

BEHAVIORAL SCIENCES REGULATORY BOARD
MONDAY, MARCH 10, 2025
DRAFT MINUTES

Monday, March 10, 2025

I. Call to Order and Roll Call. The meeting was called to order by Chair David Anderson at 10:00 am.

Board Members. David Anderson, Laura Shaughnessy, Denise Cyzman, Jill Flessing, Linda Heitzman-Powell, Donna Hoener-Queal, Mary Jones, Jim Kilmartin, Richard Nobles, Andrea Perdomo-Morales, Cynthia Schendel, and David Stevens were present. No members were absent.

BSRB Staff. BSRB Staff members David Fye and Leslie Allen were present. Tim Resner, the Board's legal counsel, also attended.

II. Agenda Approval. Mary Jones moved to approve the agenda. Laura Shaughnessy seconded. The motion passed.

III. Public Comment – None.

IV. Review and Approval of Minutes from Previous Board Meetings. Denise Cyzman moved to approve the minutes from the Board meetings on January 13, 2025, and February 24, 2025. Richard Nobles seconded. The motion passed.

V. Executive Director's Report. David Fye, Executive Director for the BSRB, provided updates on the following topics:

A. Outreach. The BSRB YouTube channel was created in January 2021. Since then, the BSRB has broadcast or uploaded 195 meetings that have been viewed over 10,800 times. Additionally, the Executive Director and Assistant Director have continued scheduling presentations for students approaching graduation. The Executive Director also notified Board Members that surveys for licensees have been closed and the preliminary analysis shows promising and insightful information. The goal is to have draft reports ready for the April Advisory Committee meetings.

B. Revenue and Expenditures. The BSRB Fee Fund balance is around \$1.86 million. The yearly budget for the BSRB is about \$1.2 million.

C. CE Broker. CE Broker has now been implemented for all seven professions.

D. Operations. BSRB staff have continued working with representatives from the Office of Information Technology Services to begin the process of converting the licensing system to the Accela platform. The Executive Director noted that it will take roughly another year and a half before fully moving to the Accela platform.

E. Legislative Updates. The Legislature approved the proposed budget submitted by the BSRB. Additionally, by the time the BSRB Bill was ready to be introduced in a committee, it was too late to push it through. Bills that may impact the BSRB include House Bills 2072 and 2274, as well as Senate Bills 63, 128, 229, and 256. If HB 2274 passes, the BSRB would need to make adjustments to waive fees for military spouses of both active and nonactive military members.

- F. Association of State and Provincial Psychology Boards (ASPPB).** At the annual ASPPB meeting in the fall of 2024, the ASPPB Board reversed their previous decision, so as of January 1, 2026, states using the EPPP as a licensing examination will not need to require applicants take and pass the EPPP-2 as well. It was noted that a Committee is being formed by ASPPB to attempt to merge the EPPP and EPPP-2 into one cohesive examination. A taskforce is being formed to revise the ASPPB bylaws, which have not been updated in over twelve years. The Executive Director has been appointed to serve on the Bylaw Revision Taskforce. Additionally, the ASPPB midyear meeting will be held in April 2025 and the Executive Director will be attending the midyear meeting with Board member David Stevens. The Executive Director will be an official speaker on the topics of customer service and composite boards.
- G. Social Work Multi-State Compact.** The Social Work Multi-State Compact held its annual meeting on February 4, 2025, in Lexington, Kentucky, which the Executive Director attended as Compact Commissioner for Kansas. At this meeting, the Commissioners drafted and approved bylaws and the Commissioners elected leadership for the Compact Commission. Preliminary discussions on a potential data system and Compact Commission funding were also discussed.
- H. Association of Social Work Boards (ASWB).** The Executive Director will be attending a workshop hosted by the ASWB on April 3, 2025, to April 5, 2025. Additionally, the ASWB Education/midyear meeting will be held on May 1, 2025, to May 3, 2025. The Executive Director will be attending with Board member Cynthia Schendel.
- I. American Association of State Counseling Boards (AASCB).** The Executive Director and professional counseling Board member Laura Shaughnessy attended the annual AASCB meeting from February 9, 2025, to February 11, 2025. Discussion topics centered around artificial intelligence, emerging technologies, supervision, and collaboration between state agencies and different associations. The Executive Director continues to serve as Treasurer for AASCB. Additionally, the Executive Director attended a counseling leadership coalition meeting hosted by representatives of the National Board for Certified Counselors.
- J. Kansas Fights Addiction Grant Review Board (KFAGRB) by Board Appointee Jason Hess.** Jason Hess, Board appointee to the KFAGRB, provided a written report with updates.

VI. Staff Reports. The Assistant Director and Licensing Manager for the BSRB has continued to work with OITS to get information together for Accela and updated Board members on the progress. Additionally, it was noted that licensing numbers continue to grow.

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 Licensed Psychology Advisory Committee met on February 25, 2025, at 6 pm. Advisory Committee members discussed artificial intelligence, possible changes in postdoctoral requirements, revision code APA proposed changes, being supervised by other professions, and monitoring prescription privileges for psychologists. The Advisory Committee will next meet on April 8, 2025, at 6 pm.
- B. Social Work.** The Social Work Advisory Committee met on February 25, 2025. The Advisory Committee completed the annual training, reviewed ASWB documents regarding the examination and pass

rates, and reviewed the draft social work supervision manual. The Advisory Committee will next meet on April 8, 2025.

