

BEHAVIORAL SCIENCES REGULATORY BOARD
MONDAY, JANUARY 12, 2026
DRAFT MINUTES

Monday, January 12, 2026

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, Jim Kilmartin, Richard Nobles, Andrea Perdomo-Morales, Cynthia Schendel, and David Stevens were present. Donna Hoener-Queal and Cynthia Schendel 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. Laura Shaughnessy moved to approve the agenda. Denise Cyzman seconded. The motion passed.

III. Public Comment. None.

IV. Review and Approval of Minutes from Previous Board Meetings. Laura Shaughnessy moved to approve the minutes from the Board meeting on November 10, 2025. Denise Cyzman seconded. The motion passed.

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

- A. Operations Updates.** Two BSRB staff members that have primarily worked in licensing are going to start being included in some of the investigation and disciplinary processes to provide additional support to investigators. 230 meetings have been broadcasted to the BSRB YouTube channel, and those meetings have been viewed over 12,280 times. The Executive Director and Assistant Director will be providing presentations at the social work symposium at Washburn University on February 6, 2026, and will be doing a remote presentation to counseling students at Central Seminary on February 25, 2026. Concerning the surveys, an executive summary, table of contents, and conclusions and recommendations will be added to the final reports. Additionally, a few years ago, the legislature passed a bill that the state of Kansas would develop a unified license verification portal, and BSRB licensees are now included in that portal. This verification portal can be found by visiting prolicenseverify.ks.gov
- B. Budget Updates.** The Executive Director reported the current balance in the BSRB Fee Fund is \$1,798,125, which is a decrease from \$1,923,221 in January 2025; a decrease from \$2,038,836 in January 2024; and a decrease from \$2,181,354 in January 2023. This decrease is by design, as the Board previously lowered license renewal fees significantly to draw down the balance in the BSRB Fee Fund. Additionally, the Board voted to lower several initial licensing fees, and these regulations are pending approval from the Department of Administration.
- C. Legislative Updates.** The 2026 legislative session has officially begun. The Executive Director made Board members aware of House Bill 2420 which, if passed, would require school districts to obtain parental consent prior to any school-based mental health services being provided.
- D. Kansas Fights Addition Grant Review Board (KFAGRB).** Jason Hess, Board appointee to the KFAGRB, provided a written report with updates.

- E. Other Updates.** The National Association of Social Workers (NASW) has done some restructuring at the state level, and Kansas and Iowa now share an Executive Director. Additionally, the Executive Director is hopeful that an agreement with the KBI concerning background checks will be signed this week.

VI. Updates on Multi-State Compacts

- A. Update on Psychological Interjurisdictional Compact (PSYPACT).** There is currently a rule out for public comment that would provide a cap to annual assessments. The annual PSYPACT meeting was held on November 15-16, 2025, in Tucson, Arizona, and Richard Nobles attended this meeting as Compact Commissioner for Kansas. At this meeting, discussion centered around qualifications for membership and disciplinary processes. Nationwide, 18,130 psychologists are currently practicing under PSYPACT via telehealth and 1,130 have a temporary permit to provide in-person services. There are currently 43 states that are in PSYPACT, and New York and Massachusetts have legislation in the works to join the compact. Richard Nobles was asked to serve on PSYPACT's finance committee, which he accepted. The committee meets quarterly and, at the last meeting, they discussed the long-term investment portfolio of PSYPACT.
- B. Updates on Professional Counseling Multi-State Compact.** The annual meeting for the professional counseling multi-state compact will be held in February. The BSRB must have background checks in place prior to being authorized to go live with the professional counseling multi-state compact. Once Kansas goes live, the out-of-state privilege fee to practice will be set at \$25.
- C. Updates on Social Work Multi-State Compact.** The Executive Director serves on the Finance Committee and Rules Committee. At the upcoming Finance Committee meeting, the plan is to discuss the projected cost once the compact commission is fully launched and how the compact should be funded.

