

**SENATE BILL No. 193**

By Committee on Public Health and Welfare

2-15

1 AN ACT concerning the behavioral sciences regulatory board; relating to  
2 certain regulated professions; licensure; reciprocity; amending K.S.A.  
3 65-5801, 65-5807, 65-6309, 65-6321, 65-6401, 65-6405, 65-6406, 65-  
4 6411, 65-6611, 65-6613, 74-5301, 74-5310, 74-5315, 74-5316, 74-  
5 5344, 74-5375 and 74-5376 and repealing the existing sections.

6  
7 *Be it enacted by the Legislature of the State of Kansas:*

8 New Section 1. (a) The board may issue a license to an individual  
9 who is currently registered, certified or licensed to practice social work in  
10 another jurisdiction, if the board determines that:

11 (1) The standards for registration, certification or licensure to practice  
12 social work at the baccalaureate level in another jurisdiction are  
13 substantially the equivalent of the requirements in the social workers  
14 licensure act and rules and regulations of the board for licensure as a  
15 baccalaureate social worker; or

16 (2) the applicant demonstrates compliance on forms set by the board,  
17 with the following standards as adopted by the board:

18 (A) Registration, certification or licensure to practice social work at  
19 the baccalaureate level for at least 48 of the last 54 months immediately  
20 preceding the application, with at least the minimum professional  
21 experience as established by rules and regulations of the board;

22 (B) the absence of disciplinary actions of a serious nature brought by  
23 a registration, certification or licensing board or agency; and

24 (C) completion of a baccalaureate degree in social work from a  
25 regionally accredited university.

26 (b) The board may issue a license to an individual who is currently  
27 registered, certified or licensed to practice social work in another  
28 jurisdiction, if the board determines that:

29 (1) The standards for registration, certification or licensure to practice  
30 social work at the master's level in another jurisdiction are substantially the  
31 equivalent of the requirements in the social workers licensure act and rules  
32 and regulations of the board for licensure as a master social worker; or

33 (2) the applicant demonstrates compliance on forms set by the board,  
34 with the following standards as adopted by the board:

35 (A) Registration, certification or licensure to practice social work at  
36 the master level for at least 48 of the last 54 months immediately

1 preceding the application with at least the minimum professional  
2 experience as established by rules and regulations of the board;

3 (B) the absence of disciplinary actions of a serious nature brought by  
4 a registration, certification or licensing board or agency; and

5 (C) completion of a master's degree in social work from a regionally  
6 accredited university.

7 (c) Applicants for licensure as a specialist clinical social worker shall  
8 demonstrate:

9 (1) That the applicant meets the requirements of subsection (b);

10 (2) that the applicant is currently licensed to practice social work at  
11 the clinical level in another state; and

12 (3) competence to diagnose and treat mental disorders by meeting at  
13 least two of the following areas acceptable to the board:

14 (A) Passing a national clinical examination approved by the board;

15 (B) three years of clinical practice with demonstrated experience in  
16 diagnosing or treating mental disorders; or

17 (C) attestation from a professional licensed to diagnose and treat  
18 mental disorders in independent practice or licensed to practice medicine  
19 and surgery, stating that the applicant is competent to diagnose and treat  
20 mental disorders.

21 (d) An applicant for a license under this section shall pay an  
22 application fee established by the board under K.S.A. 65-6411, and  
23 amendments thereto, if required by the board.

24 New Sec. 2. (a) If, in evaluating any applicant for licensure as a  
25 professional counselor, the board finds that the applicant is deficient in the  
26 qualifications or in the quality of the applicant's educational experience  
27 required by K.S.A. 65-5804a or 65-5807, and amendments thereto, as  
28 applicable, or by rules and regulations adopted by the board, the board  
29 may require the applicant to fulfill remedial or other requirements, as the  
30 board may prescribe.

31 (b) A person who is completing requirements prescribed by the board  
32 under subsection (a) may apply to the board for provisional licensure as a  
33 professional counselor on a form and in a manner prescribed by the board.  
34 The board may issue a provisional license to practice professional  
35 counseling. A provisional license shall expire upon the earlier of the date  
36 that the board issues or denies a license to practice professional counseling  
37 or 12 months after the date of issuance of the provisional license. No  
38 provisional license shall be renewed, and no provisional license shall be  
39 issued again, upon any subsequent application for the same license level.

