
Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 65-5804a is hereby amended to read as follows: 65-5804a. (a) Applications for licensure as a professional counselor shall be made to the board on a form and in the manner prescribed by the board. Each application shall be accompanied by the fee fixed under K.S.A. 65-5808, and amendments thereto.

(b) Each applicant for licensure as a professional counselor shall furnish evidence satisfactory to the board that the applicant:

(1) Is at least 21 years of age;
(2) has completed 60 graduate semester hours including a graduate degree in counseling or a related field from a college or university approved by the board and that includes 45 graduate semester hours of counseling coursework distributed among each of the following areas:
   (A) Counseling theory and practice;
   (B) the helping relationship;
   (C) group dynamics, processing and counseling;
   (D) human growth and development;
   (E) life-style and career development;
   (F) appraisal of individuals;
   (G) social and cultural foundations;
   (H) research and evaluation;
   (I) professional orientation; and
   (J) supervised practicum and internship;
(3) has passed an examination required by the board; and
(4) has satisfied the board that the applicant is a person who merits the public trust.

(c) (1) Applications for licensure as a clinical professional counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that
the applicant:

(A) Is licensed by the board as a licensed professional counselor or meets all requirements for licensure as a licensed professional counselor;

(B) has completed 15 credit hours, as part of or in addition to the requirements under subsection (b), supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual through identifiable study of the following content areas: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;

(C) has completed a graduate level supervised clinical practicum of supervised professional experience including psychotherapy and assessment with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 350 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience, including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 150 hours of face-to-face clinical supervision, including not less than 50 hours of person-to-person individual supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, except that the board may waive one-half of the requirement of hours required by this subparagraph may be waived for persons with an individual who has a doctor's degree in professional counseling or a related field acceptable to approved by the board and who completes the required one-half of the hours in not less than one year of supervised professional experience;

(E) for persons earning a degree under subsection (b) prior to July 1, 2003, in lieu of the education requirements under subparagraphs (B) and (C), has completed the education requirements for licensure as a professional counselor in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary permit to practice as a licensed professional counselor on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under subparagraphs (B), (C) and (D), has completed the education and training requirements for licensure as a professional
counselor in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board; and

(H) has paid the application fee fixed under K.S.A. 65-5808, and amendments thereto.

2) A person who was licensed or registered as a professional counselor in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of professional counseling as a registered or licensed professional counselor within five years prior to the effective date of this act and whose last license or registration in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed clinical professional counselor by providing demonstration of competence to diagnose and treat mental disorders through at least two of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national, clinical examination;

(B) either: (i) Three years of clinical practice in a community mental health center, its contracted affiliate or a state mental hospital; or (ii) three years of clinical practice in other settings with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from one professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery that the applicant is competent to diagnose and treat mental disorders.

3) A licensed clinical professional counselor may engage in the independent practice of professional counseling and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations.

When a client has symptoms of a mental disorder, a licensed clinical professional counselor shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed clinical professional counselor may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

4) A licensed professional counselor may diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the
board by rules and regulations only under the direction of a licensed
clinical professional counselor, licensed psychologist, person licensed to
practice medicine and surgery or person licensed to provide mental health
services as an independent practitioner and whose licensure allows for the
diagnosis and treatment of mental disorders. When a client has symptoms
of a mental disorder, a licensed professional counselor shall consult with
the client's primary care physician or psychiatrist to determine if there may
be a medical condition or medication that may be causing or contributing
to the client's symptoms of a mental disorder. A client may request in
writing that such consultation be waived and such request shall be made a
part of the client's record. A licensed professional counselor may continue
evaluate and treat the client until such time that the medical consultation
is obtained or waived.
  (d) The board shall adopt rules and regulations establishing the
criteria that a college or university shall satisfy in order to be approved by
the board. The board may send a questionnaire developed by the board to
any college or university for which the board does not have sufficient
information to determine whether the school meets the requirements for
approval and rules and regulations adopted under this section. The
questionnaire providing the necessary information shall be completed and
returned to the board in order for the college or university to be considered
for approval. The board may contract with investigative agencies,
commissions or consultants to assist the board in obtaining information
about colleges and universities. In entering such contracts, the authority to
approve college and universities shall remain solely with the board.
  (e) A person who is waiting to take the examination required by the
board may apply to the board for a temporary license to practice as a
licensed professional counselor by: (1) Paying an application fee of $150; and (2) meeting the application requirements as stated in
K.S.A. 65-5804a(b)(1), (2) and (4), and amendments thereto.
  (f) (1) A temporary license may be issued by the board after the
application has been reviewed and approved by the board and the applicant
has paid the appropriate fee set by the board for issuance of a temporary license.
  (2) Absent extenuating circumstances approved by the board, a
temporary license issued by the board shall expire upon the date the board
issues or denies a license to practice professional counseling or six months after the date of issuance of the temporary license. No temporary
license will be renewed or issued again on any subsequent application for
the same license level. The preceding provisions in no way limit the
number of times an applicant may take the examination.
  (g) A person practicing professional counseling with a temporary
license may not use the title "licensed professional counselor" or the
initials "LPC" independently. The word "licensed" may be used only when
followed by the words "by temporary license," such as licensed
professional counselor by temporary license, or professional counselor
licensed by temporary license.