- C. Professional Counseling.** The Professional Counseling Advisory Committee last met on February 19, 2025. The Advisory Committee completed the annual training and discussed the annual AASCB meeting and multi-state compact. The Advisory Committee will next meet on April 1, 2025.
- D. Master’s Level Psychology.** The Master’s Level Psychology Advisory Committee met on February 7, 2025. Brooke Mann provided a presentation to the Advisory Committee on remote education and training in psychological testing. The Advisory Committee also completed the annual training and continued discussion on education requirements and a regulation regarding artificial intelligence. The Advisory Committee will next meet on April 2, 2025.
- E. Marriage and Family Therapy.** The Advisory Committee has not met since the last Board meeting. The Advisory Committee will next meet on April 11, 2025.
- F. Addiction Counseling.** The Addiction Counseling Advisory Committee met on March 3, 2025. The Advisory Committee discussed artificial intelligence, clinical practice, and the possibility of changing the regulation on making up practicum hours. The Advisory Committee is eager to review the results of the survey. The Advisory Committee will next meet in June 2025.
- G. Behavior Analysis.** The Behavior Analysis Advisory met on February 14, 2025. The Advisory Committee completed the annual training and discussed artificial intelligence, adding a description of the profession to the BSRB website, and federal changes regarding telehealth. The Advisory Committee will next meet on April 18, 2025.

10 Minute Break

IX. Old Business

A. Discussion on Proposed Changes to Regulations.

- i. Unprofessional Conduct.** Over the past year, Advisory Committees have worked to review and update unprofessional conduct regulations. The Executive Director worked with staff members to combine these regulations into a side-by-side document to compare the language of similar unprofessional conduct regulations across the professions. It was noted that the preamble language for some of the regulations could be adjusted to more fully clarify everyone under the Board’s jurisdiction, such as individuals practicing under out-of-state temporary permits or individuals practicing under multi-state compacts. The following information corresponds to the unprofessional conduct crosswalk document provided to Board members:

Items for discussion. Board members reviewed language for the first few unprofessional conduct regulations and discussed the following items:

- It was noted that the introductory language for the Master’s Level Psychology profession only included specific references to licensed master’s level psychologists, rather than explicitly clarify that it also includes licensed clinical psychotherapists.
- References to “mental health” were recommended to be replaced with “behavioral health.”
- References to “credentialed” were recommended to be replaced with “authorized to practice.”
- In one item, the Professional Counseling Advisory Committee previously

recommended replacing the term “cruel” with “unprofessional or unethical.” Also, for consistency, it was asked that Board members consider when the term “directee” should be added to the regulations in addition to the term “client” or “student.”

- A regulation in which the psychology language was missing the word “clearly,” was highlighted and the Board members were asked to consider whether a future recommendation should make the language uniform across the professions.

Due to time constraints, the above items were all that Board members had time to discuss. More discussions will take place at future meetings.

ii. Expedited Application Review Process. This item was tabled until the next Board meeting.

X. New Business

A. Possible Discussion on SB 63. The 2025 Legislature passed SB 63, which prohibits certain practices concerning gender-affirming care. The Executive Director wanted to provide Board members the opportunity to discuss any thoughts regarding this bill. Board members discussed difficulty in fully understanding the language of the bill, as it was enacted, in part due to the lack of references to practitioners under the BSRB. However, it was noted that some practitioners may have questions whether the bill directly applies to their practice. The Executive Director noted that the agency does not provide legal advice to licensees or applicants, but that individuals may consider seeking guidance for their own legal counsel if they think that would be helpful. The Board may discuss the bill again at a future meeting.

B. Possible Discussion on Process to Evaluate Extenuating Circumstances When an Individual is Seeking a Supervisor from Another Profession. Currently, two professions allow for individuals from other professions to supervise if the practitioner is a Board-approved supervisor and they can show extenuating circumstances for needing someone from another profession to provide supervision. However, the Executive Director noted the agency would like to work with a few volunteer Board members to develop a more detailed test for weighing requests for extenuating circumstances. Board members Mary Jones and Laura Shaughnessy volunteered to assist the Executive Director with this task.

C. Discussion on Digital Seal. When the BSRB transitions to Accela, there is an option for a digital, rather than a physical, seal for certificates. The Executive Director noted that representatives from OITS were encouraging the agency to consider moving to a digital seal, as it could be incorporated with the move to Accela. By consensus, the Board approved the BSRB to use a digital seal. However, the Board also expressed support for continuing to allow licensees the option to request the Board print their original license certificate on hard-stock paper and mail that version of the certificate to them.

D. Discussion on Creating Possible RFP for Expert Application Review Services. The Executive Director noted the need for ongoing expert review services for certain applications, primarily for individuals attending non-accredited educational programs in the professional counseling and addiction counseling professions. The Board was supportive of the Executive Director drafting language for an RFP for expert application review services and have it put out for competitive bidding. Board members Laura Shaughnessy and Denise Cyzman volunteered to assist in reviewing the language for the RFP and to assist in preparing it for competitive bidding.

XI. Possible Executive Session. None

XII. Date for Next Regular Board Meeting: May 12, 2025, at 10 am (Hybrid Meeting)

XIII. Adjournment. Cynthia Schendel moved to adjourn the meeting. Laura Shaughnessy seconded. The motion passed.

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