are subject to change.

**Monday, March 11, 2024**

**10:00 a.m. Call to Order and Roll Call**

- I. Opening Remarks, Board Chair**
- II. Agenda Approval**
- III. Presentation on Enterprise Licensing Solution by Representatives from John Thomas and Eddie Hunt, Accela**
- IV. Public Comment**
  - A. None**
- V. Review and Approval of Minutes from Previous Board Meetings on January 12, 2024, and February 12, 2024**
- VI. Executive Director's Report**
- VII. Staff Reports**
- VIII. Complaint Review Committee Report**
- IX. Professions Reports**
  - A. Licensed Psychology**
  - B. Social Work**
  - C. Professional Counseling**
  - D. Master's Level Psychology**
  - E. Marriage and Family Therapy**
  - F. Addiction Counseling**
  - G. Behavior Analysis**

**10-Minute Break**

- X. Old Business**
  - A. Update on Agreement with CE Broker**
  - B. Continued Discussion on Requiring Background Checks for Licensees**
  
- XI. New Business**
  - A. Discussion on Possible New Licensing System**
  - B. Board Discussion on “Other Related Fields” for Doctoral Programs**
  - C. Possible Delegation Motion on Practicum References (See K.A.R. 102-5-4a as Example)**
  - D. Possible Update to Investigation Policy and Possible Delegation Motion on Individuals Who May Sign Subpoenas**
  - E. Discussion on “Preparing for the Practice of Addiction Counseling” in K.S.A. 65-6616**
  - F. Discussion on Jurisprudence Examinations**
  - G. Format and Location for Board’s Out-of-Town planning meeting in October 2024**
  
- XII. Possible Executive Session**
  
- XIII. Date for Next Board Meeting: Monday, May 13, 2024**
  
- XIV. Adjournment**

**BEHAVIORAL SCIENCES REGULATORY BOARD  
BOARD MEETING MINUTES  
January 12, 2024**

**DRAFT MINUTES**

- I. Call to Order and Roll Call.** The Board meeting was called to order by Board Chair Mary Jones at 10:00 a.m.

**Board Members.** Board members in attendance via Zoom were Mary Jones, David Anderson, Jill Flessing, Linda Heitzman-Powell, Donna Hoener-Queal, Jim Kilmartin, Jacqueline Lightcap, Richard Nobles, Andrea Perdomo-Morales, Cynthia Schendel, Laura Shaughnessy, and David Stevens.

**Staff.** BSRB Staff in attendance via Zoom included David Fye, Leslie Allen, and Cindy D’Ercole. Legal counsel for the Board, Attorney Tim Resner, was present.

**Guests.** None

- II. Agenda Approval.** David Anderson moved to approve the agenda. Jim Kilmartin seconded. The motion passed.

**III. Public Comment**

- A. Social Work Multi-State Compact Legislation (2024 HB 2484) – Tonya Ricklefs, Board President for Kansas Chapter of the National Association of Social Workers (NASW).** The President for the Kansas Chapter of NASW provided public comment requesting the BSRB Board support HB 2484, a bill which would add Kansas to a multi-state compact for social workers.

- IV. Minutes Approval:** Jim Kilmartin moved to approve the minutes from the Board meeting on November 14, 2023. Cynthia Schendel seconded. The motion passed.

- V. Executive Director's Report.** David Fye, Executive Director for the BSRB, reported on the following topics:

**A. Operations.** Since launching the BSRB YouTube channel in January of 2021 to provide better access for individuals to follow the work of the Board and Advisory Committees, 138 meetings have been broadcast, viewed over 5,319 times. It was noted that Board meetings are being viewed an average of 84 times per meeting.

**B. Expenditure and Revenue.** At the end of December 2023, the fiscal year revenue was about \$408,000, and the expenditures were \$459,000. The balance in the BSRB Fee Fund is currently a little over \$2 million.

- C. Staffing Updates.** The agency currently has 11 full-time employees and one part-time employee. The BSRB would like to convert the part-time employee into a full-time employee once she graduates from college later this year. The agency requested to reallocate expenditures from temporary staffing to permanent staffing and to add 0.5 FTE positions, to convert the part-time employee into a full-time employee, beginning in FY 2025. The Governor concurred with the request and it will be reviewed by the budget committees in the House and Senate.
- D. Legislative Updates.** The 2024 legislative session started this week. The Governor's State of the State was on Wednesday, January 10, 2024, and the Governor's Budget Report was delivered to the House and Senate on January 11, 2024. The Governor recommended the same amount that was requested and approved for 2024. Every year, the BSRB's budget is reviewed and approved by both the House and Senate committees. The Executive Director made Board members aware of: House Bill 2484 (the social work multi-state compact bill) and Senate Bill 37, which involves the Kansas Fights Addiction Act. The Executive Director reported receiving a packet of 10 regulations that have been reviewed and approved by both the Department of Administration and the Attorney General's Office. These regulations involved social work, professional counseling, marriage and family therapy, and addiction counseling regulations that involved a proposed change to the definition of "in residence," as it relates to requirements for licensure. Other proposed changes in this set of regulations include adding a national accrediting body for the addiction counseling profession, as well as removing some program requirements concerning core faculty for the master's level psychology profession. The regulations will be published in the Secretary of State's publication on January 24, 2024, and then they will be open for a 60-day public comment period.
- E. Association Updates.** The American Association of State Counseling Boards (AASCB) held an annual conference earlier in the week in Arizona, attended by the Executive Director and Board members Mary Jones and Laura Shaughnessy. Primary areas of focus included artificial intelligence and the roles regulators should have in terms of practitioner responsibilities and confidentiality, supervision and discipline, and technology utilization.
- F. Kansas Fights Addiction Grant Review Board (KFAGRB).** Jason Hess, the Board's appointee to the KFAGRB, provided a written summary of recent activities of the group.
- G. PSYPACT.** PSYPACT is a multi-state compact for the licensed psychology profession that Kansas officially joined in January of 2022. Their annual meeting took place on November 16 and 17, 2023, which the Executive Director attended. The major takeaway was that PSYPACT provides a method for licensed psychologists to be able to practice primarily telehealth in other PSYPACT states. In Kansas, there are close to 100 individuals practicing under PSYPACT authority.