(h) No person may practice professional counseling under a
temporary license except under the supervision of a person licensed by the
behavioral sciences regulatory board at the independent level.

(i) Nothing in this section shall affect any temporary license to
practice issued under this section prior to the effective date of this act and
in effect on the effective date of this act. Such temporary license shall be
subject to the provisions of this section in effect at the time of its issuance
and shall continue to be effective until the date of expiration of the
temporary license provided under this section at the time of issuance of
such temporary license.

Sec. 2. K.S.A. 65-5809 is hereby amended to read as follows: 65-
5809. (a) The board may refuse to issue, renew or reinstate a license, may
condition, limit, revoke or suspend a license, may publicly or privately
censure a licensee or may impose a fine not to exceed $1,000 per violation
upon a finding that a licensee or an applicant for licensure:

(1) Is incompetent to practice professional counseling—which.
Incompetent to practice professional counseling means:

(A) One or more instances involving failure to adhere to the
applicable standard of care to a degree that constitutes gross negligence, as
determined by the board;

(B) repeated instances involving failure to adhere to the applicable
standard of care to a degree that constitutes ordinary negligence, as
determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a
manifest incapacity or incompetence to practice professional counseling;

(2) has been convicted of a felony offense and has not demonstrated
to the board's satisfaction that such person has been sufficiently
rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not
demonstrated to the board's satisfaction that such person has been
sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective
services registry as the result of a substantiated finding of abuse or neglect
by any state agency, agency of another state, the District of Columbia or
the United States, territory of the United States or another country and the
applicant or licensee has not demonstrated to the board's satisfaction that
such person has been sufficiently rehabilitated to merit the public trust;

(5) has violated a provision of the professional counselors licensure
act or one or more rules and regulations of the board;
(6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;
(7) has knowingly made a false statement on a form required by the board for a license or license renewal;
(8) has failed to obtain continuing education credits as required by rules and regulations adopted by the board;
(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board; or
(10) has had a professional registration, license or certificate as a professional counselor revoked, suspended or limited, or has had other disciplinary action taken, or an application for a registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia, or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof; or
(11) has violated any lawful order or directive of the board previously entered by the board.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a 2/3 majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the professional counselors licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the professional counselors licensure act shall be in accordance with the Kansas judicial review act.

Sec. 3. K.S.A. 2019 Supp. 65-6306 is hereby amended to read as follows: 65-6306. (a) The board shall issue a license as a baccalaureate social worker to an applicant who:
(1) Has a baccalaureate degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;
(2) has passed an examination approved by the board for this purpose; and
(3) has satisfied the board that the applicant is a person who merits the public trust.
(b) The board shall issue a license as a master social worker to an applicant who:
(1) Has a master's degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;
(2) has passed an examination approved by the board for this purpose; and

(3) has satisfied the board that the applicant is a person who merits the public trust.

c) The board shall issue a license in one of the social work specialties to an applicant who:

(1) Has a master's or doctor's degree from an accredited graduate school of social work, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) has had two years of full-time post-master's or post-doctor's degree experience under the supervision of a licensed social worker in the area of the specialty in which such applicant seeks to be licensed;

(3) has passed an examination approved by the board for this purpose; and

(4) has satisfied the board that the applicant is a person who merits the public trust.

