

BEHAVIORAL SCIENCES REGULATORY BOARD
MONDAY, SEPTEMBER 8, 2025
DRAFT MINUTES

Monday, September 8, 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, Jill Flessing, Linda Heitzman-Powell, Donna Hoener-Queal, Mary Jones, Jim Kilmartin, Richard Nobles, Andrea Perdomo-Morales, Cynthia Schendel, and David Stevens were present. Denise Cyzman was absent.

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

- II. Agenda Approval.** Mary Jones moved to approve the agenda. Cynthia Schendel seconded. The motion passed.

III. Public Comment - None

- IV. Review and Approval of Minutes from Previous Board Meetings.** Mary Jones moved to approve the minutes from the Board meeting on July 28, 2025. Jill Flessing seconded. The motion passed.

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

- A. Revenue and Expenditures.** The Executive Director informed the Board that the BSRB Fee Fund balance is currently sitting at around \$1.8 million. The yearly budget is about \$1.1 million to \$1.2 million.
- B. Operations.** There was an article from the Association of State and Provincial Psychology Boards (ASPPB) recognizing a few regulatory board websites for certain user-friendly features, and the BSRB was included in this article. There have now been 215 meetings broadcasted to the BSRB YouTube channel that have been viewed 11,744 times. The Executive Director also provided updates on the new licensing system that is currently in the works. Additionally, The Executive Director, his assistant, Assistant Director, and both BSRB investigators will be attending a CLEAR conference from September 15-18, 2025, in Chicago. This conference focuses on licensing and regulatory matters. The Executive Director also reminded Board members about the annual out-of-town planning meeting that will be held on September 29, 2025, in Manhattan, Kansas.
- C. Outreach.** The Executive Director and Assistant Director go to schools around the state to present information to students. These presentations include information on the licensing process, expectations of licensees, standards, the role of the Board, and resources offered.
- D. Budget.** The 2025 Legislature approved a revised estimate for FY 2025 as well as a budget for FY 2026 and FY 2027. The Executive Director has been working on the revised budget estimate for FY 2026 and FY 2027. The budget is due to be submitted by September 15, 2025.

- E. Legislative Updates.** A 2025 special committee on health and human services met on August 19th and 20th. These meetings primarily focused on staffing for the new state hospital. The 2025 House select Committee on Government Oversight met on July 29, 2025. This Committee primarily focused on the Board of Nursing and their operations, specifically on disciplinary processes. The Senate Committee on Efficiency will be meeting on September 10, 2025. An item on their agenda involves using artificial intelligence to detect opportunities for efficiencies in government. The Department of Administration will be presenting information on building state usage by state agencies on September 9, 2025, at the governmental efficiency meeting.
- F. Association of Marital and Family Therapy Regulatory Boards (AMFTRB).** The Executive Director and Board member Mary Jones will be attending the AMFTRB's annual meeting in September and will be presenting at the conference on the marriage and family therapy survey.
- G. Kansas Fights Addiction Grant Review Board (KFAGRB).** Jason Hess, Board appointee to the KFAGRB, provided a written report with updates.

VI. Updates from National Association Meetings

- A. Update on Psychological Interjurisdictional Compact (PSYPACT).** Richard Nobles, Compact Commissioner for Kansas, has agreed to serve on a PSYPACT Committee to review the bylaws and regulations of PSYPACT. PSYPACT's annual meeting will be held on November 16-17, 2025, in Arizona, and Richard Nobles will be attending this meeting.
- B. Updates on Professional Counseling Multi-State Compact.** Laura Shaughnessy, Compact Commissioner for Kansas, notified the Board that important updates will be released by the Compact soon.
- C. Updates on Social Work Multi-State Compact.** The Executive Director, Compact Commissioner for Kansas, recently attended a special meeting where the Compact Commission spent time developing rules for the compact. The commission also selected a vendor to create a data system. The Executive Committee for the Compact Commission will begin to move forward with contract negotiations with the vendor.

VII. Staff Reports. Board members were provided an updated chart showing Kansas licensing totals over the past ten years. The Executive Director noted that there was a notable drop in the number of addiction counseling licenses between July and September. However, for overall licenses, the number increased from about 16,500 to 16,600 between July and September.

VIII. Complaint Review Committee (CRC) Report. Cindy D'Ercole, Investigator for the BSRB, provided updates on the CRC.

IX. Professions Reports

- A. Licensed Psychology.** The Licensed Psychology Advisory Committee met on Tuesday, August 12, 2025. The Advisory Committee continued to discuss whether they want to make any changes regarding the post-doctoral requirement. The Advisory Committee also continued discussion on the survey results, adding a new member to the committee, and potential rule changes with PSYPACT. The Advisory Committee will meet on Tuesday, October 14, 2025.
- B. Social Work.** The Social Work Advisory Committee met on August 12, 2025. The Advisory Committee welcomed two new members, approved the final version of the revised social work

supervision manual, and began reviewing survey results. The Advisory Committee will meet next on October 14, 2025.

C. Professional Counseling. The Professional Counseling Advisory Committee last met on August 4, 2025. The Advisory Committee welcomed three new members. The Advisory Committee also discussed survey results, confidentiality, the use of artificial intelligence, alternative pathways to licensure, and the annual training that will be coming up. The Advisory Committee will meet on October 2, 2025.

D. Master's Level Psychology. The Master's Level Psychology Advisory Committee met on August 6, 2025. The Advisory Committee welcomed two new members and discussed survey results, potential regulation of artificial intelligence, and alternative pathways to licensure. The Advisory Committee will next meet on October 1, 2025.

E. Marriage and Family Therapy. The Marriage and Family Therapy Advisory Committee met on August 15, 2025. The Advisory Committee discussed survey results, artificial intelligence, potential new members, and alternative pathways to licensure. The Advisory Committee will meet next on October 10, 2025.