- H. Professional Counseling Compact.** There are currently 30 states that are part of the compact. The compact is not yet operational, but the compact commission has been meeting and passing rules. It is hopeful that the compact will become operational later this year.
- I. Social Work Multi-State Compact.** One aspect of this compact that is unique from other compacts is that it establishes a new license type rather than providing privilege to practice. With this compact, states would begin offering multi-state licenses which would allow licensees to practice in any state that is part of the compact. In Kansas, there are currently 8,288 licensees in the social work profession, with 6,494 living in Kansas and 1,794 living outside of Kansas. The Executive Director anticipates a drop in the BSRB's social work licensee count if Kansas joins the compact and it becomes operational, as it is anticipated that out-of-state licensees will choose to let their license in Kansas expire and will choose to practice under multi-state licenses issued by their home states. The bill associated with this compact sets the cap for how much the Board could charge for certain fees.
- VI. Staff Reports.** The Executive Director reviewed historical information on licensing trends, which shows that the agency continues to see growth in overall licensees.
- VII. Complaint Review Committee (CRC) Report.** Cindy D'Ercole, Investigator for the BSRB, provided updates on the CRC.
- VIII. Professions Reports**
- A. Licensed Psychology.** The Advisory Committee last met on Tuesday, December 12, 2023. They discussed the unprofessional conduct regulation and plan to make additional edits at their next meeting. The Advisory Committee also discussed making changes to the continuing education regulation, specifically in lowering the number of required continuing education hours from 50 hours to 40 hours every two years. The Advisory Committee is recommending that the accreditation system, PCSAS, be added as another national accrediting body recognized for licensing purposes in Kansas. The next meeting is Tuesday, February 13, 2024, at 6 p.m.
- B. Social Work.** The Advisory Committee last met on December 5, 2023. One of the non-board members is resigning, which will bring the Advisory Committee down to nine members. There will be a notice sent out to licensees in April seeking new members. The Advisory Committee discussed the 2023 ASWB annual meeting that took place in November 2023, as well as survey questions for a survey that will be sent out to all licensed social workers regarding interest in the multi-state compact license and other topics. The Advisory Committee also reviewed final language on proposed changes to the unprofessional conduct regulation. The next meeting is February 13, 2024, at 10 a.m.

- C. Professional Counseling.** At their last meeting, the Advisory Committee discussed unprofessional conduct regulations, the educational review process, and supervision issues. The next meeting is on February 5, 2024.
- D. Master's Level Psychology.** The Advisory Committee met on December 11, 2023. They discussed having APA accredited LP programs satisfy educational requirements for LMLP licensure. The Advisory Committee also discussed whether individuals should be able to sit for the EPPP examination with a score over a 400, but less than 500. They plan to begin reviewing the educational criteria for licensure at their next meeting on February 7, 2024.
- E. Marriage and Family Therapy.** The Advisory Committee met on December 12, 2023. They continued reviewing continuing education and unprofessional conduct regulations. They also discussed members of other professions serving as board approved supervisors. The Advisory Committee plans to start discussion on educational equivalency standards at their next meeting on February 9, 2024.
- F. Addiction Counseling.** The Advisory Committee was unable to meet in December 2023. At the next meeting in March 2024, the Advisory Committee plans to discuss new topics for 2024.
- G. Behavior Analyst.** The Advisory Committee met on December 8, 2023. They discussed unprofessional conduct regulations, documentation of continuing education, reinstatement of licenses, and location of client when services are being provided. The next meeting is February 9, 2024, at 1 p.m.

## **10-Minute Break**

### **IX. Old Business**

- A. Continued Discussion on Supervision by Practitioners from Different Professions for Marriage and Family Therapy and Professional Counseling Professions.** The Chairs of the Marriage and Family Therapy and Professional Counseling Advisory Committees reported back to the Board that their Advisory Committees felt strongly that their professions should be supervised primarily by professionals in their professions due to the unique aspects of their professions. However, both Advisory Committees wanted to continue allow for representatives from other professions to provide supervision under extenuating circumstances, so the final recommendation for both Advisory Committees was to make no changes to the regulations.
- B. Continued Discussion on Possible Agreement with CE Broker.** CE Broker contracts with licensing boards in several states. If it is decided to contract with CE Broker, there would be no cost to the BSRB nor to individual licensees who choose to opt in. With CE Broker, the BSRB would be able to review records more quickly when licensees get audited. The Executive Director expressed benefits for working with CE Broker. Other states that work with CE Broker have expressed positive feedback. By

consensus, the Board decided to move forward with the agreement with CE Broker, if acceptable language could be worked out in the agreement.

**C. Continued Discussion on Requiring Background Checks for Licensees.** K.S.A. 74-7511 provides the BSRB authority to require fingerprinting and background checks as part of the application, reinstatement, and investigation processes. Several multi-state compacts require background checks for individuals to be able to practice under the compact. The cost for background checks and fingerprinting would be about \$48 per person. The requirement would only apply to individuals who want to practice under a compact. The information obtained from the background check would not be releasable under Kansas Open Records Act. The Board will continue to discuss this item at a future meeting.

**D. Continued Discussion on Educational Requirements for Student Temporary Addiction Counseling Licenses.** One of the ways in which individuals can meet educational requirements is by providing an education plan signed by an official of the institution of higher education that includes the steps to obtain coursework necessary to receive an addiction counselor license. One of the questions was whether pursuing a social work degree, to obtain a Licensed Bachelor's Social Work (LBSW) license, then using the LBSW to satisfy the educational requirements to take the examination to become a Licensed Addiction Counselor (LAC), would be sufficient for the Student Temporary Addiction Counselor license, as long as the individual meets the other requirements. It was the consensus of the Board to allow the education under this scenario to meet the requirement for the Student Temporary license.

**E. Continued Discussion on Educational Requirements for Licensure Including Standardized Admissions Criteria (Example: K.A.R. 102-3-3a(f)).** The Executive Director noted each profession has a regulation which includes educational standards for licensure (highlighting K.A.R. 102-3-including program and coursework requirements. The Executive Director noted that the program level requirements should be reviewed by each Advisory Committee to make recommendations back to the Board to update any outdated language.