d) (1) The board shall issue a license as a specialist clinical social worker to an applicant who:

(A) Has met the requirements of subsection (c);

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (c) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of the following content areas: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;

(C) has completed a graduate level supervised clinical practicum of supervised professional experience including psychotherapy and assessment, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 350 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) has completed as part of or in addition to the requirements of subsection (c) not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 75 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of mental disorders with
use of the American psychiatric association's diagnostic and statistical manual;

(E) for persons earning a degree under subsection (c) prior to July 1, 2003, in lieu of the education and training requirements under paragraphs (B) and (C) of this subsection, has completed the education requirements for licensure as a specialist clinical social worker in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary license to practice as a specialist clinical social worker on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under paragraphs (B), (C) and (D) of this subsection, has completed the education and training requirements for licensure as a specialist clinical social worker in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board; and

(H) has paid the application fee.

(2) A licensed specialist clinical social worker may engage in the social work practice and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client has symptoms of a mental disorder, a licensed specialist clinical social worker shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed specialist clinical social worker may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(3) Notwithstanding any other provision of this subsection, a licensed master social worker who has provided to the board an acceptable clinical supervision plan for licensure as a specialist clinical social worker prior to the effective date of this act shall be licensed as a specialist clinical social worker under this act upon completion of the requirements in effect for licensure as a specialist clinical social worker at the time the acceptable training plan is submitted to the board.

(4) A person licensed as a specialist clinical social worker on the day immediately preceding the effective date of this act shall be deemed to be a licensed specialist clinical social worker under this act. Such person shall not be required to file an original application for licensure as a specialist clinical social worker under this act.

(e) The board shall adopt rules and regulations establishing the criteria which a social work program of a college or university shall satisfy
to be recognized and approved by the board under this section. The board
may send a questionnaire developed by the board to any college or
university conducting a social work program for which the board does not
have sufficient information to determine whether the program should be
recognized and approved by the board and whether the program meets the
rules and regulations adopted under this section. The questionnaire
providing the necessary information shall be completed and returned to the
board in order for the program to be considered for recognition and
approval. The board may contract with investigative agencies,
commissions or consultants to assist the board in obtaining information
about a social work program of a college or university. In entering such
contracts the authority to recognize and approve a social work program of
a college or university shall remain solely with the board.

Sec. 4. K.S.A. 65-6311 is hereby amended to read as follows: 65-
6311. (a) The board may refuse to issue, renew or reinstate a license, may
condition, limit, revoke or suspend a license, may publicly or privately
censure a licensee or may impose a fine not to exceed $1,000 per violation
upon a finding that a licensee or an applicant for license:
(1) Is incompetent to practice social work, which. Incompetent to
practice social work means:
(A) One or more instances involving failure to adhere to the
applicable standard of care to a degree that constitutes gross negligence, as
determined by the board;
(B) repeated instances involving failure to adhere to the applicable
standard of care to a degree that constitutes ordinary negligence, as
determined by the board; or
(C) a pattern of practice or other behavior that demonstrates a
manifest incapacity or incompetence to practice social work;
(2) has been convicted of a felony offense and has not demonstrated
to the board's satisfaction that such person has been sufficiently
rehabilitated to merit the public trust;
(3) has been convicted of a misdemeanor against persons and has not
demonstrated to the board's satisfaction that such person has been
sufficiently rehabilitated to merit the public trust;
(4) is currently listed on a child abuse registry or an adult protective
services registry as the result of a substantiated finding of abuse or neglect
by any state agency, agency of another state, the District of Columbia or
the United States, territory of the United States or another country and the
applicant or licensee has not demonstrated to the board's satisfaction that
such person has been sufficiently rehabilitated to merit the public trust;
(5) has violated a provision of the social workers licensure act or one
or more rules and regulations of the board;
(6) has obtained or attempted to obtain a license or license renewal by
bribery or fraudulent representation;
(7) has knowingly made a false statement on a form required by the board for a license or license renewal;
(8) has failed to obtain continuing education credits as required by rules and regulations adopted by the board;
(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board; or
(10) has had a professional license, registration or certificate to practice social work revoked, suspended or limited, or has had other disciplinary action taken, or an application for a license, registration or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia, or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof; or
(11) has violated any lawful order or directive of the board previously entered by the board.
(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a \( \frac{2}{3} \) majority vote.
(c) Administrative proceedings and disciplinary actions regarding licensure under the social workers licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the social workers licensure act shall be in accordance with the Kansas judicial review act.

