

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

Monday, November 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, Mary Jones, Richard Nobles, Andrea Perdomo-Morales, Cynthia Schendel, and David Stevens were present. Donna Hoener-Queal and Jim Kilmartin were 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. David Stevens moved to approve the agenda. Cynthia Schendel seconded. The motion passed.

III. Public Comment. None.

IV. Recognition of Executive Director for Five Years of Service to the BSRB. Board members expressed their appreciation for the hard work and leadership that David Fye, Executive Director for the BSRB, has displayed over his five years with the Board. They highlighted his willingness to both teach and be taught, his willingness to serve on organizations and committees, and his thoughtfulness.

V. Review and Approval of Minutes from Previous Board Meetings. Cynthia Schendel moved to approve the minutes from the Board meeting on September 8, 2025. Linda Heitzman-Powell seconded. The motion passed. Denise Cyzman moved to approve the minutes from the Board meeting on September 29, 2025. Laura Shaughnessy seconded. The motion passed.

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

A. Outreach. Over the course of five years, 223 meetings have been broadcasted to the BSRB YouTube channel, and those meetings have been viewed 12,026 times. Close to 4,000 licensees responded to the surveys sent out earlier this year, and all the reports are expected to be completed around the end of the 2025 calendar year. The Executive Director mentioned sharing these reports with different organizations, as well as with the Legislature. The Executive Director and Assistant Director spoke with Psychology students at Washburn University on September 11, 2025, and with fellows with the KUMC program on September 26, 2025.

B. Budget. The Executive Director submitted a revised budget estimates for the BSRB for fiscal year (FY) 2026 and FY 2027 on September 15, 2025. The total expenditures that were submitted were the same amounts as what the Legislature approved last year, with one technical adjustment for increased expenditures in FY 2027 to maintain a salary increase for state employees enacted by the 2025 Legislature.

C. Legislative Updates. The Executive Director presented testimony to the Special Committee on Commerce on October 23, 2025, regarding the implementation of multi-state compacts.

VII. Updates on Multi-State Compacts

- A. Update on Psychological Interjurisdictional Compact (PSYPACT).** About 10 to 15 percent of Kansas licensees have decided to pursue PSYPACT authorizations. There has been about a few thousand-dollar revenue loss from out-of-state individuals who let their Kansas license expire but continue to practice under PSYPACT authority. About 150 people over the course of the year are providing services into Kansas using their PSYPACT authority. Richard Nobles, Kansas Commissioner for PSYPACT, will be attending the national meeting in Tucson, Arizona. At this meeting, there will be bylaw changes up for proposal. Richard Nobles volunteered to serve on a committee to review the bylaws, rules, and statutes.
- B. Updates on Professional Counseling Multi-State Compact.** The professional counseling multi-state compact provides an alternative to licensure; individuals would need to have a home state license but then could get a privilege to practice in other states, as opposed to getting licensed in another state. Arizona and Minnesota have gone live with this compact. Only clinically licensed individuals are eligible for the compact. Once Kansas implements background checks and establishes the out-of-state fee for privileges, the Compact should go live. The BSRB has set the out-of-state privilege fee at 25 dollars.
- C. Updates on Social Work Multi-State Compact.** The Executive Director serves on the Finance Committee and Rules Committee for the social work multi-state compact. There has been discussion on how the commission will be funded and whether a processing fee will be charged when individuals obtain a multi-state license from their home state. Kansas has set the multi-state fee at 25 dollars, which would be on top of an original license fee or the home state license renewal fee. A vendor has been selected for the data system. It is estimated that the Social Work Compact is roughly nine months out from being operational. All levels of social work licensure will be eligible for this compact except for the associate level.

VIII. Updates from National Associations

- A. Association of Marriage and Family Therapy Regulatory Boards (AMFTRB).** The Executive Director and Board member Mary Jones attended the annual meeting and presented to the attendees on the BSRB survey of licensees and also spoke on regulation of artificial intelligence. There was an election at the national meeting and Ms. Jones is the new president-elect for the association.
- B. Council on Licensure, Enforcement, and Regulation (CLEAR).** The Executive Director, Assistant Director and Licensing Manager, BSRB investigators, and the Assistant to the Executive Director attended the CLEAR conference in Chicago on September 15-18, 2025. Attendees noted that one takeaway was the worldwide need for more mental health and behavioral health providers. The conference also provided opportunities to explore access to needed resources
- C. NAADAC.** The Executive Director and Board member Jill Flessing attended the NAADAC annual meeting in Seattle, WA. Ms. Flessing noted important information on varied approaches to addiction counseling licensing, certification, and other models authorizing practice across states. The need for providers is increasing. The Executive Director noted messaging concerning the NAADAC Code of Ethics, but a lack of helpful distinctions between the Code for NAADAC in comparison to what is required from state licensing board unprofessional conduct standards.
- D. Association of State and Provincial Psychology Boards (ASPPB).** The Executive Director, Board member Linda Heitzman-Powell, and Board member Richard Nobles attended the 2026 ASPPB annual meeting. During the past year, the Executive Director served on a bylaw revision taskforce that met several times and proposed many changes to the association bylaws. At the conference, the attendees spent a full day reviewing, discussing, and voting on the proposed changes, of which many were accepted, and several were rejected. Other presentations at the

annual meeting focused on supervision, as well as updates on the EPPP licensing examination. There was also discussion on the regulation of master's level psychologists.