**X. New Business**

**A. Consideration of Recommendations from Advisory Committees**

**i. Social Work Advisory Committee**

**1. Request for Support of Multi-State Compact Legislation.** The Executive Director expressed that this compact would be beneficial for licensee and client mobility, but there would also be an economic impact in terms of the BSRB losing revenue from out of state licensees. He also expressed that the Board may want to look at charging a higher amount for multi-state licenses to compensate for the revenue loss from out of state licensees. Board members supported charging more for these licenses, because they would greatly expand practitioners' client bases. It was the consensus of the Board that if

this bill receives a hearing, the Executive Director should provide proponent testimony in support of it.

ii. **Licensed Psychology**

1. **Request for Support of Recognition of CPQ.** One of the requirements to become CPQ is that individuals must have practiced post-degree for five years. Richard Nobles, Chair of the LP Advisory Committee, expressed that it would be advantageous to support Kansas being part of the CPQ because of its benefits with respect to credentials. 45 of the 50 states are doing it, so being part of the CPQ could reduce barriers for practitioners if they want to practice in other states. From a licensing perspective, CPQ would help speed up the process for individuals coming from other states. It was the consensus of the Board to move forward in favor of this.
2. **Request for Support of Recognition of PCSAS as National Accrediting Body.** Chair of the LP Advisory Committee supported recognizing PCSAS as an accrediting body. PCSAS is largely based out of programs that adhere to research-based and clinical scientist models of clinical psychology. A number of programs are beginning to drop APA as their accreditation source, and PCSAS is expected to grow significantly in the coming years. If Kansas does not recognize PCSAS, then individuals graduating from schools dropping APA will not be able to get licensed. From a licensing board perspective, there is a growing number of states that are recognizing both APA and PCSAS. Board members expressed approval and consensus for recognizing both APA and PCSAS.

iii. **Master's Level Psychology**

1. **Request to Recognize APA Accredited Education Programs.** David Anderson, Chair of the LMLP Advisory Committee, noted it may be helpful for the Master's Level Psychology Advisory to discuss whether PCSAS should be added to the regulation along with the APA, so this recommendation was tabled and will be considered at a later date after the LMLP Advisory Committee can discuss adding PCSAS.
2. **Request to Allow Multiple EPPP Examination Attempts.** Currently, if an individual passes the EPPP at the master's level, they are not authorized to take the examination again to attempt to pass at the clinical level until they have accrued 3,000 hours of postgraduate experience. Some individuals have requested the ability to take the EPPP prior to waiting two years, as they believe sitting for the EPPP earlier may positively impact individuals' abilities to pass the examination at the 500 level. The Executive Director has contacted ASPPB to see if this option is something allowable, but he has not yet heard back from them. Due to this, this item was tabled until a response is received and will be revisited at the next Board meeting.

**B. Board Input on Application of Licensing Statutes and Regulations**

- i. **Evaluating “Other Related Fields” for Doctoral Programs.** The regulations for certain professions allow situations in which a certain number of hours can be waived if an individual has attained a doctoral degree. The regulations make reference to “other related fields,” so BSRB staff asked the Board to consider what areas should be considered “other related fields” for this purpose, as some possible fields labeled under this have not had an internship or post-graduate hours. The Board tabled this item until the next meeting.
- ii. **Possible Delegation Motion for BSRB to License Applicants Following Receipt of Expert Report in Support of Licensure.** Richard Nobles made the following motion: *“I move that for licensed applicants whose educational materials necessitate by an expert, if the expert report recommends licensure or approval to take the licensing examination and BSRB licensing staff determine no further issues need to be reviewed by the Board, the BSRB may move forward the applicant’s materials without the matter being reviewed by the Board in a closed session under the Kansas Administrative Procedures Act.”* Laura Shaughnessy seconded. The motion passed.

**C. Discussion on Possible New Licensing System.** The Executive Director noted the legislature passed a bill last session to create a unified verification portal. The bill also authorized Accella to create an enterprise licensing system for any state agencies wishing to move under that system. There is currently an opportunity for the BSRB to move to that platform. Currently, the BSRB is paying about \$73,000 per year for the hosting and maintenance of our licensing system. If the BSRB moves to the new licensing system, there would be an upfront cost of about \$200,000 and a yearly estimated cost of around \$36,000. Long-term, it would save the agency money to switch to the new licensing system. The Executive Director has asked the Office of Information Technology Services to provide a presentation or invite Accella to come speak to the Board about their system, which will probably take place in the March Board meeting.

**D. Discussion on Preference for BSRB Testimony on Relevant Bills During 2024 Legislative Session.** The current preference of the Board is that the Executive Director will not assume the position of the Board and provide testimony on a topic before having the Board meet to discuss such topic. The Board supported the Executive Director in continuing to handle this matter as he has in the past.

**XI. Executive Session for Communication with Counsel that would be Attorney-Client Privileged Communication.** Jim Kilmartin made the following motion to enter executive session *“Pursuant to K.S.A. 75-4319, I move that the Board recess into executive session for 25 minutes and reconvene the open meeting at 12:50 pm. Justification for this closure is communication with legal counsel that be attorney client privilege communication. David Fye, Executive Director of the BSRB, and Tim Resner, the Board’s legal counsel, are to be included in the executive session. The subject to be discussed in the executive session is attorney client privileged communication.”*

Cynthia Schendel seconded. The motion passed.

**XII. Date for Next Meeting:** Monday, March 11, 2024.

**XIII. Adjournment.** Cynthia Schendel moved to adjourn the meeting. Jim Kilmartin seconded. The motion passed.

DRAFT

**BEHAVIORAL SCIENCES REGULATORY BOARD  
BOARD MEETING MINUTES  
February 12, 2024**

**DRAFT MINUTES**

- I. Call to Order and Roll Call.** The Board meeting was called to order by Board Chair Mary Jones at 10:00 a.m.

**Board Members.** Board members in attendance via Zoom were Mary Jones, David Anderson, Jill Flessing, Linda Heitzman-Powell, Donna Hoener-Queal, Jim Kilmartin, Jacqueline Lightcap, Richard Nobles, Andrea Perdomo-Morales, Cynthia Schendel, Laura Shaughnessy, and David Stevens.