Sec. 5. K.S.A. 65-6404 is hereby amended to read as follows: 65-6404. (a) An applicant for licensure as a marriage and family therapist shall furnish evidence that the applicant:
(1) Has attained the age of 21;
(2) (A) has completed a master's or doctoral degree from a marriage and family therapy program, in an educational institution with standards approved by the board; or (B) has completed a master's or doctoral degree from an educational institution in a related field for which the course work is considered by the board to be equivalent to that provided in clause (2) subparagraph (A) of this paragraph and consists of a minimum of nine semester hours in human development, nine semester hours in theories of marriage and family functioning, nine semester hours of marital and family assessment and therapy, three semester hours in professional studies and three semester hours in research; or (C) completed a master's or doctoral degree from an educational institution in a related field with additional work from an educational program in marriage and family therapy approved by the board and such degree program and additional work includes the course work requirements provided in clause (2)
subparagraph (B) of this paragraph;
(3) has passed an examination approved by the board;
(4) has satisfied the board that the applicant is a person who merits
the public trust; and
(5) each applicant has paid the application fee established by the
board under K.S.A. 65-6411, and amendments thereto.
(b) (1) Applications for licensure as a clinical marriage and family
therapist shall be made to the board on a form and in the manner
prescribed by the board. Each applicant shall furnish evidence satisfactory
to the board that the applicant:
(A) Is licensed by the board as a licensed marriage and family
therapist or meets all requirements for licensure as a marriage and family
therapist;
(B) has completed 15 credit hours as part of or in addition to the
requirements under subsection (a) supporting diagnosis or treatment of
mental disorders with use of the American psychiatric association's
diagnostic and statistical manual, through identifiable study of the
following content areas: Psychopathology, diagnostic assessment,
interdisciplinary referral and collaboration, treatment approaches and
professional ethics;
(C) has completed a graduate level supervised clinical practicum of
supervised professional experience including psychotherapy and
assessment with individuals, couples, families or groups, integrating
diagnosis and treatment of mental disorders with use of the American
psychiatric association's diagnostic and statistical manual, with not less
than 350 hours of direct client contact or additional postgraduate
supervised experience as determined by the board;
(D) has completed not less than two years of postgraduate supervised
professional experience in accordance with a clinical supervision plan
approved by the board of not less than 4,000 3,000 hours of supervised
professional experience including at least 1,500 hours of direct client
contact conducting psychotherapy and assessments with individuals,
couples, families or groups and not less than 150 100 hours of face-to-face
clinical supervision, as defined by the board in rules and regulations,
including not less than 50 hours of—person to person
individual supervision, integrating diagnosis and treatment of mental disorders with
use of the American psychiatric association's diagnostic and statistical
manual, except that the board may waive one-half of the requirement of
hours required by this part (D) may be waived subparagraph for persons
with an individual who has a doctor's degree in marriage and family
therapy or a related field acceptable to the board and who completes the
required one-half of the hours in not less than one year of supervised
professional experience;
for persons earning a degree under subsection (a) prior to July 1, 2003, in lieu of the education and training requirements under parts subparagraphs (B) and (C) of this subsection, has completed the education requirements for licensure as a marriage and family therapist in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary permit to practice as a licensed marriage and family therapist on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under parts subparagraphs (B), (C) and (D) of this subsection, has completed the education and training requirements for licensure as a marriage and family therapist in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board; and

(H) has paid the application fee fixed under K.S.A. 65-6411, and amendments thereto.

(2) A person who was licensed or registered as a marriage and family therapist in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of marriage and family therapy as a registered or licensed marriage and family therapist within five years prior to the effective date of this act and whose last license or registration in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed clinical marriage and family therapist by providing demonstration of competence to diagnose and treat mental disorders through at least two of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national, clinical examination;

(B) either: (i) Three years of clinical practice in a community mental health center, its contracted affiliate or a state mental hospital; or (ii) three years of clinical practice in other settings with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from one professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery that the applicant is competent to diagnose and treat mental disorders.

