

**BEHAVIORAL SCIENCES REGULATORY BOARD**  
**MONDAY, MARCH 9, 2026**  
**DRAFT MINUTES**

**Monday, March 9, 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 Mary Jones 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.** Leslie Allen, Assistant Director and Licensing Manager for the BSRB, requested that the following regulations be added under New Business, item 11: K.A.R. 102-4-7, K.A.R. 102-7-4a, K.A.R. 102-7-4b, K.A.R. 102-7-7, K.A.R. 102-7-8, and 102-7-12. Leslie Allen also requested that the following regulations be removed from the agenda: K.A.R. 102-2-2b and K.A.R. 102-2-2c. Laura Shaughnessy, Vice Chair for the Board, moved to approve the agenda with these additions. Cynthia Schendel seconded. The motion passed.

- III. Public Comment.** None.

- IV. Review and Approval of Minutes from Previous Board Meetings.** The Vice Chair moved to approve the minutes from the Board meetings on January 12, 2026, and January 27, 2026. David Stevens seconded. The motion passed.

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

- A. Outreach.** Since the creation of the BSRB YouTube channel, 240 meetings have been viewed 12,647 times. The Executive Director and Assistant Director have continued to provide presentations to students at universities across Kansas.
- B. Budget Updates.** At the beginning of the fiscal year, the BSRB fee fund balance was about \$1.8 million, and the current balance is about \$1.7 million. For the year, revenues total about \$521,000 and expenditures total approximately \$679,000.
- C. Legislative Updates.** The hearing for House Bill 256, which would have created an addiction counseling apprenticeship license, was cancelled to allow for more time for advocates and stakeholders to come together and have additional conversations. Additionally, the House passed a budget bill and approved the requested budget the BSRB submitted. The Senate also passed a budget bill with no changes to the proposed BSRB budget.
- D. Kansas Fights Addiction Grant Review Board (K FAGRB).** Jason Hess, Board appointee to the K FAGRB, provided a written report with updates.
- E. Other Updates.** When background checks begin, the BSRB is going to begin as an opt-in for individuals who have clinical professional counseling licenses.

- VI. Updates on Multi-State Compacts**

- A. Psychological Interjurisdictional Compact (PSYPACT).** Richard Nobles, Commissioner for

PSYPACT, provided updates on upcoming meetings.

- B. Professional Counseling Multi-State Compact.** The Board Vice Chair, Commissioner for Kansas, provided updates on the professional counseling multi-state compact, particularly around working out challenges centered around background checks. Minnesota, Ohio, and Arizona are now active with the compact.
- C. Social Work Multi-State Compact.** The Executive Director, Commissioner for Kansas, reported the Social Work Compact Executive Council is working to finalize a contract with the vendor who will be building the data system for the compact. There will soon be discussion about how much the Executive Director of the Compact should be paid so the Commission can project expenditures on an annual basis and set the administrative fees to cover those expenditures appropriately.

## **VII. Updates from National Associations**

- A. Association of State and Provincial Psychology Boards (ASPPB).** The midyear meeting for the association will be held in April, and the Executive Director, Board Chair, and Board member David Stevens will be attending. The Executive Director notified Board members that ASPPB is exploring the possibility of creating a new licensing examination for master's level psychologists. There has also been a lot of conversation regarding what the scope of practice should be for master's level psychologists. Additionally, there is a draft model licensing act that contains defined terms and scope of practice for different types of practitioners.
- B. Association of Social Work Boards (ASWB).** The midyear meeting for ASWB will be attended by the Assistant Director and Cynthia Schendel. ASWB is launching a new version of the social work licensing examinations in August 2026.
- C. American Association of State Counseling Boards (AASCB).** The 2026 annual meeting of AASCB was attended by the Executive Director and Vice Chair. At the meeting, discussion topics included disciplinary patterns, supervision, and standardization.

**VIII. Staff Reports.** The Assistant Director reported the BSRB regulates over 17,000 permanent licenses. It was noted there has been an issue with some social work applicants meeting the psychopathology coursework requirements when coming from programs that use a quarter hour system instead of credit hour system. The Assistant Director asked Board members to consider changing the current requirement. This topic will be discussed at a future Social Work Advisory Committee meeting.

**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, February 10, 2026, at 6 pm. The Advisory Committee heard from Texas speakers who are conducting a feasibility study on what would be required to create an alternate licensing examination. The Advisory Committee also discussed the cost of such an examination, who would construct the examination, and how the examination would be constructed. The Advisory Committee continued their review of the draft survey report and discussed artificial intelligence. The Advisory Committee will meet next on Tuesday, April 6, 2026, at 6 pm.
- B. Social Work.** The Social Work Advisory Committee last met on February 3, 2026. The Advisory Committee discussed recent changes with the Kansas NASW chapter, the draft survey report, and reviewed regulations. The Advisory Committee will meet next on April 7, 2026.