**Staff.** BSRB Staff in attendance via Zoom included David Fye. Legal counsel for the Board, Attorney Tim Resner, was present.

**Guests.** None

- II. Agenda Approval.** Laura Shaughnessy moved to approve the agenda. David Stevens seconded. The motion passed.

**III. New Business**

**A. Discussion on Legislative Budget Committee Recommendations**

David Fye, Executive Director of the BSRB, explained that the special Board meeting was necessary to review a recommendation by the House Higher Education Budget Committee and to provide a response that could be summarized in a report back to the Budget Committee. When the House Budget Committee was reviewing the Governor's recommendation for the BSRB's budget, the House Budget Committee concurred with the Governor's recommendation for both FY 2024 and FY 2025, but added a notation to each of the Budget Committee's reports encouraging the BSRB to consider utilizing their ending balance to reduce licensure fees and report their plan back to the House Higher Education Budget Committee by February 29, 2024. The Senate Committee that reviewed the BSRB's budget concurred with the Governor's recommendation on expenditures for FY 2024 and FY 2025, and did not add a similar notation concerning the ending balance in the BSRB Fee Fund.

The Executive Director provided background information on the BSRB's revenue and expenditures, noting the agency is a small fee-funded agency, so it does not receive funding from the State General Fund, but by statute, the BSRB contributes 10% of its revenue back to the State General Fund to help fund State operations.

The Executive Director provided Board members with documents showing a history from 2016 through 2024 of the main fees that the BSRB charges, including: (1) application fees, (2) original license fees, and (3) license renewal fees. It was noted that

between 2016 and 2019, the balance in the BSRB Fee Fund increased each year. In 2019, in an effort to halt the growth in the BSRB Fee Fund and to draw down the balance in the BSRB Fee Fund, the Board implemented significant decreases to application fees and license renew fees. Application fees for all levels of permanent licenses were reduced by \$50 each and license renewal fees for all levels of permanent licenses (except assistant behavior analysts and behavior analysts) were decreased by \$50, beginning in 2020.

The Executive Director noted that some members of the House Budget Committee had made comments that fees for the BSRB were too high compared to other states. Following the recommendation by the Advisory Committee, the Executive Director asked clerical and licensing staff members to reprioritize their work assignments to attempt to collect information on fees for all levels of licensing for the seven professions regulated by the BSRB. Unfortunately, this task was very difficult and it was challenging to verify whether certain fees were current. To ensure there were not delays in licensing applicants, staff members were asked to return to their normal responsibilities, but if more time was allowed, the agency believes it would be very beneficial for the Board to be able to compare fees charged by the BSRB to fees in other states. The Executive Director noted that he believed he was able to collect information on fees for the licensed psychology profession, and it was noted that for “Entry Fees” (including application plus original license fees), Kansas had the 18<sup>th</sup> lowest fees out of all 50 states. For license renewal fees, Kansas had the 5<sup>th</sup> lowest fees out of all 50 states.

Since this time, the BSRB has been operating at a deficit by design, bringing in less yearly revenue than yearly expenditures. However, the impact of the fee decreases was not easy to see right away, in part due to the COVID-19 pandemic, which began in 2020. Due to the pandemic, the agency experienced unusual and temporary savings, as the agency was unable to travel to meet with groups of students, annual meetings for associations were cancelled, and Board and Advisory Committee meetings did not occur in person, so mileage reimbursements were not needed. Also, certain costs, such as replacement of Board room furniture, could be delayed as the agency was unable to meet in person. As operations have returned to normal in the years following the pandemic, expenditures have returned to pre-pandemic levels, and the agency has seen inflationary costs in other areas. Since reaching a high of \$2.3 million at the end of FY 2019, the Executive Director noted that the balance in the BSRB Fee Fund has decreased and was estimated to be close to \$1.9 million as of the date of the Board meeting. The balance in the BSRB Fee Fund is expected to decrease further at the end of FY 2024 and at the end of FY 2025.

Also, the Board implemented fee decreases to temporary license fees for several professions in 2023, so that the cost of a temporary license fee for each profession was \$50. Additionally, with the passage of 2023, the BSRB gained many new responsibilities and received authority to hire two additional licensing specialist positions. At that time, the Board elected to absorb the cost of these two new staff

members without considering raising fees, in a further effort to draw down the balance in the BSRB Fee Fund.

The Executive Director noted the problem with lowering fees further while already operating at a deficit is that the Board will have to revisit and raise fees in a shorter period of time. The agency recently joined several multi-state compacts and another compact is being considered by the 2023 Legislature. At this time, it is difficult to know the full impact on loss of revenue, as more alternatives or replacements for out-of-state licensure are put in place. The Executive Director noted that sometime in July, the BSRB would have more detailed information on the loss of Psychologists due to the PSYPACT compact. It was also noted that if the social work compact legislation is passed, the agency should have better information at that time, whether it will be able to mitigate the anticipated loss of revenue from losing nearly 1,800 social workers who currently live out of state, but choose to be licensed by the Kansas BSRB.

Noting that the behavior analysis profession was the only profession that did not receive a decrease to license renewal fees in 2019 and highlighting the desire of the House Budget Committee for additional fees to be lowered, Linda Heitzman-Powell proposed decreasing license renewal fees for assistant behavior analysts and behavior analysts by \$50 each. Cynthia Schendel moved implement this proposal. Laura Shaughnessy seconded. The motion passed.

Board Chair, Mary Jones, emphasized the importance of taking the time to investigate all areas of expenditures before making permanent, long-lasting decisions. Laura Shaughnessy moved for the Executive Director to report back to the Budget Committee that the Board understands their concerns about fees but wishes to collect more information on fees in other states, as well as evaluating operations and licensing time frames. The Board also wants to collect more information on the possible impact of multi-state compacts. The Board's goal is to have more information prior to the agency submitting its revised budget request in September 2024. Jim Kilmartin seconded. The motion passed.

- IV. Adjournment.** Richard Nobles moved to adjourn the meeting. Jim Kilmartin seconded. The motion passed.