- E. Association of Social Work Boards (ASWB).** The Executive Director attended the 2026 ASWB annual meeting in Indianapolis, IN. One new benefit provided by ASWB to applicant was the ability for all applicants to receive free test preparation services from 5th Theory (these free services previously were provided by ASWB to applicants who had failed the licensing examination at least once). One amendment was proposed to the ASWB bylaws to open up a ASWB board member position to individuals who were not board members of state licensing boards, but this proposed amendment was voted down by the body. Several proposed changes to the ASWB Model Law were proposed. The Executive Director noted that he spoke in opposition to two proposed changes: (1) a proposal that if open positions on a jurisdictions board were not filled in a certain amount of time, the licensing board should gain authority to fill them and (2) a proposal to replace “administrative procedures act” with “jurisdictional law.” The Executive Director explained the first proposal could be poorly accepted in jurisdictions that attempted to pass the model law, and the second proposal could have unintended consequences in jurisdictions where the term “administrative procedures act,” is not general language, but rather a reference to a specific regulation, such as the Kansas Administrative Procedures Act. While several other attendees voted against both of these proposed modifications to the Model Law, but proposed changes were adopted by the body.
- IX. 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 2025, however the overall total number of licensees between September and November 2025 have increased. Between September and November 2025, the total number of licensees increased by about 200, from 16,586 to 16,785.
- X. Complaint Review Committee (CRC) Report.** Cindy D’Ercole, Investigator for the BSRB, provided updates on the CRC.
- XI. Professions Reports**
- A. Licensed Psychology.** The Licensed Psychology Advisory Committee met on Tuesday, October 14, 2025, at 6 pm. The Advisory Committee selected a new Advisory Committee member and continued discussion regarding the survey, specifically focusing on supervision and telehealth survey responses. The Advisory Committee began reviewing proposed changes to regulations and will continue discussion regarding post-doctoral requirements at their next meeting. The Advisory Committee will meet on Tuesday, December 9, 2025.
- B. Social Work.** The Social Work Advisory Committee met on October 14, 2025. The Advisory Committee discussed wanting to remove some specific regulatory language, continued reviewing current regulations, and continued discussion on the survey results. The Advisory Committee will next meet on December 9, 2025.
- C. Professional Counseling.** The Professional Counseling Advisory Committee last met on October 2, 2025. The Advisory Committee discussed updates on the professional counseling compact, reviewed survey results, discussed the regulation of artificial intelligence, and reviewed regulations. The Advisory Committee will meet in December 2025.
- D. Master’s Level Psychology.** The Master’s Level Psychology Advisory Committee met on

October 1, 2025. The Advisory Committee continued discussion on the survey results, telehealth for continuity of care, the regulation of artificial intelligence, and alternate pathways to licensure. The Advisory Committee also a new member be added to the Advisory Committee and discussed regulation changes. The Advisory Committee will next meet on December 3, 2025.

- E. Marriage and Family Therapy.** The Marriage and Family Therapy Advisory Committee met on October 10, 2025. The Advisory Committee welcomed two new members, continued discussion on the survey results, and began reviewing regulations for potential changes. The Advisory Committee will meet next on December 12, 2025.
- F. Addiction Counseling.** The Addiction Counseling Advisory Committee met on September 11, 2025. The Advisory Committee continued discussion on the survey results and artificial intelligence. The Advisory Committee also discussed a potential pathway for making up practicum hours. At the next meeting, the Advisory Committee will discuss the NAADAC conference and begin reviewing regulations for potential changes. The Advisory Committee will meet in December 2025.
- G. Behavior Analysis.** The Behavior Analyst Advisory Committee met in October 2025. The Advisory Committee welcomed a new member and continued reviewing survey results, specifically concerning telehealth and artificial intelligence. The Advisory Committee will meet on December 12, 2025.

10-Minute Break

XII. Old Business

- A. Summary and Updates from Action Items from Board's Out-of-Town Planning Meeting on September 29, 2025.** The Executive Director summarized information presented and discussed by the Board at the annual off-site in-person Board planning meeting. Licensing numbers do continue to grow, but the agency expects to see some changes with the implementation of multi-state compacts. There was also discussion about the BSRB Investigation Policy, the Board's recommendation to add a sixth member to the Complaint Review Committee. Also, the Board discussed multi-state compacts, the survey of licensees, interim health committees, creation of a strategic plans, and a review of the items listed in a potential BSRB bill.
- B. Continued Discussion on Possible Changes to Regulations.**
 - i. Unprofessional Conduct.**
 - 1. Item 32.** Item 32 concerns taking credit for work not personally performed, whether giving inaccurate or misleading information or by failing to disclose accurate or material information. The Licensed Psychology Advisory Committee Chair expressed support for making the Licensed Psychology regulation reflect the same language as that of the other professions. By consensus, the Board decided to move forward with that change.
 - 2. Item 33.** By consensus, the Board elected to table this item, to be revisited at a future meeting.
 - 3. Item 34.** Item 34 involves making or filing a report that one knows to be false, distorted, erroneous, incomplete, or misleading. Licensed Psychology did not have this item included in their regulation, so the Board, by consensus, recommended adding it. There was also consensus to add the word, "False" to the Social Work regulation to make it consistent with that of the other professions.
 - 4. Item 35.** Item 35 involves failing to notify a client promptly if one anticipates terminating or interrupting services to the client. This is consistent across all

professions except for Licensed Psychology, whose regulation lays out steps that must be taken. It was consensus to slim down the language in the Licensed Psychology regulation and make the language consistent across all professions.