- C. Professional Counseling.** The Professional Counseling Advisory Committee last met on February 2, 2026. The Advisory Committee discussed updates on the professional counseling compact, the draft survey report, artificial intelligence, and coursework requirements. The Advisory Committee will meet next on April 6, 2026.
- D. Master’s Level Psychology.** The Master’s Level Psychology Advisory Committee last met on February 4, 2026. The Advisory Committee received an update from Dr. Brooke Mann regarding the APA’s work towards accrediting master’s level programs. The Advisory Committee discussed the draft survey report, artificial intelligence, and alternate pathways to licensure. The Advisory Committee will meet next on April 1, 2026.
- E. Marriage and Family Therapy.** The Marriage and Family Therapy Advisory Committee last met in February. The Advisory Committee discussed artificial intelligence and the safety of licensees. The Advisory Committee will meet next on Friday, April 24, 2026.
- F. Addiction Counseling.** The Addiction Counseling Advisory Committee last met on January 13, 2026 and March 4, 2026. The Advisory Committee reviewed regulations and the draft survey report. The Advisory Committee discussed House Bill 256. The Advisory Committee will meet next in June.
- G. Behavior Analysis.** The Behavior Analyst Advisory Committee last met on Friday, February 13, 2026. The Advisory Committee discussed the draft survey report, artificial intelligence, and supervision. The Advisory Committee will next meet on Friday, April 10, 2026.

**10-Minute Break**

**XI. Old Business**

- A. Continued Review and Discussion on Changes to Unprofessional Conduct Regulations.** Board members were asked to continue reviewing and discussing a grid of unprofessional conduct regulations for the seven professions regulated by the Board, to discuss if the Board can reach consensus language on items or if other changes should be made to the regulations.
  - i. Item 44.** Item 44 involves offering to perform or performing any service, procedure, or therapy that would constitute as experimentation on human subjects without first obtaining full informed and voluntary written consent of the client or the client’s legal representative(s). The Licensed Psychology regulation did not include this item. The Licensed Psychology Advisory Committee Chair expressed support for adding language on this to the Licensed Psychology regulation. The consensus was to add “assessment” to the language and make it consistent across professions.
  - ii. Item 45.** Item 45 involves practicing after an individual’s license has expired. The consensus was to use consistent language across all professions.
  - iii. Item 46.** Item 46 involves using any title or abbreviation after one’s license has expired. The consensus was to use general language regarding titles or abbreviations prescribed by law.
  - iv. Item 47.** Item 47 involves violating any provision of the licensure act or any implementing regulation. This item is only listed in three professions. The consensus was to remove this item from all unprofessional conduct regulations that include it.
  - v. Item 49.** Item 49 involves failing to provide copies of reports or records to a licensed healthcare provider authorized by the client following the licensee’s receipt of a formal written request, unless the release of that information is restricted or exempted by law or by this article of the Board’s regulations, or the disclosure of the information would be injurious to the welfare of the client. The Board decided to refer this item back to Advisory Committees for

further discussion before coming to a decision on it.

- B. Continued Review and Discussion of Survey Reports of Licensees.** The Executive Director noted he has met with representatives from the Kansas Department for Aging and Disability Services (KDADS) as well as representatives from a the National Academy for State Health Policy (NASHP) to discuss survey findings.

## **XII. New Business**

- A. Review of Recommended Changes to Regulations from Advisory Committees.** The Assistant Director provided an overview of the recommended changes from the Advisory Committee.

### **i. Addiction Counseling Advisory Committee**

- 1. K.A.R. 102-7-3 Educational Requirements.** Currently, if applicants do not have enough practicum hours, they have no way to become licensed. The proposed regulation change would state that if applicants did not complete 400 clock hours of practice in their practicum, they can combine that with post-degree work and bring that total up to 400 so that they can become licensed. The same goes for the 300-hour direct client contact requirement. The consensus was to move forward with implementing these changes.
- 2. K.A.R. 102-7-4 Applications for Licensure.** Currently, individuals applying for LCAC licensure do not need to submit professional references. The proposed change for this regulation would require that individuals submit two professional references only if they have not held a lower-level addiction counseling license. Another proposed addition adds the regulation that “extenuating circumstances” is defined in. There was also a recommendation to strike the definition of extenuating circumstances (as it is already covered in definitions). The consensus was to move forward with implementing these changes.
- 3. K.A.R. 102-7-4a.** This regulation has to do with grandfathering. Since it is no longer needed, the recommendation was to revoke this regulation. The consensus was to move forward with revoking this regulation.
- 4. K.A.R. 102-7-4b Application for Licensure Based on Reciprocity.** Proposed changes for this regulation include adding language stating that individuals must show that they hold an LAC, LMAC, or LCAC with substantially equivalent standards and have to show that they have a bachelor’s or master’s degree. If individuals do not meet substantially equivalent requirements, they must show that they have held a license, registration, or certification with a similar scope of practice for at least 12 months immediately preceding the application through reciprocity. The consensus was to move forward with implementing these changes.
- 5. K.A.R. 102-7-7 Renewal and Late Renewal.** Proposed changes include replacing “late renewal” with “reinstatement,” and adding that if a license has been expired for less than one year, individuals must pay both the renewal fee and late renewal fee. The consensus was to move forward with implementing these changes.
- 6. K.A.R. 102-7-8 Renewal Audit.** Proposed changes for this regulation included changing the requirement of sending the original continuing education documents to copies of the continuing education documents. There was also a proposed addition to account for the use of third-party services to account for CE Broker. The consensus was to move forward with implementing these changes.
- 7. K.A.R. 102-7-12 Designation of Referral Source for Use in the Diagnosis and Treatment of Substance Use Disorders.** The proposed change updates reference of the DSM to the newest edition. The consensus was to move forward with implementing this change.