## **Executive Director's Report**

### **Operations Updates**

- Outreach
- Update on Revenues, Expenditures
- Other Operations Updates

### **Legislative Updates**

- Budget Committees/Appropriations Update
  - Proviso from House Appropriations Committee on March 7, 2024
- Bills Relevant to the BSRB
  - HB 2484 – Social Work Multi-State Compact
- Update on Regulations

### **Associations Updates**

- Update from Behavior Analyst Conference March 6-10, 2024
- Association of Social Work Boards (ASWB)
  - Mid-Year/Educator Meeting
  - Committee Work
  - Social Work Census
- Association of State and Provincial Psychology Boards (ASPPB)
  - Mid-year Meeting
  - Committee Work
- Association of Marriage and Family Therapy Regulatory Boards (AMFTRB)
  - Committee Work
- Updates on Upcoming Meetings

### **Other Updates**

- Update on the Kansas Fights Addiction Grant Review Board
- Update on the Psychology Interjurisdictional Compact (PSYPACT)
- Update on Professional Counseling Multi-State Compact
- Update on Social Work Multi-State Compact

### **Meetings Facilitated Since Full Board Meeting on January 11, 2024**

- January 23 – License applicant review meeting under the Kansas Administrative Procedures Act (KAPA)
- January 24 – License applicant hearing
- February 5 – Professional Counseling Advisory Committee Meeting
- February 7 – Master's Level Psychology Advisory Committee Meeting
- February 9 – Marriage and Family Therapy Advisory Committee Meeting
- February 9 – Behavior Analyst Advisory Committee Meeting
- February 12 – Special BSRB Board Meeting

- February 12 – Complaint Review Committee Meeting
- February 13 – Social Work Advisory Committee
- February 13 – Licensed Psychology Advisory Committee Meeting
- February 27 – License applicant review meeting under the KAPA

### **Other Meetings Attended**

- January 19 – Presentation to the Kansas Counseling Association (KCA) on Recent Statutory Changes
- January 19 – Meeting with representatives from the Office of Information Technology Services (OITS) for annual ITEC 8000 Data Inventory meeting.
- January 23 – Small Agency Directors Monthly Meeting
- January 23 – Presented Proponent Testimony to the House Health and Human Services Committee on HB 2484
- January 23 – Budget Presentation to the House Higher Education Budget Committee
- January 24 – Budget Committee Recommendations by the House Higher Education Budget Committee
- January 25 – Non-Cabinet Agency (NCA) Leadership Meeting
- January 26 – Presentation on licensing, discipline, and BSRB resources for fellows at the Kansas University Medical Center
- January 29 – Budget Presentation to the Senate Committee on Transparency and Ethics and Committee Recommendations
- January 29 – Meeting with Representatives of CE Broker
- January 30 – BSRB Staff Meeting
- February 1 – Meeting with representatives from ASWB to plan supervision presentation for mid-year/educator meeting
- February 2 – Joint Committee on Administrative Rules and Regulations (JCARR)
- February 6 – Remote Presentation to Social Work Students at Wichita State University
- February 7 – House Appropriations Committee BSRB Budget Report Out
- February 8 – Elections Committee for AMFTRB
- February 13 – Meeting with representatives from the Center for Credentialing and Education (CCE) to discuss jurisprudence examinations
- February 15 – ASWB Community Conversations Webinar
- February 16 – American Association of State Counseling Boards (AASCB) Monthly Meeting
- February 16 – Meeting with representatives from OITS and Granicus to discuss movement of BSRB to new website
- February 19 – In-Person presentation on licensing, discipline, and BSRB resources to social work students at Wichita State University
- February 26 – Meeting with representatives from the Department for Fiscal Management for training on revenue and expenditures reports
- February 27 – BSRB Staff Meeting
- February 27 – Small Agency Director’s Monthly Meeting
- February 27 – ASWB committee orientation meeting

- February 27 – Remote presentation on licensing, discipline, and BSRB resources to counseling students at Mid-America Nazarene University
- February 28 – In-person presentation on licensing, discipline, and BSRB resources to marriage and family therapy students at Friends University in Kansas City
- February 29 – In-person presentation on licensing, discipline, and BSRB resources to counseling psychology students at Kansas University
- February 29 – Engaging with ASWB meeting
- March 1 – Remote presentation on licensing, discipline, and BSRB resources to bachelor’s and master’s social work students at Washburn University
- March 1 – Non-Cabinet Agency Information Security Governance Committee meeting
- March 1 – Meeting with the Attorney General’s office on proposed changes to regulations
- March 1 – Meeting with representatives from OITS and Granicus to discuss movement of BSRB to new website
- March 5 - Meeting with representatives from ASWB to plan supervision presentation for mid-year/educator meeting
- March 6-10 – Attended Behavior Analyst Conference in New Orleans, LA

Proposed amendment

Proposed amendment

#### BEHAVIORAL SCIENCES REGULATORY BOARD, FY24

() On the effective date of this act, during the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 2023 Supp. 65-6306, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal years 2024 as authorized by section 15 of chapter 82 or section 3 of chapter 97 of the 2023 Session Laws of Kansas, this or any other appropriation act of the 2024 regular session of the legislature for the purposes of enforcing regulations requiring an undergraduate or graduate social work program to have no less than 50% of the required program coursework completed in residence at one institution: *Provided*, That as used in this subsection, “in residence” when used to describe a student, means that the student is completing coursework during which the student and one or more core faculty members are in face-to-face contact either in person or by synchronous videoconferencing.

#### BEHAVIORAL SCIENCES REGULATORY BOARD, FY25

() On July 1, 2025, during the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 2023 Supp. 65-6306, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal years 2025 as authorized by section 15 of chapter 82 or section 3 of chapter 97 of the 2023 Session Laws of Kansas, this or any other appropriation act of the 2024 regular session of the legislature for the purposes of enforcing regulations requiring an undergraduate or graduate social work program to have no less than 50% of the required program coursework completed in residence at one institution: *Provided*, That as used in this subsection, “in residence” when used to describe a student, means that the student is completing coursework during which the student and one or more core faculty members are in face-to-face contact either in person or by synchronous videoconferencing.

