

BEHAVIORAL SCIENCES REGULATORY BOARD
MONDAY, SEPTEMBER 29, 2025
DRAFT MINUTES

Monday, September 29, 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, Richard Nobles, Andrea Perdomo-Morales, Cynthia Schendel, and David Stevens were present. Jim Kilmartin was absent.

BSRB Staff. BSRB Staff members David Fye, Leslie Allen, Emma Allan, Cindy D’Ercole, Joan Hahn, Ashley VanBuskirk, and Tyla Wadsworth were present. Tim Resner, the Board's legal counsel, also attended.

II. Introductions by Board Members. Board members and BSRB staff introduced themselves, what they do, and who they represent on the Board.

III. Overview and Updates on BSRB Operations by Executive Director, David Fye.

- A. Updates on Licensing.** The Executive Director discussed the history of permanent licenses from July 2015 to September 2025 and outlined growth percentages during this time. A total of 1,737 new permanent licenses were issued during fiscal year 2025. The Executive Director also provided updates on the path to transitioning to the new licensing system with Accela, which is about a year and a half out from being completed. Board members support transitioning fully to online applications except for in special circumstances once the new licensing system is functional. The Assistant Director provided updates on the CLEAR conference attended September 15-18, 2025. Takeaways included states looking at alternative pathways to licensure, reducing and eliminating barriers, and the shortage of providers, statewide, but worldwide as well.
- B. Information on BSRB Budget and Fees.** For fiscal year 2025, revenue was about \$968,000 and expenditure were about \$1.1 million. Both revenues and expenditures were higher than the previous fiscal year. The BSRB Fee Fund is sitting at about \$1.8 million. The revised estimated budget for fiscal year 2027 is \$1.2 million. Salary and wages make up about two thirds of the BSRB budget. Contractual services make up about 30 percent of the budget. Commodities and capital outlays make up the remainder of the budget. There was a conversation about Microsoft Copilot, and the Executive Director stated that he would look into this to bring more information back to the Board. One of the most recent decisions concerning fee decreases was to decrease most original license fees by \$50. The Executive Director asked Board members if the Board should include language with fee decreases stating that the decrease will be effective for a 5-year period. Currently, the BSRB charges a \$50 application fee and a separate original licensure fee, as a benefit to licensees. However, sometimes individuals are frustrated by having two fees, rather than one fee. The Executive Director asked Board members whether they supported continuing with this process, or if they would like to explore the possibility of moving to one higher application fee. Board members did not reach consensus on a change at this time, but may decide to revisit this topic at another Board meeting.
- C. Updates on Investigation and Discipline.** The Executive Director provided Board members with historical trends on reports of alleged violations (RAVs) against licensees from fiscal year 2016 through fiscal year 2025. In FY 2025, there has been a notable increase in RAVs compared to

previous years, but it was unclear whether this was a one-year spike or the beginning of a new trend. Cindy D’Ercole, Special Investigator for the BSRB, discussed takeaways from the CLEAR conference, including knowledge on how to formally request military records, trauma-informed interviewing, and fitness to practice evaluations.

D. Updates on Multi-State Compacts.

- i. PSYPACT.** Legislation was passed by the Kansas Legislature in 2021, with an implementation date for PSYPACT on January 1, 2022. As part of PSYPACT membership, Kansas must implement a requirement of background checks within 10 years of joining the compact. Roughly 10 to 15 percent of Licensed Psychologists in Kansas have joined PSYPACT. In between June and July 2024, there were between 20 and 30 out-of-state Licensed Psychologists who were part of PSYPACT who did not renew their Kansas licenses, so this reflects the two-year loss of licensees due to PSYPACT.
- ii. Professional Counseling Multi-State Compact.** Kansas passed legislation to join this compact in 2023. This compact is not yet active, but the commission has been meeting. This compact will only be available for Clinical Professional Counselors, and all members must have a home license. This compact does require that individuals have 60 hours in a graduate program, so BSRB staff is working on finalizing this list of eligible licensees. This compact has decided that states must have background checks in place prior to licensees in the state being able to become members. The out-of-state privilege fee will be \$25 for out-of-state licensees.
- iii. Social Work Multi-State Compact.** Kansas passed the Bill to join this compact in 2024. Compact Commissioners have been appointed by different states and two commission meetings have occurred, at which time the commission has elected leaders, drafted and passed bylaws, and two committees have been meeting to advance the construction of the compact: the Finance Committee and Rules Committee. The Executive Director is an appointed member of both the Finance and Rules Committees and provided updates on the work of those Committees. It is estimated this compact is about one year away from being operational, based on the timeline of past compacts.