### **ii. Professional Counseling Advisory Committee**

1. **K.A.R. 102-3-3a Educational Requirements.** It was proposed that individuals have 60 semester credit hours in a program accredited by CACREP, with 45 of those hours covering the substantive content areas covered in the regulation. The consensus was to move forward with implementing this change.

**iii. Social Work Advisory Committee**

1. **K.A.R. 102-2-9 Examinations.** Proposed changes for this regulation adds reciprocity information and strikes the language concerning the criterion reference cutoff score since ASWB now has a pass/fail status for the examination. Language that is no longer relevant was also recommended to be stricken. The consensus was to move forward with implementing these changes.
2. **K.A.R. 102-2-11 Renewal and Reinstatement.** Proposed changes to this regulation add that individuals must submit their renewal application before the expiration date of their license and adds that individuals must pay both the renewal fee and late renewal fee if their license has been expired for less than one year. The consensus was to move forward with implementing these changes.
3. **K.A.R. 102-2-11a Renewal Audit.** Proposed changes for this regulation included changing the requirement of sending the original continuing education documents to copies of the continuing education documents. There was also a proposed addition to account for the use of third-party services to account for CE Broker. The consensus was to move forward with implementing these changes.
4. **K.A.R. 102-2-14 Designation of Referral Source for Use in the Diagnosis and Treatment of Mental Disorders.** The proposed change updates reference of the DSM to the newest edition. The consensus was to move forward with implementing this change.

**B. Review of Recommendations on Regulation of Artificial Intelligence by Advisory Committees.**

The following recommendations were made on the regulation of artificial intelligence by Advisory Committees. No action was taken by the Board, as they plan to wait until all Advisory Committees have brought recommendations to them.

**i. Behavior Analyst Advisory Committee.**

1. If using artificial intelligence in practice, clients must be notified of AI being used, as well as how it is being used, and informed consent must be obtained.
2. If using artificial intelligence when providing care to clients, one must ensure confidentiality of information that is intended to be kept confidential.
3. If using artificial intelligence in practice, providers must provide clients with the ability to opt out.

**ii. Master's Level Psychology Advisory Committee.**

1. If an individual is using artificial intelligence, there should be informed consent.
2. If an individual is using AI in practice, they must take safeguards to ensure they are keeping confidential information confidential and secure.
3. There should be a way for clients to opt out if they do not wish for AI to be used as part of the services they are receiving.

**iii. Professional Counseling Advisory Committee.**

1. If an individual is using artificial intelligence, there should be informed consent.
2. If an individual is using AI in practice, they must take safeguards to ensure they are keeping confidential information confidential and secure.
3. There should be a way for clients to opt out if they do not wish for AI to be used as part of the services they are receiving.

**C. Discussion on Strategic Plan for the BSRB.** The Board Chair notified Board members that there will be materials sent out prior to the next Board meeting for them to review and provide input on regarding the strategic plan for the BSRB.

- D. Discussion on Alternate Pathways to Licensure.** The Executive Director notified Board members that this item is still being discussed by Advisory Committees. Some Advisory Committees have decided that they will likely not have any recommendations on alternate pathways to licensure. This item will be discussed more at future Board meetings.
- E. Discussion on Possible Licensing Pathway for Artificial Intelligence Mental Health Agent.** The Executive Director notified Board members that he was contacted by an individual to see if the Board was interested in considering a possible licensing pathway for artificial intelligence mental health agents. Board members expressed concern on this concept and discussed the need that some person has to be behind the AI. The Board did not indicate support for pursuing this pathway. The Executive Director noted he would summarize the Board’s comments and follow up with the individual who had contacted the Board, to note that the Board is not interested in pursuing a pathway at this time, but would like to stay informed if the individual is successful at gaining licensure for artificial intelligence mental health agents in another state.
- F. Possible Date for 2026 Board Out-of-Town Planning Meeting.** The Board discussed the annual out of town meeting and decided to hold this all-day meeting on Monday, September 28, 2026, in Kansas City, KS.

**XIII. Upcoming Board Meetings**

- A. Board Meeting on May 11, 2026, at 10 am**
  - i. Special Guest – Mariann Burnett-Atwell, CEO for ASPPB**

- XIV. Adjournment.** Cynthia Schendel moved to adjourn the meeting. The Vice Chair seconded. The motion passed.