## **Kansas Fights Addiction Grant Review Board Update March 2024**

The Kansas Fights Addiction Grant Review Board (KFAB) has met three times since your last update. Additional information can be found on both the Sunflower Foundation website at [Kansas Fights Addiction - Sunflower Foundation](#) as well as the Kansas Attorney General's website at [Kansas Fights Addiction Act Grant Review Board \(ks.gov\)](#)

### **January 12**

This was a fairly short meeting. The Board was provided with an update on the needs assessment being conducted by the KU Center for Public Partnerships & Research. Presentations from both the Police Assisted Addiction Recovery Initiative (PAARI); the Midwest High-Intensity Drug Trafficking Area (HIDTA); and about the Drug Courts initiatives rural Kansas.

### **February 9**

The Board was provided with an update on the Needs Assessment. That work continues with the launching of the [www.Unitedtotransform.com](http://www.Unitedtotransform.com) website. There will be a monthly newsletter available to anyone wanting to keep up to date on that process. Draft of the Annual Report was reviewed and was approved. That will be submitted to the Attorney General, the Governor, the President of the Senate, and the Speaker of the House by March 1. Discussion was started on what the next round of funding should look like and will be continued at the March meeting.

### **March 8**

The Needs Assessment is progressing. Feedback opportunities for all Kansans have been scheduled and all are encouraged to participate. The in-person dates are listed on the [www.Unitedtotransform.com](http://www.Unitedtotransform.com) website. There will be a Zoom date as well. Discussion around details for a 3<sup>rd</sup> and 4<sup>th</sup> round of funding for treatment and prevention occurred. Final details and approval to move forward will be worked out at the next meeting.

Next meeting is scheduled for April 12

**Behavioral Sciences Regulatory Board  
History of Permanent Licenses July 2015 to Current**

	July 2015	July 2016	July 2017	July 2018	July 2019	Mar 2020	July 2021	July 2022	Sept 2022	Nov 2022	Jan 2023	Mar 2023	May 2023	July 2023	Sept 2023	Nov 2023	Jan 2024	Mar 2024
LP	897	967	926	984	949	1,006	988	952	962	987	999	1,010	1,015	1,034	1,054	1,074	1,083	1,094
LASW	22	21	21	19	17	13	9	5	5	5	4	4	4	4	4	4	4	4
LBSW	1,756	1,754	1,764	1,725	1,638	1,577	1,466	1,346	1,327	1,313	1,295	1,280	1,266	1,241	1,223	1,209	1,202	1,201
LMSW	3,519	3,684	3,774	3,862	3,927	3,861	3,970	4,012	4,028	4,021	4,023	4,016	4,034	4,087	4,100	4,101	4,102	4,107
LSCSW	1,966	2,009	2,033	2,088	2,172	2,274	2,474	2,680	2,720	2,752	2,769	2,804	2,838	2,900	2,936	2,969	2,980	3,009
LPC	648	733	760	813	847	882	937	981	1,002	1,006	1,012	1,014	1,021	1,047	1,085	1,105	1,110	1,108
LCPC	500	546	561	619	704	747	843	1,034	1,047	1,077	1,088	1,104	1,127	1,169	1,201	1,221	1,260	1,298
LMLP	288	304	303	302	295	291	294	308	310	311	315	323	328	335	339	338	337	341
LCP	291	298	294	297	288	293	282	289	281	278	276	277	277	276	275	278	277	281
LMFT	354	350	340	347	324	327	335	330	318	312	319	320	313	313	313	305	315	319
LCMFT	444	499	535	566	611	620	681	754	763	773	776	783	789	794	802	810	821	830
LAC	930	919	729	620	618	569	578	522	523	526	530	535	532	542	509	514	511	512
LMAC	-	-	262	343	363	375	427	431	418	414	421	415	417	415	422	431	430	435
LCAC	537	528	541	527	566	541	570	556	561	566	568	574	576	583	560	561	569	572
LaBA	-	-	15	18	14	14	12	17	15	19	21	18	20	19	18	18	16	18
LBA	-	-	129	175	199	229	263	333	347	354	363	370	388	396	416	427	436	441
<b>Total</b>																		
<b>Permanent Licenses</b>	<b>12,152</b>	<b>12,612</b>	<b>12,987</b>	<b>13,305</b>	<b>13,532</b>	<b>13,619</b>	<b>14,129</b>	<b>14,550</b>	<b>14,627</b>	<b>14,714</b>	<b>14,779</b>	<b>14,847</b>	<b>14,945</b>	<b>15,155</b>	<b>15,257</b>	<b>15,365</b>	<b>15,453</b>	<b>15,570</b>

Note : In March 2020, the state of Kansas began to experience the COVID-19 pandemic. During this time, the Governor released Executive Orders which delayed enforcement of expiration of licenses until the end of May 2021.

**Behavioral Sciences Regulatory Board**  
**History of Permanent Licenses July 2015 to Current**

	July 2015	July 2016	July 2017	July 2018	July 2019	Mar 2020	July 2021	July 2022	Sept 2022	Nov 2022	Jan 2023	Mar 2023	May 2023	July 2023	Sept 2023	Nov 2023	Jan 2024	Mar 2024
Total LPs	897	967	926	984	949	1,006	988	952	962	987	999	1,010	1,015	1,034	1,054	1,074	1,083	1,094
Total SWs	7,263	7,468	7,592	7,694	7,754	7,725	7,919	8,043	8,080	8,091	8,091	8,104	8,142	8,232	8,263	8,283	8,288	8,321
Total PCs	1,148	1,279	1,321	1,432	1,551	1,629	1,780	2,015	2,049	2,083	2,100	2,118	2,148	2,216	2,286	2,326	2,370	2,406
Total LMLPs/LCPs	579	602	597	599	583	584	576	597	591	589	591	600	605	611	614	616	614	622
Total MFTs	798	849	875	913	935	947	1,016	1,084	1,081	1,085	1,095	1,103	1,102	1,107	1,115	1,115	1,136	1,149
Total ACs	1,467	1,447	1,532	1,490	1,547	1,485	1,575	1,509	1,502	1,506	1,519	1,524	1,525	1,540	1,491	1,506	1,510	1,519
Total BAs	-	-	144	193	213	243	275	350	362	373	384	388	408	415	434	445	452	459
<b>Total Permanent Licenses</b>	<b>12,152</b>	<b>12,612</b>	<b>12,987</b>	<b>13,305</b>	<b>13,532</b>	<b>13,619</b>	<b>14,129</b>	<b>14,550</b>	<b>14,627</b>	<b>14,714</b>	<b>14,779</b>	<b>14,847</b>	<b>14,945</b>	<b>15,155</b>	<b>15,257</b>	<b>15,365</b>	<b>15,453</b>	<b>15,570</b>

*Note* : In March 2020, the state of Kansas began to experience the COVID-19 pandemic. During this time, the Governor released Executive Orders which delayed enforcement of expiration of licenses until the end of May 2021.