(3) A licensed clinical marriage and family therapist may engage in the independent practice of marriage and family therapy and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client has symptoms of a mental disorder, a licensed clinical marriage and family therapist shall consult with the client's primary care
physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed clinical marriage and family therapist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(4) On and after January 1, 2002, a licensed marriage and family therapist may diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations only under the direction of a licensed clinical marriage and family therapist, licensed psychologist, person licensed to practice medicine and surgery or person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders. When a client has symptoms of a mental disorder, a licensed marriage and family therapist shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed marriage and family therapist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

Sec. 6. K.S.A. 65-6408 is hereby amended to read as follows: 65-6408. (a) The board may refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for license:

(1) Is incompetent to practice marriage and family therapy, which. Incompetent to practice marriage and family therapy means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice marriage and family therapy;

(2) has been convicted of a felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently
rehabilitated to merit the public trust;
(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;
(4) is currently listed on a child abuse registry or an adult protective services registry as the result of a substantiated finding of abuse or neglect by any state agency, agency of another state, the District of Columbia or the United States, territory of the United States or another country and the applicant or licensee has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;
(5) has violated a provision of the marriage and family therapists licensure act or one or more of the rules and regulations of the board;
(6) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;
(7) has knowingly made a false statement on a form required by the board for license or license renewal;
(8) has failed to obtain continuing education credits required by rules and regulations of the board;
(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board; or
(10) has had a professional registration, license or certificate as a marriage and family therapist revoked, suspended or limited, or has had other disciplinary action taken, or an application for registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof; or
(11) has violated any lawful order or directive of the board previously entered by the board.
(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a \( \frac{2}{3} \) majority vote.
(c) Administrative proceedings and disciplinary actions regarding licensure under the marriage and family therapists licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the marriage and family therapists licensure act shall be in accordance with the Kansas judicial review act.
Sec. 7. K.S.A. 65-6610 is hereby amended to read as follows: 65-6610. (a) An applicant for licensure as an addiction counselor shall furnish evidence that the applicant:
(1) Has attained the age of 21;
(2) (A) has completed at least a baccalaureate degree from an addiction counseling program that is part of a college or university approved by the board; or
(B) has completed at least a baccalaureate degree from a college or university approved by the board. As part of, or in addition to, the baccalaureate degree coursework, such applicant shall also complete a minimum number of semester hours of coursework on substance use disorders as approved by the board; or
(C) is currently licensed in Kansas as a licensed baccalaureate social worker and has completed a minimum number of semester hours of coursework on substance use disorders as approved by the board; and
(3) has passed an examination approved by the board;
(4) has satisfied the board that the applicant is a person who merits the public trust; and
(5) has paid the application fee established by the board under K.S.A. 65-6618, and amendments thereto.

(b) Applications for licensure as a master's addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:
(1) (A) Has attained the age of 21;
(B) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board;
(ii) has completed at least a master's degree from a college or university approved by the board. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; or
(iii) is currently licensed in Kansas as a licensed master social worker, licensed professional counselor, licensed marriage and family therapist or licensed master's level psychologist; and
(C) has passed an examination approved by the board;
(D) has satisfied the board that the applicant is a person who merits the public trust; and
(E) has paid the application fee fixed under K.S.A. 65-6618, and amendments thereto; or
(2) (A) has met the following requirements on or before July 1, 2016:
(i) Holds an active license by the board as an addiction counselor; and
(ii) has completed at least a master's degree in a related field from a college or university approved by the board; and
(B) has completed six hours of continuing education in the diagnosis and treatment of substance use disorders during the three years
immediately preceding the application date.

(c) Applications for licensure as a clinical addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(1) Has attained the age of 21; and

(2) (A) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board, except that the board may waive one-half of the hours required by this clause for an individual who has completed a doctoral degree in addiction counseling or a related field approved by the board and who completes the required one-half of the hours in not less than one year of supervised professional experience; or

(B) (i) has completed at least a master's degree from a college or university approved by the board. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board, except that the board may waive one-half of the hours required by this clause for an individual who has completed a doctoral degree in addiction counseling or a related field approved by the board and who completes the required one-half of the hours in not less than one year of supervised professional experience; or
professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board, except that the board may waive one-half of the hours required by this clause for an individual who has a doctoral degree in addiction counseling or a related field approved by the board and who completes the required one-half of the hours in not less than one year of supervised professional experience; or