VII. Updates from National Associations

- A. American Association of State Counseling Boards (AASCB).** The annual AASCB meeting will take place in Orlando in February. The Executive Director serves as treasurer for the AASCB, where he has assisted the association in increasing their passive revenue through investments. Due to this additional revenue, AASCB did not have to raise membership fees last year.
- B. Association of State and Provincial Psychology Boards (ASPPB).** The CEO of the ASPPB, Mariann Bernetti-Atwell, will be attending the May BSRB Board meeting. The midyear meeting for this association will be held in April.
- C. Association of Social Work Boards (ASWB).** ASWB plans to launch their new examination in August 2026, where they will be decreasing the category areas on the licensing examinations from four to three and will also have fewer questions with three option multiple choice questions instead of four option multiple choice questions.

VIII. Staff Reports.

- A. Update on Number of Permanent Licenses.** The number of permanent licenses continues to increase, with the number currently sitting at 16,928.
- B. Note on Emergency Supervisors for Clinical Training Plans.** The Assistant Director for the BSRB expressed her belief that emergency supervisors should be removed from training plans, as it is not a regulation requirement and it causes confusion for licensees. The Board agreed to do this but asked that something be added on the form stating that individuals must find an emergency supervisor if theirs is unavailable since they are not licensed to practice independently.
- C. Discussion on Notifying Clients When Practitioner is "Under Direction."** The Assistant Director put forth the idea of making a regulation specifically for under direction. Board members

supported this, so the Assistant Director will begin drafting a regulation for under direction.

- D. Discussion on “In Residence.”** In regulations for education, it is stated that individuals must have a certain amount of time in residence face-to-face with faculty or core faculty for coursework during their master’s program. In the LPC regulation, there is no set amount of time that needs to be spent in face-to-face contact for a course to be considered in residence. The Assistant Director asked for support to add a certain number of hours. The Board supported this, so this item will go before Advisory Committees for comments and recommendations.

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

X. Professions Reports

- A. Licensed Psychology.** The Licensed Psychology Advisory Committee last met on Tuesday, January 6, 2026, at 6 pm. The Advisory Committee continued reviewing the survey report as well as finished reviewing regulations. The Advisory Committee will meet next on Tuesday, February 10, 2026.
- B. Social Work.** The Social Work Advisory Committee last met on December 9, 2025. The Advisory Committee received an update from the ASWB annual meeting as well as the multi-state compact. The Advisory Committee also discussed the survey report and the restructuring of NASW. At the next meeting, the Advisory Committee will continue discussing regulations for potential changes. The Advisory Committee will meet next on February 4, 2026.
- C. Professional Counseling.** The Professional Counseling Advisory Committee last met on December 4, 2026. The Advisory Committee discussed the survey report, the regulation about consulting with a physician to determine symptoms and mental disorders, coursework requirements, and the Ohio example for the change in licensing requirements, which entails an examination for only the lower-level license. The Advisory Committee will meet next in February.
- D. Master’s Level Psychology.** The Master’s Level Psychology Advisory Committee last met on December 3, 2025, where they welcomed a new Advisory Committee member. The Advisory Committee discussed the draft survey report, reviewed regulations, and continued discussion on the regulation of AI and alternate pathways to licensure. The Advisory Committee will meet next on February 4, 2026.
- E. Marriage and Family Therapy.** The Marriage and Family Therapy Advisory Committee last met on December 12, 2025. The Advisory Committee discussed the survey report, reviewed regulations, and continued conversations about AI. The Advisory Committee also began discussing safety issues for practitioners and potential discussion topics for 2026. The Advisory Committee will meet next on February 13, 2026.
- F. Addiction Counseling.** The Addiction Counseling Advisory Committee has not met since the last Board meeting. The Advisory Committee will meet next on January 13, 2026.
- G. Behavior Analysis.** The Behavior Analyst Advisory Committee last met on December 12, 2025. The Advisory Committee discussed the survey report and the use of artificial intelligence. The Advisory Committee will next meet on February 13, 2026, where they will discuss regulations, alternate pathways to licensure, and title protection.