5. **Item 36.** Item 36 involves failing to seek continuation of service or abandoning or neglecting a client under or in need of professional care without making reasonable arrangements for that care. The consensus was to have standardized language across the professions for this item, and the extra considerations will be examined at a future meeting.
 6. **Item 37.** Item 37 involves abandoning employment under circumstances that seriously impair the delivery of professional care to clients and without providing reasonable notice to their employer. The consensus was to have standard language for this item across all professions.
- C. Continued Review and Discussion of Draft Survey Reports of Licensees.** Every profession had a majority of practitioners working in urban areas, with professions like Licensed Psychology having a very low percentage of practitioners working in rural areas. When practitioners were asked how long they have been practicing, the percentage across professions is commonly between 70 percent and 90 percent. The goal is to have a more comprehensive comparison report for Board members by the next meeting.
- D. Update on Background Checks for Licensure.** In 2016, a statute was passed giving the BSRB the authority to require background checks, but it did not mandate the requirement. The BSRB is actively working on implementing background checks for all new applicants as well as providing the ability for current licensees to voluntarily submit for a background check for the purpose of gaining eligibility to practice under a multi-state compact that requires completion of a background check. Language regarding the out-of-state privilege fee and fee decreases will be submitted as temporary regulations. Laura Shaughnessy moved to approve the BSRB submitting emergency/temporary regulations. Denise Cyzman seconded. The motion passed.
- E. Update on Revised BSRB Investigation Policy.** Between now and the January 2026 Board meeting, the BSRB investigation policy will be changed to reference a sixth member of the Complaint Review Committee. This member can be either a public member or a Board member from a profession who is not already serving on the Complaint Review Committee.
- F. Summary of Items for 2026 Legislation.** The Executive Director summarized items previously discussed and recommended for possible legislation by the BSRB Board. These items include creation of a new process to review academic program to see if they meet the qualifications for licensure, absent an applicant from that program; modifying statutory language on under what circumstances someone could provide clinical supervision to individuals seeking a clinical license for the professional counseling and marriage and family therapy professions; adding a behavior analyst position to the Board; and other items. There are concerns about how the Legislature will react to the Board requesting more regulation, so the Executive Director plans to speak with some members of the Legislature regarding whether the Board should introduce a bill or wait another year. A potential Board meeting in December 2025 was discussed as a possibility, if the Executive Director is able to meet with members of the Legislature at that time.

XIII. New Business

- A. Appointment of Sixth Member to Complaint Review Committee.** The Board Chair appointed himself as the sixth member of the Complaint Review Committee.
- B. Appointment of Advisory Committee Members.** The Board Chair approved the appointment of new Advisory Committee members, Katelynn Reed to the Master's Level Psychology Advisory Committee, and Daniel Garlock to the Licensed Psychology Advisory Committee.
- C. Discussion of Board Members Not on Hearing Panel Considering Counter Proposal Related to Pending Hearing.** The Executive Director noted it would be helpful if the Board could approve

a process by which BSRB Board members not serving on a hearing panel may be able to consider alternative resolutions to a license hearing, such as a Consent Agreement Order in lieu of a hearing. By consensus, the Board approved for a Board member not serving on a hearing panel to be utilized by the BSRB to consult with legal counsel on the drafting of alternative orders to license hearings. Final approval of the agreement would remain with the members of the hearing panel.

- D. Discussion on Emergency Supervisor for Clinical Applicants.** Due to time constraints, this item was tabled until the next meeting.
- E. Discussion on Notifying Clients When Practitioner is “Under Direction.”** Due to time constraints, this item was tabled until the next meeting.
- F. Begin Process of Strategic Plan for the BSRB.** Between now and the January 2026 Board meeting, the Executive Director asked Board members to think about strengths, weaknesses, opportunities, and threats that may be included in a SWOT analysis for the agency.
- G. Discussion on Alternate Pathways to Licensure.** Due to time constraints, this item was tabled until the next Board meeting.
- H. Dates for Board Meetings in 2026.** By consensus, the Board decided to continue to meet on the second Monday of the month, every-other-month, from 10am until 1pm.
- I. Note on Annual Performance Evaluation for Executive Director.** The Board Chair will be sending out questions to Board members to evaluate the performance of the Executive Director.

XIV. Upcoming Board Meetings

- A. Board Meeting on January 12, 2026, at 10am.**

- XV. Adjournment.** Denise Cyzman moved to adjourn the meeting. Cynthia Schendel seconded. The motion passed.