(C) (i) has completed a master's degree from a college or university approved by the board and is licensed by the board as a licensed master's addiction counselor; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 3,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than
25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board, except that the board may waive one-half of the hours required by this clause for an individual who has a doctoral degree in addiction counseling or a related field approved by the board and who completes the required one-half of the hours in not less than one year of supervised professional experience; or

(D) is currently licensed in Kansas as a licensed psychologist, licensed specialist clinical social worker, licensed clinical professional counselor, licensed clinical psychotherapist or licensed clinical marriage and family therapist and provides to the board an attestation from a professional licensed to diagnose and treat mental disorders, or substance use disorders, or both, in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat substance use disorders; and

(3) has passed an examination approved by the board; and

(4) has satisfied the board that the applicant is a person who merits the public trust; and

(5) has paid the application fee fixed under K.S.A. 65-6618, and amendments thereto.

Sec. 8. K.S.A. 65-6615 is hereby amended to read as follows: 65-6615. (a) The board may refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for license:

(1) Is incompetent to practice addiction counseling, which means:

(A) One or more instances involving failure to adhere to the applicable standard of care to a degree that constitutes gross negligence, as determined by the board;

(B) repeated instances involving failure to adhere to the applicable standard of care to a degree that constitutes ordinary negligence, as determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a manifest incapacity or incompetence to practice addiction counseling;