### Cases OPEN by License FY 2024

Profession	# Open	Percentage	Permanent Licenses	RAV/Licensees
LP	12	7.23%	1,094	0.0110
LMLP	5	3.01%	341	0.0147
LCP	2	1.20%	281	0.0071
LMFT	4	2.41%	319	0.0125
LCMFT	10	6.02%	830	0.0120
LPC	19	11.45%	1,108	0.0171
LCPC	15	9.04%	1,298	0.0116
LBSW/LASW	5	3.01%	1,205	0.0041
LMSW	42	25.30%	4,107	0.0102
LSCSW	36	21.69%	3,009	0.0120
LAC	10	6.02%	512	0.0195
LMAC	2	1.20%	435	0.0046
LCAC	-	0.00%	572	-
LBA/LaBa	1	0.60%	459	0.0022
No License	3	1.81%	N/A	N/A
<b>Total</b>	<b>166</b>	<b>100.00%</b>	<b>15,570</b>	<b>0.0107</b>

### Cases Received for FY 2024 by License

Profession	# Received	Percentage	Permanent Licenses	RAV/Licensees
LP	7	6.03%	1,094	0.0064
LMLP	5	4.31%	341	0.0147
LCP	4	3.45%	281	0.0142
LMFT	4	3.45%	319	0.0125
LCMFT	5	4.31%	830	0.0060
LPC	8	6.90%	1,108	0.0072
LCPC	6	5.17%	1,298	0.0046
LBSW/LASW	4	3.45%	1,205	0.0033
LMSW	27	23.28%	4,107	0.0066
LSCSW	22	18.97%	3,009	0.0073
LAC	10	8.62%	512	0.0195
LMAC	1	0.86%	435	0.0023
LCAC	1	0.86%	572	0.0017
LBA/LaBa	3	2.59%	459	0.0065
No License	9	7.76%	N/A	N/A
<b>Total</b>	<b>116</b>	<b>100.00%</b>	<b>15,570</b>	<b>0.0075</b>

# RAV Statistics for FY 2024

July 2023	
Received	6
Closed	6
<b>Total # of Cases</b>	<b>119</b>

January 2024	
Received	14
Closed	1
<b>Total # of Cases</b>	<b>156</b>

August 2023	
Received	18
Closed	19
<b>Total # of Cases</b>	<b>118</b>

February 2024	
Received	26
Closed	16
<b>Total # of Cases</b>	<b>166</b>

September 2023	
Received	21
Closed	2
<b>Total # of Cases</b>	<b>137</b>

March 2024	
Received	
Closed	
<b>Total # of Cases</b>	

October 2023	
Received	12
Closed	9
<b>Total # of Cases</b>	<b>140</b>

April 2024	
Received	
Closed	
<b>Total # of Cases</b>	

November 2023	
Received	8
Closed	2
<b>Total # of Cases</b>	<b>146</b>

May 2024	
Received	
Closed	
<b>Total # of Cases</b>	

December 2023	
Received	11
Closed	14
<b>Total # of Cases</b>	<b>143</b>

June 2024	
Received	
Closed	
<b>Total # of Cases</b>	

<b>FY 2017</b>	<b>-</b>	<b>FY 2018</b>	<b>3</b>	<b>FY 2019</b>	<b>-</b>
<b>FY 2020</b>	<b>1</b>	<b>FY 2021</b>	<b>4</b>	<b>FY 2022</b>	<b>9</b>
<b>FY 2023</b>	<b>50</b>	<b>FY 2024</b>	<b>99</b>		

**102-5-4a. Applications for licensure.** (a) Each applicant for licensure as a marriage and family therapist or a clinical marriage and family therapist shall request the appropriate licensure application forms from the director of the board.

(b) Each applicant for licensure as a marriage and family therapist shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-5-2;

(2) submit, on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum. If the practicum supervisor is unavailable, the graduate program director or any person who has knowledge of the applicant's practicum experience on the basis of the applicant's practicum records shall submit the reference. Except as specified below in paragraph (b)(2)(B), each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

(B) is authorized by law to practice marriage and family therapy or to practice in a related field. However, this paragraph shall not apply to the individual specified above in paragraph (b)(2) who submits the reference if the practicum supervisor is unavailable; and

(C) can address the applicant's professional conduct, competence, and merit of the public trust;

(3) arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board; and

(4) demonstrate satisfactory completion of graduate educational requirements as specified in K.A.R. 102-5-3.

(c) Each applicant for licensure as a clinical marriage and family therapist shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-5-2;

(2) if not previously provided to the board, submit, on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum. If the practicum supervisor is unavailable, the graduate program director or any person who has knowledge of the applicant's practicum experience on the basis of the applicant's practicum records shall submit the reference. Except as specified below in paragraph (c)(2)(B), each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

(B) is authorized by law to practice marriage and family therapy or to practice in a related field. However, this paragraph shall not apply to the individual specified above in paragraph (c)(2) who submits the reference if the practicum supervisor is unavailable; and

(C) can address the applicant's professional conduct, competence, and merit of the public trust;

(3) demonstrate that the applicant is licensed by the board as a marriage and family therapist or meets all requirements for licensure as a licensed marriage and family therapist;

(4) if not previously provided to the board, arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board;

(5) demonstrate satisfactory completion of the graduate education requirements specified in K.A.R. 102-5-3; and

(6) submit each supervisor's attestation that the applicant has satisfactorily completed the postgraduate supervised professional experience requirements in accordance with a clinical supervision training plan approved by the board as specified in K.A.R. 102-5-7a.