10-Minute Break

XI. Old Business

- A. Continued Discussion on Possible Legislation in 2026.** The Executive Director notified Board members that the 2026 legislative session is expected to go quickly and has been cautioned by some members of the legislature not to introduce legislation this year if it is not necessary. It was the Executive Director's recommendation to wait an additional year and collect more items to bring forward in a more robust bill during the 2027 legislative session. The consensus of the Board was to wait and introduce a bill next legislative session if it is necessary.
- B. Continued Review and Discussion on Changes to Unprofessional Conduct Regulations.**
- i. Item 38.** Item 38 references failing to terminate services if it is apparent that the relationship no longer serves the client's needs or best interests. The Licensed Psychology regulation had additional language. However, the Licensed Psychology Advisory Committee Chair expressed support for adopting the same general language as the other regulations. It was the consensus to make this language consistent across professions.
 - ii. Item 39.** The regulation language across professions varied for this item, but Board members expressed wanting to include language that speaks to, when supervising, failing to provide accurate and current information, timely evaluations, and constructive consultation; failing to exercise adequate supervision over anyone with whom the licensee has a supervisory or directory relationship. Language will be written up for this item and potentially brought back to the Board for a final review.
 - iii. Item 40.** This item has to do with, when applicable, failing to inform a client that services are provided or delivered under supervision or direction. The consensus was to keep language consistent across professions.
 - iv. Item 41.** Item 41, which is currently only identified in the addiction counseling profession, speaks to failing to inform a client that services are delivered under supervision as a student or an individual seeking clinical licensure. The consensus was to move this language to item 40 and make it consistent across professions.
 - v. Item 42.** Item 42 references failing to report unprofessional conduct of any individual licensed by the Board. The consensus was to table this item to see if the language is covered somewhere else in the regulations.
 - vi. Item 43.** Item 43, which is not included in the social work or licensed psychology regulations, concerns intentionally or negligently failing to file a report or record required by state or federal law, willfully impeding or obstructing another person from filing a report or record that is required by state or federal law, or inducing another person to take any of these actions. The consensus was to remove the words "Intentionally or negligently," and add this language to the social work and licensed psychology professions.
- C. Continued Review and Discussion of Draft Survey Reports of Licensees.** Once the new sections referenced earlier have been added, the surveys will be completed. The Executive Director notified the Board that the survey reports will be distributed to relevant associations once they have been finalized.

XII. New Business

- A. Review of Recommendation from Licensed Psychology Advisory Committee to Provide Public Comment in Support of Proposed PSYPACT Rule Capping Yearly Assessment.** A rule that has been proposed by PSYPACT is that yearly assessments will be capped at \$6,000 per year per state, regardless of how many people are practicing with a home state license in that jurisdiction. The Licensed Psychology Advisory Committee were in favor of this. The Board was supportive of this, so public comment can be made on behalf of Kansas in support of the yearly cap rule.
- B. Review of Recommended Changes to Regulations from Advisory Committees.**