(2) has been convicted of a felony offense and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not demonstrated to the board's satisfaction that such person has been sufficiently rehabilitated to merit the public trust;
is currently listed on a child abuse registry or an adult protective
services registry as the result of a substantiated finding of abuse or neglect
by any state agency, agency of another state, the District of Columbia or
the United States, territory of the United States or another country and the
applicant or licensee has not demonstrated to the board's satisfaction that
such person has been sufficiently rehabilitated to merit the public trust;
(5) has violated a provision of the addiction counselor licensure act or
one or more of the rules and regulations of the board;
(6) has obtained or attempted to obtain a license or license renewal by
bribery or fraudulent representation;
(7) has knowingly made a false statement on a form required by the
board for license or license renewal;
(8) has failed to obtain continuing education credits required by rules
and regulations of the board;
(9) has been found to have engaged in unprofessional conduct as
defined by applicable rules and regulations adopted by the board; or
(10) has had a professional registration, license or certificate as an
addiction counselor revoked, suspended or limited, or has had other
disciplinary action taken, or an application for registration, license or
certificate denied, by the proper regulatory authority of another state,
territory, District of Columbia or another country, a certified copy of the
record of the action of the other jurisdiction being conclusive evidence
thereof; or
(11) has violated any lawful order or directive of the board previously
entered by the board.
(b) For issuance of a new license or reinstatement of a revoked or
suspended license for a licensee or applicant for licensure with a felony
conviction, the board may only issue or reinstate such license by a 2/3
majority vote.
(c) Administrative proceedings and disciplinary actions regarding
licensure under the addiction counselor licensure act shall be conducted in
accordance with the Kansas administrative procedure act. Judicial review
and civil enforcement of agency actions under the addiction counselor
licensure act shall be in accordance with the Kansas judicial review act.
Sec. 9. K.S.A. 74-5324 is hereby amended to read as follows: 74-
5324. (a) The board may refuse to issue, renew or reinstate a license, may
condition, limit, revoke or suspend a license, may publicly or privately
censure a licensee or may impose a fine not to exceed $1,000 per violation
upon a finding that a licensee or an applicant for a license:
(1) Is incompetent to practice psychology, which. Incompetent to
practice psychology means:
(A) One or more instances involving failure to adhere to the
applicable standard of care to a degree that constitutes gross negligence, as
determined by the board;
(B) repeated instances involving failure to adhere to the applicable
standard of care to a degree that constitutes ordinary negligence, as
determined by the board; or
(C) a pattern of practice or other behavior that demonstrates a
manifest incapacity or incompetence to practice psychology;
(2) has been convicted of a felony offense and has not demonstrated
to the board's satisfaction that such person has been sufficiently
rehabilitated to merit the public trust;
(3) has been convicted of a misdemeanor against persons and has not
demonstrated to the board's satisfaction that such person has been
sufficiently rehabilitated to merit the public trust;
(4) is currently listed on a child abuse registry or an adult protective
services registry as the result of a substantiated finding of abuse or neglect
by any state agency, agency of another state or the United States, territory
of the United States or another country and the applicant or licensee has
not demonstrated to the board's satisfaction that such person has been
sufficiently rehabilitated to merit the public trust;
(5) has violated a provision of the licensure of psychologists act of
the state of Kansas or one or more rules and regulations of the board;
(6) has obtained or attempted to obtain a license or license renewal by
bribery or fraudulent representation;
(7) has knowingly made a false statement on a form required by the
board for a license or license renewal;
(8) has failed to obtain continuing education credits as required by
rules and regulations of the board;
(9) has been found to have engaged in unprofessional conduct as
defined by applicable rules and regulations adopted by the board; or
(10) has had a professional registration, license or certificate as a
psychologist revoked, suspended or limited, or has had other disciplinary
action taken, or an application for registration, license or certificate denied,
by the proper regulatory authority of another state, territory, District of
Columbia or another country, a certified copy of the record of the action of
the other jurisdiction being conclusive evidence thereof; or
(11) has violated any lawful order or directive of the board previously
entered by the board.
(b) For issuance of a new license or reinstatement of a revoked or
suspended license for a licensee or applicant for licensure with a felony
conviction, the board may only issue or reinstate such license by a \(\frac{2}{3}\)
majority vote.
(c) Administrative proceedings and disciplinary actions regarding
licensure under the licensure of psychologists act of the state of Kansas
shall be conducted in accordance with the Kansas administrative procedure
act. Judicial review and civil enforcement of agency actions under the
licensure of psychologists of the state of Kansas act shall be in accordance
with the Kansas judicial review act.
Sec. 10. K.S.A. 74-5363 is hereby amended to read as follows: 74-
5363. (a) Any person who desires to be licensed under this act shall apply
to the board in writing, on forms prepared and furnished by the board.
Each application shall contain appropriate documentation of the particular
qualifications required by the board and shall be accompanied by the
required fee.
(b) The board shall license as a licensed master's level psychologist
any applicant for licensure who pays the fee prescribed by the board under
K.S.A. 74-5365, and amendments thereto, which shall not be refunded,
who has satisfied the board as to such applicant's training and who
complies with the provisions of this subsection. An applicant for licensure
also shall submit evidence satisfactory to the board that such applicant:
(1) Is at least 21 years of age;
(2) has satisfied the board that the applicant is a person who merits
public trust;
(3) has received at least 60 graduate hours including a master's degree
in psychology based on a program of studies in psychology from an
educational institution having a graduate program in psychology consistent
with state universities of Kansas; or until July 1, 2003, has received at least
a master's degree in psychology and during such master's or post-master's
coursework completed a minimum of 12 semester hours or its equivalent
in psychological foundation courses such as, but not limited to, philosophy
of psychology, psychology of perception, learning theory, history of
psychology, motivation, and statistics and 24 semester hours or its
equivalent in professional core courses such as, but not limited to, two
courses in psychological testing, psychopathology, two courses in
psychotherapy, personality theories, developmental psychology, research
methods, social psychology; or has passed comprehensive examinations or
equivalent final examinations in a doctoral program in psychology and
during such graduate program completed a minimum of 12 semester hours
or its equivalent in psychological foundation courses such as, but not
limited to, philosophy of psychology, psychology of perception, learning
teach, history of psychology, motivation, and statistics and 24 semester
hours or its equivalent in professional core courses such as, but not limited
to, two courses in psychological testing, psychopathology, two courses in
psychotherapy, personality theories, developmental psychology, research
methods, social psychology;
(4) has completed 750 clock hours of academically supervised
practicum in the master's degree program or 1,500 clock hours of
postgraduate supervised work experience; and
(5) has passed an examination approved by the board with a minimum score set by the board by rules and regulations.