E. Information from Survey of Licensees. The Executive Director highlighted responses and feedback from the survey of licensees in 2025. Looking at additional ways that the BSRB can continue to carry out their mission, licensees commonly spoke about continuing education. There were also comments made about the BSRB advocating for better reimbursement, though that is not a role of the BSRB. There were some comments made about there being too many fees. It was noted that being more transparent and providing more information to licensees may help licensees. Board members expressed interest in starting a BSRB newsletter. The Executive Director also expressed the potential of making business cards for the Chair and Vice Chair. The Board was supportive of this. The jurisprudence course that the BSRB will be hosting will be another way of making licensees more informed. The concept of having additional BSRB emails for the Chairs of Advisory Committees was also discussed. To boost communication, the Executive Director asked the Board to consider whether the Board should expand into social media. Board members expressed that LinkedIn tends to be used more than Facebook. The consensus was to move forward with creating a BSRB LinkedIn account.

IV. Discussion on 2025 Legislative Interim Health Committee Topics. The House Special Committee on Government Oversight has focused on the Board of Nursing and some disciplinary cases. The primary issue focused on consent agreement orders where someone held a license with the Board, the license expired, and the person was reported to have continued practicing. There was another instance where an individual thought they were licensed but their license never expired. It was noted that while the policies of the Board of Nursing do not directly relate to the BSRB, the agency is monitoring the conversation and comparing agency practices, to see if reasonable changes should be made.

V. **Discussion on Strategic Plan for the BSRB and Board Members Goals for Agency.** Emma Allan, Assistant to the Executive Director, provided information on a potential strategic planning and SWOT analysis for the BSRB. Board members expressed support for making a three-to-five-year strategic plan for the agency. The Board Chair asked Board members to be thinking about strategic planning and SWOT analysis and it was the consensus of Board members to work on a SWOT analysis over the course of the next year with a goal of having the process completed one year from this meeting.

- A. **Mission, Vision, and Core Values.** The Executive Director provided Board members with the mission of the BSRB, and Board members thought that the current mission aligned well with the agency.
- B. **External/Internal Assessment.** Analyzing internal and external factors that impact success is an important component of strategic planning. This can be done by analyzing trends and by conducting a SWOT analysis, which involves evaluating strengths, weaknesses, opportunities, and threats.
- C. **Goals and Objectives.** Clear, measurable goals that align with the BSRB's vision should be defined and formed.
- D. **Develop and Implement an Action Plan.** Developing an implementing an action plan involves taking goals and breaking them down into specific initiatives and projects. After this has been done, the agency can then assign responsibilities to appropriate staff and/or Advisory Committees, set timelines, and allocate necessary resources.
- E. **Monitor, Measure, and Adapt.** The agency should be able to measure progress or pull data when needed to track whether we are moving closer to the intended outcome and achievement of such goals.

VI. Old Business

- A. **Review of Items Previously Recommended for 2025 Legislation and Possible Additions.** The Executive Director provided a summary of the steps of a bill being drafted. Due to changes in the legislative process last year, the BSRB bill was unable to be introduced and heard, but it will be introduced this year in the House Health and Human Services Committee. The Executive Director reviewed items for Legislation the Board was supportive of last year to see if the Board wished to make any changes.
 - i. **Process to Assess Academic Program Without an Applicant for License.** Federal law requires that schools be able to tell students whether or not their program would meet the requirements for licensure in different states. Currently, the BSRB does not perform reviews of programs to determine whether students coming from their program would meet the educational requirements associated with licensure in Kansas, unless there is a current applicant for licensure from that program. One reason for this policy is to ensure the agency is using revenue from fees appropriately, rather than providing a free service to universities at the expense of applicants. This new language would provide a process by which programs or individuals could request a review of a program for a price (independent of whether an applicant has applied from that program). The consensus was to keep this item in the draft Bill with the one change of making it a two academic year guarantee instead of one academic year.
 - ii. **Professional Counseling Authorized Supervisor for Clinical Hours.** This item would allow professional counselors under supervision to have 50 percent of their hours completed under a Board-approved clinical supervisor who was a professional counselor, and, upon request, up to the other 50 percent can be completed with a Board-approved supervisor in another profession at the appropriate level of license. The consensus was to keep this item in the Bill.