- i. **Behavior Analyst Advisory Committee.** The consensus was to move forward with the following regulation changes:
1. **K.A.R. 102-8-7 License Expiration and Renewal.** This recommended regulation change removed the term, “late renewal,” and replaces it with “reinstatement.”
 2. **K.A.R. 102-8-8 Renewal Audit.** This recommended regulation change adds language to allow individuals to upload their documents to a third party, such as CE Broker, to show proof that they have completed all continuing education requirements. This recommended change also changes “original documents” to “copies of the original documents.”
- ii. **Licensed Psychology Advisory Committee.** The consensus was to move forward with the following regulation changes:
1. **K.A.R. 102-1-3a Application for Licensure by Examination; Application for Temporary License.** This recommended regulation change will change any reference of “postgraduate” to “postdoctoral.” This recommended change also adds that if an individual does not have four supervisors, they will need to have professional references submitted to account for four people recommending them for licensure. Another recommended change was to change “pre-doctoral supervised experience” to “pre-doctoral supervised internship.” Language was also changed from “professional references” to “attestations.” There was also language removed that is no longer relevant.
 2. **K.A.R. 102-1-8 Renewal and Reinstatement.** This recommended regulation change strikes language that is no longer relevant. It was also added that, for reinstatements, if a license has been expired for more than one year or less, individuals will have to pay the late renewal fee.
 3. **K.A.R. 102-1-8a Renewal Audit.** This recommended regulation change adds language to allow individuals to upload their documents to a third party, such as CE Broker, to show proof that they have completed all continuing education requirements. This recommended change also changes “original documents” to “copies of the original documents.”
 4. **K.A.R. 102-1-11 Supervision of Unlicensed Assistants.** It was suggested that language be added that speaks to utilizing unlicensed assistance as registered with the Board prior to July 1, 2004, for psychological services. There was also language that was struck due to it no longer being relevant.
 5. **K.A.R. 102-1-14 Psychological Group Service.** This recommended regulation change will be brought back to the next Board meeting for discussion.
 6. **K.A.R. 102-1-18 Designation of Referral Source for Use in the Diagnosis and Treatment of Mental Disorders.** This recommended regulation change updated references of the DSM to the most current version (DSM-TR).
- iii. **Marriage and Family Therapy Advisory Committee.** The consensus was to move forward with the following regulation changes:
1. **K.A.R. 102-5-4a Application for Licensure.** This recommended regulation change strikes the language pertaining to temporary licenses expiring after six months if an individual has not taken the examination because this has been removed from statute. The recommended change also changes any reference to temporary license length to 24 months.
 2. **K.A.R. 102-5-4b Application for Licensure Based on Reciprocity.** This recommended regulation change strikes language referencing five years immediately preceding the date of application because the reciprocity statute now says that individuals have to be licensed for 12 months. It was also recommended to add “related field” after the degree because the statute was changed to allow for a related

degree.

3. **K.A.R. 102-5-5 Examination for Marriage and Family Therapist or Clinical Marriage and Family Therapist.** This recommended regulation change allows individuals to sit for the clinical examination prior to finishing their hours.
 4. **K.A.R. 102-5-6a Licensure Without Examination.** It was recommended that this regulation be repealed.
 5. **K.A.R. 102-5-9 Renewal and Reinstatement.** This recommended regulation change adds language about having the late charge if the license has been expired for one year or less.
 6. **K.A.R. 102-5-9a Renewal Audit.** This recommended regulation change adds language to allow individuals to upload their documents to a third party, such as CE Broker, to show proof that they have completed all continuing education requirements. This recommended change also changes “original documents” to “copies of the original documents.”
 7. **K.A.R. 102-5-14 Designation of Referral Source for Use in the Diagnosis and Treatment of Mental Disorders.** This recommended regulation change updated references of the DSM to the most current version (DSM-TR).
- iv. **Professional Counseling Advisory Committee.** It was the consensus to move forward with the following regulation changes:
1. **K.A.R. 102-3-4a Applications for Licensure.** This recommended regulation change adds language to show that if a person is applying for clinical licensure and did not have 280 hours of clinical practice in their internship or practicum, they can make up the hours in their post-graduate clinical experience hours. This regulation change also adds language for extenuating circumstances as defined in the definitions regulation, and changing the length of the temporary license to 24 months.
 2. **K.A.R. 102-3-4b Applications for Licensure Based on Reciprocity.** This recommended regulation change adds “related field” to the degree requirements since the statute was changed, as well as changing the five years of practice requirement to 12 months immediately preceding the application.
 3. **K.A.R. 102-3-9a Renewal and Reinstatement.** This recommended regulation change adds language about having the late charge if the license has been expired for one year or less.
 4. **K.A.R. 102-3-9b Renewal Audit.** This recommended regulation change adds language to allow individuals to upload their documents to a third party, such as CE Broker, to show proof that they have completed all continuing education requirements. This recommended change also changes “original documents” to “copies of the original documents.”
 5. **K.A.R. 102-3-15 Designation of Referral Source for Use in the Diagnosis and Treatment of Mental Disorders.** This recommended regulation change updated references of the DSM to the most current version (DSM-TR).
 6. **K.A.R. 102-3-17 Definition of a Day.** It was recommended that this regulation be repealed because “a day” is already defined in statute.
- v. **Master’s Level Psychology Advisory Committee.** It was the consensus to move forward with the following regulation changes:
1. **K.A.R. 102-4-4a Applications for Licensure.** This recommended regulation change strikes the language pertaining to temporary licenses expiring after six months if an individual has not taken the examination because this has been removed from statute. The recommended change also changes any reference to temporary license length to 24 months. Additionally, it was recommended that the definition of