(d) The following provisions shall apply to each applicant for licensure as a marriage and family therapist and to each applicant for licensure as a clinical marriage and family therapist:

(1) Upon the board's determination that the applicant has met the applicable educational requirements, each applicant shall pass the appropriate, nationally administered, standardized written examination approved by the board in accordance with K.A.R. 102-5-5.

(2) An applicant or prospective applicant shall not be given a judgment on the applicant's eligibility for licensure until the board receives all application materials and the applicant completes all application procedures.

(3) Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall submit the fee required in K.A.R. 102-5-2 for the original, two-year licensure period.

(4)(A) If any of the following conditions applies to the applicant, the applicant's application shall expire one year from the date on which it was submitted to the board or on the date the applicant's temporary license expires, whichever date is later, except as provided by paragraph

(d)(4)(B):

(i) The applicant has not met the qualifications.

(ii) The applicant has not submitted a complete application.

(iii) The applicant has not submitted the original license fee.

(B) Any applicant whose application will expire under paragraph (d)(4)(A) may request that the application be kept open for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the application shall remain open for the period of time stipulated by the board in its approval, which shall not exceed six months.

(C) Upon expiration of the application, the applicant may submit a new application, the required fee, and all supporting documents, if the applicant wishes to reapply.

(e) Any applicant who is determined by the board to meet the requirements of K.S.A. 65-6405, and amendments thereto, may be granted a temporary license if the applicant submits a written

request for a temporary license on a form approved by the board and the temporary license fee as provided in K.A.R. 102-5-2. Except as provided in paragraphs (e)(1) and (e)(2), the temporary license shall remain in effect for 12 months.

(1)(A) Except as provided in paragraph (e)(1)(B), the temporary license shall expire after six months if the applicant has not taken the examination at least one time.

(B) Any applicant who does not take the examination at least one time during the first six months in which the applicant's temporary license is in effect may request that the temporary license remain in effect for the full 12 months on the basis that extenuating circumstances preclude the applicant from taking the examination during the initial six-month period. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the end of the initial six-month period. If the request is approved by the board, the applicant's temporary license shall remain in effect for the remaining six months.

(2) Any applicant whose 12-month temporary license is due to expire may request that the temporary license remain in effect for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the temporary license shall remain in effect for the period of time stipulated by the board in its approval, which shall not exceed six months.

(f) Any person who has been engaged in the practice of marriage and family therapy as a licensed or registered marriage and family therapist in Kansas at any time within the five years before July 1, 2000, may apply for a license as a clinical marriage and family therapist by submitting transition application materials to the board and completing the following application procedures:

(1) Submit the completed transition application form;

(2) submit the full payment of the licensure application fee as provided in K.A.R. 102-5-2;

(3) demonstrate that the applicant held a Kansas license or registration as a marriage and family therapist in good standing at any time during the five years immediately before July 1, 2000; and

(4) demonstrate competence to diagnose and treat mental disorders by documenting completion of at least two of the three following requirements:

(A)(i) Completion of at least nine graduate semester credit hours of coursework, or their academic equivalent, as documented on the transcript, which shall address clinical theory, assessment, and treatment issues, including three semester credit hours, or their academic equivalent, addressing psychopathology; or

(ii) passage of the national marriage and family therapy competency examination as specified by K.A.R. 102-5-5 at the time of taking the examination;

(B) three years of clinical practice, including at least eight hours of client contact per week for at least nine months of each year in a community mental health center or its affiliate, a state mental hospital, or any other setting in which the applicant provided clinical services that included diagnosis or treatment of mental disorders; or

(C) one attestation, on a form provided by the board, from a person licensed by the board to diagnose and treat mental disorders at the independent level or a person licensed to practice

medicine and surgery that the applicant has demonstrated competence in the diagnosis or treatment of mental disorders.

(g) For purposes of this regulation, the term "extenuating circumstances" means any condition 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 within the timeframes established by this regulation or K.S.A. 65-6405, and amendments thereto; or

(2) the inadvisability of requiring the applicant to comply with the requirements of this regulation within the timeframes established by this regulation and K.S.A. 65-6405, and amendments thereto. (Authorized by K.S.A. 2005 Supp. 74-7507; implementing K.S.A. 65-6404, K.S.A. 65-6405, as amended by 2006 SB 470, §3, and K.S.A. 65-6411; effective Dec. 19, 1997; amended Aug. 4, 2000; amended Aug. 13, 2004; amended, T-102-7-5-06, July 5, 2006; amended Oct. 27, 2006.)

**65-6616. Construction of act.** Nothing in the addiction counselor licensure act shall be construed:

(a) To prevent addiction counseling practice by students or interns or individuals preparing for the practice of addiction counseling to practice under qualified supervision of a professional, recognized and approved by the board, in an educational institution or agency so long as they are designated by titles such as "student," "trainee," "intern" or other titles clearly indicating training status;

(b) to authorize the practice of psychology, medicine and surgery, professional counseling, marriage and family therapy, master's level psychology or social work or other professions licensed by the behavioral sciences regulatory board;

(c) to apply to the activities and services of a rabbi, priest, minister, clergy person or organized ministry of any religious denomination or sect, including a Christian-Science practitioner, unless such person or individual who is a part of the organized ministry is a licensed addiction counselor;

(d) to apply to the activities and services of qualified members of other professional groups including, but not limited to, attorneys, physicians, psychologists, master's level psychologists, marriage and family therapists, professional counselors, or other professions licensed by the behavioral sciences regulatory board, registered nurses or social workers performing services consistent with the laws of this state, their training and the code of ethics of their profession, so long as they do not represent themselves as being an addiction counselor; or

(e) to prevent qualified persons from doing work within the standards and ethics of their respective professions and callings provided they do not hold themselves out to the public by any title or description of services as being an addiction counselor.

**History:** L. 2010, ch. 45; § 10; L. 2011, ch. 114, § 16; L. 2016, ch. 92, § 60; July 1.