(c) (1) Applications for licensure as a clinical psychotherapist shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(A) Is licensed by the board as a licensed master's level psychologist or meets all requirements for licensure as a master's level psychologist;

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (b) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;

(C) has completed a graduate level supervised clinical practicum of supervised professional experience including psychotherapy and assessment with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 350 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 150 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual;

(E) for persons earning a degree under subsection (b) prior to July 1, 2003, in lieu of the education requirements under subparagraphs (B) and (C), has completed the education requirements for licensure as a licensed master's level psychologist in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary license to practice as a licensed master's level psychologist on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under subparagraphs (B), (C) and (D), has completed the education and training requirements for licensure as a master's level psychologist in effect on the day immediately preceding the
effective date of this act;

(G) has passed an examination approved by the board with the same minimum passing score as that set by the board for licensed psychologists; and

(H) has paid the application fee, if required by the board.

(2) A person who was licensed or registered as a master's level psychologist in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of master's level psychology as a registered or licensed master's level psychologist within five years prior to the effective date of this act and whose last license or registration in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed clinical psychotherapist by providing demonstration of competence to diagnose and treat mental disorders through at least two of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national, clinical examination;

(B) either: (i) Three years of clinical practice in a community mental health center, its contracted affiliate or a state mental hospital; or (ii) three years of clinical practice in other settings with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from one professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery that the applicant is competent to diagnose and treat mental disorders.

(3) A licensed clinical psychotherapist may engage in the independent practice of master's level psychology and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client has symptoms of a mental disorder, a licensed clinical psychotherapist shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed clinical psychotherapist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(d) The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under subsection (b)(3). The board may send a questionnaire developed by the board to any educational institution for
which the board does not have sufficient information to determine whether
the educational institution meets the requirements of subsection (b)(3) and
rules and regulations adopted under this section. The questionnaire
providing the necessary information shall be completed and returned to the
board in order for the educational institution to be considered for approval.
The board may contract with investigative agencies, commissions or
consultants to assist the board in obtaining information about educational
institutions. In entering such contracts the authority to approve educational
institutions shall remain solely with the board.

Sec. 11. K.S.A. 74-5369 is hereby amended to read as follows: 74-
5369. (a) The board may refuse to issue, renew or reinstate a license, may
condition, limit, revoke or suspend a license, may publicly or privately
censure a licensee or may impose a fine not to exceed $1,000 per violation
upon a finding that a licensee or an applicant for licensure:

(1) Is incompetent to practice psychology, which. Incompetent to
practice psychology means:

(A) One or more instances involving failure to adhere to the
applicable standard of care to a degree that constitutes gross negligence, as
determined by the board;

(B) repeated instances involving failure to adhere to the applicable
standard of care to a degree that constitutes ordinary negligence, as
determined by the board; or

(C) a pattern of practice or other behavior that demonstrates a
manifest incapacity or incompetence to practice master's level psychology;

(2) has been convicted of a felony offense and has not demonstrated
to the board's satisfaction that such person has been sufficiently
rehabilitated to merit the public trust;

(3) has been convicted of a misdemeanor against persons and has not
demonstrated to the board's satisfaction that such person has been
sufficiently rehabilitated to merit the public trust;

(4) is currently listed on a child abuse registry or an adult protective
services registry as the result of a substantiated finding of abuse or neglect
by any state agency, agency of another state, the District of Columbia or
the United States, territory of the United States or another country and the
applicant or licensee has not demonstrated to the board's satisfaction that
such person has been sufficiently rehabilitated to merit the public trust;

(5) has violated a provision of the licensure of master's level
psychologists act or one or more rules and regulations of the board;

(6) has obtained or attempted to obtain a license or license renewal by
bribery or fraudulent representation;

(7) has knowingly made a false statement on a form required by the
board for a license or license renewal;

(8) has failed to obtain continuing education credits as required by
rules and regulations adopted by the board;

(9) has been found to have engaged in unprofessional conduct as defined by applicable rules and regulations of the board; or

(10) has had a professional registration, license or certificate as a master's level psychologist revoked, suspended or limited, or has had other disciplinary action taken, or an application for a registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof; or

(11) has violated any lawful order or directive of the board previously entered by the board.

(b) For issuance of a new license or reinstatement of a revoked or suspended license for a licensee or applicant for licensure with a felony conviction, the board may only issue or reinstate such license by a $2/3$ majority vote.

(c) Administrative proceedings and disciplinary actions regarding licensure under the licensure of master's level psychologists act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the licensure of master's level psychologists act shall be in accordance with the Kansas judicial review act.


Sec. 13. This act shall take effect and be in force from and after its publication in the statute book.