extenuating circumstances is removed and, instead, the definitions regulation is referenced.

2. **K.A.R. 102-4-4b Application for Licensure by Reciprocity.** This recommended regulation change changes the five years of practice requirement to 12 months immediately preceding the application.
3. **K.A.R. 102-4-5a Examination Requirements.** This recommended regulation change adds language so that an LMLP who is licensed by the Board can request to sit for the examination prior to finishing their hours if they have not passed with a score of 500 or more. This recommended change also strikes language that is no longer relevant. Language was also added that states that an applicant or licensee must have at least met education requirements before they can sit for the examination.
4. **K.A.R. 102-4-6a Academically Supervised Practicum.** This recommended regulation change adds language stating that supervision can occur either in person or via video conferencing.
5. **K.A.R. 102-4-6b Postgraduate Hours in Lieu of Practicum.** This recommended regulation change strikes definitions that have already been included and changes the 4,000-hour requirement to 3,000 hours.
6. **K.A.R. 102-4-9a Renewal and Reinstatement.** This regulation change strikes language that is no longer relevant and changes “renewal” to “reinstatement” if it is after the license has expired.
7. **K.A.R. 102-4-9b Renewal Audit.** This recommended regulation change adds language to allow individuals to upload their documents to a third party, such as CE Broker, to show proof that they have completed all continuing education requirements. This recommended change also changes “original documents” to “copies of the original documents.”
8. **K.A.R. 102-4-15 Designation of Referral Source for Use in the Diagnosis and Treatment of Mental Disorders.** This recommended regulation change updated references of the DSM to the most current version (DSM-TR).

vi. **Social Work Advisory Committee.** It was the consensus to move forward with the following regulation changes:

1. **K.A.R. 102-2-2a Application for Licensure.** This recommended regulation change strikes language stating that applications should be requested from the Executive Director and changes the wording to say, “the Board.” This recommended change also strikes the requirement of having to submit professional references for clinical applications to make the requirement consistent to that of other professions.

C. **Board Member Discussion on Strategic Plan for the BSRB.** Due to time constraints, this item was tabled until a future Board meeting.

D. **Discussion on 2021 BSRB Policy Statement on Publication of Disciplinary Actions.** From time to time, there are questions regarding what is posted online concerning disciplinary actions that have been taken against licensees. This policy states that the purpose of the BSRB is to protect and serve consumers of services offered by BSRB licensees. It also shows that mission of the Board. The Executive Director recently had a licensee contact him who previously had a disciplinary violation and had satisfied the terms of their order. As a result, this licensee asked if the Board would consider removing the order from the website since the terms had been satisfied. Board members discussed options of retaining the order on the website or removing the order and decided that it was in the best interest of public protection to leave the disciplinary orders posted on the website, so that members of the public could weigh the actions that had been performed by the licensees. By consensus, the Board decided to make not change to the website posting policy.

E. Discussion on Alternate Pathways to Licensure. Due to time constraints, this item was tabled until the next Board meeting.

XIII. Upcoming Board Meetings

A. Board Meeting on Monday, March 9, 2026, at 10am

XIV. Adjournment. Jim Kilmartin moved to adjourn the meeting. Richard Nobles seconded. The motion passed.

DRAFT