

**KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD  
BEHAVIOR ANALYST ADVISORY COMMITTEE  
APRIL 1, 2024**

**Draft Minutes**

- I. Call to Order.** Linda Heitzman-Powell, Chair of the Advisory Committee, called the meeting to order at 1p.m.
- Committee Members.** Linda Heitzman-Powell, Allyson Bell, Kelley Harrison, Emily Kessler, Pamela Neidert, Christine Marie Stiehl, Stephanie Willey, Mike Williams, and Alice Zhang were present by Zoom. Jacqueline Lightcap was absent.
- BSRB Staff.** David Fye and Leslie Allen attended by Zoom.
- II. Agenda Approval.** Allyson Bell moved to approve the agenda. Mike Williams seconded. The motion passed.
- III. Approval of Minutes from the Advisory Committee Meeting on February 9, 2024.** Alice Zhang moved to approve the minutes. Allyson Bell seconded. The motion passed.
- IV. Information from Behavior Analyst Regulator's Conference and Association of Professional Behavior Analysts (APBA) Conference March 7-9, 2024.** The Chair of the Advisory Committee and David Fye, Executive Director for the BSRB, attended a conference for representatives of states that regulate behavior analysts and attended the APBA annual conference that followed. The Chair and the Executive Director shared notable topics at the conferences, including the history of behavior analyst licensure, unprofessional conduct regulation by states compared to ethical standards for associations, DEI, compassionate care, and the Behavior Analyst Certification Board (BACB) standards for requirement development, review, and revision.
- V. Executive Director's Report.** The Executive Director for the BSRB reported on agency operations, recent Board meetings, legislative updates, and other upcoming meetings. Notably, at the special BSRB Board meeting in February 2024, the Board made a recommendation to lower license renewal fees for behavior analysts and assistant behavior analysts by \$50 each, which is consistent with fee decrease for other professions that were implemented in 2019.
- VI. Old Business**
- A. Discussion on K.A.R. 102-8-9 Continuing Education.** The Advisory Committee was asked to review the continuing education regulation for the profession for possible changes. It was noted that the regulation requires four hours of continuing education ethics every renewal cycle, which is different from the three hours requirement for other professions. However, the four-hour requirement aligns with BACB requirements, so no change was recommended. It was the consensus to recommend removing item (e)(7), allowing a self-directed learning

project, as the BSRB does not receive requests under this option frequently and most possible items involving this topic would fit under other existing categories. Also, most other professions are recommending striking this item in the regulation. By consensus the Advisory Committee recommended updating outdated terminology, such as references to videotapes (rather than video recordings) and audiotapes (rather than audio recordings), in items (e)(4) and (5).

**B. Discussion on K.A.R. 102-8-10 Documentation of Continuing Education.** The Advisory Committee was asked to review the regulation for documentation of continuing education. By consensus, the Advisory Committee recommended the following changes:

- i. In (d), updating outdated terminology, such as replacing “videotape” and “audiotape” with “video recording” and “audio recording;” and
- ii. Striking item (e), as reference to a self-directed learning project was recommended to be removed from K.A.R. 102-8-9.

## **VII. New Business**

**A. Discussion on Possible New Regulation for Reinstating Licenses.** The Executive Director noted that passage of 2023 Sub. for SB 131 provided the BSRB new authority to reinstate licenses for behavior analysts, but a regulation was needed to define this process. Draft regulation language was given to Advisory Committee members regarding license reinstatements, which outlined three scenarios for reinstating a license. The first scenario is for when people either did not renew on time, or they intentionally allowed their license to expire. Section (b) addresses situations where a license was suspended, and section (c) addresses reinstatement of a license that was previously revoked. By consensus, the Advisory Committee recommended the draft language for the regulation be forwarded to the Board.

**B. Discussion on Possible New Regulation Concerning Location of Client.** It was noted that other professions have a regulation which states that the BSRB focuses on the location of the client at the time services are being provided. Draft language was provided to Advisory Committees for review, stating that if a client is located in Kansas, then a professional providing services must be licensed in Kansas. By consensus, the Advisory Committee recommended this language be forwarded to the Board.

**C. Discussion on Possible New Regulation on Requests for Additional Time to Complete Continuing Education Hours.** The Executive Director noted the passage of 2023 Sub. for SB 131 included language for other professions providing flexibility for licensees to stay licensed, but due to the differences in how the Behavior Analyst statutes are structured, this language would need to be adopted through the regulatory process. Draft regulation language allows licensees who need to renew their licenses but are unable to complete all continuing education hours due to extenuating circumstances, the ability to request up to three months of additional time past their license expiration date to complete their continuing education hours. This would not extend the expiration date of their license, but if they were approved, then they could renew their license without first completing the hours. Licensees would not be able to be

approved for this option in two consecutive renewal periods, and if a licensee were to receive approval and not complete their hours within the three months, a disciplinary complaint would be filed against them. By consensus, the Advisory Committee approved this language and recommended the language be forwarded to the Board.

- D. Discussion on Possible Survey for Behavior Analysts.** It was noted the BSRB assisted the Social Work Advisory Committee in creating and sending out a survey to all licensed social workers. The Executive Director created a report summarizing the data collected from the survey and that report is posted on the BSRB website under the page for the Social Work Advisory Committee. Advisory Committee members expressed support for a survey of behavior analysts, including questions on the topics of the lack of a Board member for behavior analyst; licensee awareness of the Advisory Committee; differences between the unprofessional conduct regulation for the BSRB and ethical standards for the BACB. Advisory Committee members were asked to come to the next meeting with possible survey topics or questions. There is no deadline for when the survey needs to be sent out, but the Executive Director expressed that the sooner it is sent out, the longer the Board has to review the data and make recommendations.
- E. Discussion on Jurisprudence Examinations.** Due to time constraints, this item was moved to the next meeting.
- F. Advisory Committee Membership.** The Executive Director will send out a message to behavior analysts and assistant behavior analysts to collect feedback from individuals wishing to serve on the Advisory Committee. He will provide information on interested parties to Advisory Committee members for discussion and recommendations on new members at the next meeting.
- G. Discussion on Topics for 2024.** This topic will be continued to future meetings.

**VIII. Next Meeting.** Friday, June 14, 2024, at 1pm over Zoom.

**IX. Adjournment.** Christine Stiehl moved to adjourn the meeting. Stephanie Willey seconded. The meeting was adjourned.