- iii. **Remove “*Individuals Preparing for the Practice of Marriage and Family Therapy*” from K.S.A. 65-6409.** One statute carves out individuals who may provide service without being licensed. This includes students and interns, but also vague language about “*individuals preparing for the practice of marriage and family therapy.*” There is no definition of who would be eligible under this language. The Board agreed to strike this language from the statute. Additionally, the consensus was to additionally strike “*to practice*” and keep this topic in the Bill.
 - iv. **Marriage and Family Therapy Authorized Supervisor for Clinical Hours.** This language would add, in statute, that LMFTs seeking supervision hours towards a clinical license, must have a board-approved LCMFT supervisor. The consensus was to keep this item in the Bill with slight language adjustments.
 - v. **Student Temporary Addiction Counseling License Expansion.** This item is included in the Bill because the Board voted to expand who qualifies for a temporary addiction counselor license. The consensus was to strike (1)(A).
 - vi. **Remove “*Individuals Preparing for the Practice of Addiction Counseling*” from K.S.A. 65-6616.** Similar to the marriage and family therapy profession, a statute carves out individuals who may practice without a license, which includes students and interns, but also vague language about “*individuals preparing for the practice of addiction counseling.*” The consensus was to move forward with amending this language and striking, “Or individuals preparing for the practice of addiction counseling.”
 - vii. **Add Behavior Analyst to the BSRB Board.** This language would add a Behavior Analyst to the Board and increase the total number of Board members to 13.
 - viii. **Pre-Approved Continuing Education Providers and Courses.** Currently, only the social work profession is able to have continuing education courses pre-approved or have pre-approved providers. The Board was supportive of having courses pre-approved for all professions.
- B. Review and Discuss BSRB Investigation and Disciplinary Policies.** Board members were provided with the BSRB Investigation Policy. The Executive Director previously asked Joan Hahn, Special Investigator, to research information on disciplinary practices in other states that was publicly available on other board websites. Ms. Hahn presented information on this topic to the Board:
- i. Almost all Boards provide a standard complaint form on their website.
 - ii. Over half of states include a release of information form to be signed and submitted with complaints.
 - iii. Less than half of states allow anonymous complaints.
 - iv. About 75 percent of states allow for complaints to be submitted online, but very few use online-only submissions. There are some states that only allow for the submission of paper complaints.
 - v. At least half of states post their investigative process online.
 - vi. About 50 percent of states post summaries of outcomes, while the other half post full disciplinary orders.
 - vii. It differs in terms of how states choose to organize disciplinary information and how far back their available disciplinary records go.

Currently, all complaints must be submitted by paper with a wet signature. The Executive Director asked the Board if they supported shifting to fillable forms and allowing for electronic signatures and allowing individuals to have more of a choice. The consensus was to move forward with exploring options for electronic complaint forms. There was also consensus to keep the current Investigation Policy on signatures as it currently stands. The Board Chair brought up the idea of increasing the number of CRC members from five to six. The consensus of the Board was to increase the CRC members to 6 instead of 5.

C. Continued Discussion on Unprofessional Conduct Regulation Review. Due to time constraints, this item was tabled until the next Board meeting.

VII. New Business

A. Possible Discussion on Regulation Allowing the Board to Provide Remediation for Applicants with Certain Deficiencies of Requirements in Regulations. Due to time constraints, this item was tabled until the next Board meeting.

VIII. Date for Next Regular Board Meeting: November 10, 2025, at 10 am (Hybrid Meeting)

IX. Adjournment. The meeting was adjourned.

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