F. Addiction Counseling. The Addiction Counseling Advisory Committee meets quarterly and has not met since the last Board meeting. The Advisory Committee will next meet on September 11, 2025, where they will discuss survey results, artificial intelligence, potential pathways to making up practicum hours, and alternative pathways to licensure.

G. Behavior Analysis. The Behavior Analyst Advisory Committee met on August 14, 2025. The Advisory Committee welcomed a new member and discussed expectations of Advisory Committee members. The Advisory Committee also discussed survey results. The Advisory Committee will next meet on Friday, October 10, 2025, where they will do the annual training and review regulations for potential updates.

10-Minute Break

X. Old Business

A. Continued Discussion on Possible Changes to Regulations.

i. Unprofessional Conduct.

1. **Item 25.** There is not currently language for the Licensed Psychology profession that matches this item. BSRB investigator, Cindy D'Ercole, expressed to the Board that an example of indirectly would include providing compensation to a family member. The consensus was to adopt the language recommended by BSRB staff for all professions.
2. **Item 26.** The general language provided by BSRB staff for this item was, "Permitting any person to share fees for professional services other than a partner, an employee, an associate in a professional firm, or a consultant licensed to practice by the BSRB." The consensus was to use this language.
3. **Item 27.** The language proposed by BSRB staff was, "Soliciting or assuming professional responsibility for clients of another agency or colleague without informing and attempting to coordinate continuity of client services with that agency or colleague." The consensus was to adopt this language.
4. **Item 28.** This item states, "Making claims of professional superiority that one cannot substantiate." The consensus was to move forward with this language.

5. **Item 29.** The consensus was to adopt the language, “Guaranteeing that satisfaction or cure will result from performing or providing professional services.”
6. **Item 30.** It was the consensus to add the language, “Claiming or using any method of treatment or diagnostic technique that the licensee refuses to divulge to the Board.”
7. **Item 31.** The consensus was to use the language, “Continuing, requesting, or providing assessments, procedures or treatments, or using treatment facilities or services not warranted by the condition or best interests of the client.”

B. Continued Review and Discussion of Draft Survey Reports of Licensees.

- i. **Focus on Marriage and Family Therapy and Professional Counseling.** While a majority of practitioners, across the board, reported practicing mostly in urban areas, a higher percentage of clinical practitioners are practicing in urban areas versus rural areas. Additionally, a vast majority of marriage and family therapists reported working in private practice. This is consistent with the responses from LCPC licensees, but a much lower percentage of LPCs (about 49 percent) reported working in private practice. There was a higher percentage of professional counselors working in public practice than marriage and family therapists. There were several comparisons between LPCs and LMFTs, as well as LCPCs and LCMFTs. While a majority of licensees reported only being licensed in one state, only 46 percent of LCPCs reported that answer.

- C. Update on Background Checks for Licensure.** The Executive Director has been working with the KBI to determine next steps for implementing background checks. The Executive Director is still working to determine if a regulation will be required for this, but his understanding is that the BSRB will be able to move forward with making this a requirement without a regulation. The Executive Director highlighted information on the Board of Nursing’s website regarding background checks that the BSRB may use as a guide for what is put on the BSRB website.

XI. New Business

- A. Appointment of New Advisory Committee Members.** The Chair of the Board appointed the following new Advisory Committee members to 2-year terms on the Advisory Committees:

i. Behavior Analysis Advisory Committee

1. Holly Creamer

ii. Marriage and Family Therapy Advisory Committee

1. Stacey Hodges
2. Raneisha Hunter

- B. Plan for Future Regulation Review by Advisory Committees.** A bill was passed by the legislature that requires all state agencies to be in a rotation, every five years, at which time a group of state agencies must submit information for all their regulations and answer certain questions about them. Some regulations that are to be reviewed by Advisory Committees have to do with applications for licensure, renewing licenses, reinstating licenses, individuals providing services in the state via telehealth, location of client and services being provided, the DSM-5. The Executive Director noted that Advisory Committees will be asked to review regulations that have not been updated recently, to provide guidance whether any changes are requested.

- C. Discussion on Possible Agreement with EBAS for Disciplinary Remedies.** If someone has a complaint and the Board determines that there was a violation, one of the remedies could be to work with EBAS and have that licensee go through a process of taking examinations or writing essays on certain topics. There would be no cost to the Board, as it would be the responsibility of the licensee to pay for the service. This would not replace any options that the CRC currently utilizes but, rather, would be another tool to be used if and when determined to be appropriate. Board members expressed support for having this as an option for remedies to violations. The Board was supportive of moving forward with an agreement with EBAS.

- D. Discussion on Notifying Clients When Practitioner is “Under Direction”.** Currently, if a licensee is

under supervision, they have to notify clients of that, but there is nothing in statute or regulation that requires licensees under direction to do the same. This item will be discussed further at a future meeting.

E. Discussion on Alternate Pathways to Licensure. From the research done specifically regarding the Licensed Psychology profession, it appears as though all states require the passage of the EPPP as a condition for licensure. The Addiction Counseling Advisory Committee started discussion on this topic, but it has gotten complicated since requirements in different states vary. For professional counseling, it did not appear as though any states had a pathway to licensure that did not involve passing a licensing examination. This item will be discussed further at a future meeting.

XII. Upcoming Board Meetings

A. Annual All-Day Out-of-Town Board Planning Meeting on September 29, 2025, at 9 am.

B. Next Regular Board Meeting on November 10, 2025, at 10 am.

XIII. Adjournment. Mary Jones moved to adjourn the meeting. Cynthia Schendel seconded. The motion passed.

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