

# Kansas Administrative Regulations

## Agency 102

### Behavioral Sciences Regulatory Board

#### Article 3.—Professional Counselors; Fees

**102-3-9a. Renewal and reinstatement.** (a) To be considered for license renewal, each licensed professional counselor and licensed clinical professional counselor shall submit to the board the following items:

- (1) A completed renewal application;
- (2) the continuing education reporting form; and
- (3) the renewal fee prescribed in K.A.R. 102-3-2.

(b) If the application for renewal, the continuing education reporting form, and payment of the required fee are not submitted before the date the license expires, the license may be reinstated upon payment of the required renewal fee, plus the late charge set forth in K.A.R. 102-3-2, and submitting proof satisfactory to the board that the applicant has complied with the continuing education requirements.

(c) Each individual who holds a professional counselor license or clinical professional counselor license but who fails to renew the license before its expiration, and who thereafter applies for renewal of the license, shall indicate on the reinstatement application form whether the individual has continued to engage in the practice of professional counseling in Kansas, or has continued to represent that individual in Kansas as a licensed professional counselor or a licensed clinical professional counselor after the expiration of the license and, if so, under what circumstances.

(d) If the license of any individual has been suspended and the individual thereafter makes an application to renew or reinstate the license, the individual shall submit the following:

- (1) A completed reinstatement application on forms approved by the board;
- (2) the required renewal fee and, if applicable, the late charge set forth in K.A.R. 102-3-2;
- (3) proof satisfactory to the board that the applicant has complied with the continuing education requirements;

(4) proof satisfactory to the board that the applicant has complied with the terms of the suspension; and

(5) any materials, information, evaluation or examination reports, or other documentation that the board may request that will enable the board to satisfactorily evaluate and determine whether or not the license should be renewed or reinstated. An applicant's license may be renewed or reinstated after the board considers the following factors:

(A) The extent to which the individual presently merits the public trust;

(B) the individual's demonstrated consciousness of the wrongful conduct that resulted in the license suspension;

(C) the extent of the individual's remediation and rehabilitation in regard to the wrongful conduct that resulted in the license suspension;

(D) the nature and seriousness of the original misconduct;

(E) the individual's conduct after the license suspension;

(F) the time elapsed since the license suspension; and

(G) the individual's present competence in professional counseling knowledge and skills.

(e) If the license of any individual has been revoked and the individual thereafter makes an application to reinstate the revoked license, the individual shall submit the following:

(1) A completed reinstatement application on forms approved by the board;

(2) the required renewal fee and the late charge set forth in K.A.R. 102-3-2;

(3) proof satisfactory to the board that the applicant has complied with the continuing education requirements; and

(4) materials, information, evaluation or examination reports, or other documentation that will enable the board to satisfactorily evaluate and determine whether or not to reinstate the license. Factors to be considered by the board in determining whether or not to reinstate the license shall include the following:

(A) The extent to which the individual presently merits the public trust;

(B) the individual's demonstrated consciousness of the wrongful conduct that resulted in revocation of the license;

(C) the extent of the individual's remediation and rehabilitation in regard to the wrongful conduct that resulted in revocation of the license;

(D) the nature and seriousness of the original misconduct;

(E) the individual's conduct after the license revocation;

(F) the time elapsed since the license revocation; and

(G) the individual's present competence in professional counseling knowledge and skills.

(Authorized by K.S.A. 74-7507; implementing K.S.A. 65-5803, 65-5806, and 65-5808; effective Dec. 19, 1997; amended July 11, 2003.)

\*\*\*\* *Authenticated Kansas Administrative Regulation* \*\*\*\*