40 (c) A person practicing professional counseling with a provisional  
41 license may not use the title "licensed professional counselor" or "licensed  
42 clinical professional counselor" or the initials "LPC" or "LCPC,"  
43 independently. The word "licensed" may be used by such person only

1 when preceded by the word "provisional."

2 New Sec. 3. (a) If, in evaluating any applicant for licensure as a  
3 marriage and family therapist, the board finds that the applicant is  
4 deficient in the qualifications or in the quality of the applicant's  
5 educational experience required by K.S.A. 65-6404 or 65-6406, and  
6 amendments thereto, as applicable, or by rules and regulations adopted by  
7 the board, the board may require the applicant to fulfill remedial or other  
8 requirements, as the board may prescribe.

9 (b) A person who is completing requirements prescribed by the board  
10 under subsection (a) may apply to the board for provisional licensure as a  
11 marriage and family therapist on a form and in a manner prescribed by the  
12 board. The board may issue a provisional license to practice marriage and  
13 family therapy. A provisional license shall expire upon the earlier of the  
14 date that the board issues or denies a license to practice marriage and  
15 family therapy or 12 months after the date of issuance of the provisional  
16 license. No provisional license shall be renewed, and no provisional  
17 license shall be issued again, upon any subsequent application for the same  
18 license level.

19 (c) A person practicing marriage and family therapy with a  
20 provisional license may not use the title "licensed marriage and family  
21 therapist" or "licensed clinical marriage and family therapist" or the initials  
22 "LMFT" or "LCMFT," independently. The word "licensed" may be used  
23 by such person only when preceded by the word "provisional."

24 New Sec. 4. (a) If, in evaluating any applicant for licensure as a  
25 master's level psychologist, the board finds that the applicant is deficient in  
26 the qualifications or in the quality of the applicant's educational experience  
27 required by K.S.A. 74-5363 or 74-5375, and amendments thereto, as  
28 applicable, or by rules and regulations adopted by the board, the board  
29 may require the applicant to fulfill remedial or other requirements, as the  
30 board may prescribe.

31 (b) A person who is completing requirements prescribed by the board  
32 under subsection (a) may apply to the board for a provisional license as a  
33 master's level psychologist on a form and in a manner prescribed by the  
34 board. The board may issue a provisional license to practice master's level  
35 psychology. A provisional license shall expire upon the earlier of the date  
36 that the board issues or denies a license to practice master's level  
37 psychology or 12 months after the date of issuance of the provisional  
38 license. No provisional license shall be renewed, and no provisional  
39 license shall be issued again, upon any subsequent application for the same  
40 license level.

41 (c) A person practicing master's level psychology with a provisional  
42 license may not use the title "licensed master's level psychologist" or  
43 "licensed clinical psychotherapist" or the initials "LMLP" or "LCP,"

1 independently. The word "licensed" may be used by such person only  
2 when preceded by the word "provisional."

3 New Sec. 5. (a) If, in evaluating any applicant for licensure as a social  
4 worker, the board finds that the applicant is deficient in the qualifications  
5 or in the quality of the applicant's educational experience required by  
6 K.S.A. 65-6306, and amendments thereto, or section 1, and amendments  
7 thereto, as applicable, or by rules and regulations adopted by the board, the  
8 board may require the applicant to fulfill remedial or other requirements,  
9 as the board may prescribe.

10 (b) A person who is completing requirements prescribed by the board  
11 under subsection (a) may apply to the board for provisional licensure as a  
12 social worker on a form and in a manner prescribed by the board. The  
13 board may issue a provisional license to practice social work. A  
14 provisional license shall expire upon the earlier of the date that the board  
15 issues or denies a license to practice social work or 12 months after the  
16 date of issuance of the provisional license. No provisional license shall be  
17 renewed, and no provisional license shall be issued again, upon any  
18 subsequent application for the same license level.

19 (c) A person practicing social work with a provisional license may  
20 not use the title "licensed baccalaureate social worker," "licensed master's  
21 social worker" or "licensed specialist clinical social worker" or the initials  
22 "LBSW," "LMSW" or "LSCSW," independently. The word "licensed" may  
23 be used by such person only when preceded by the word "provisional."

24 (d) This section shall be a part of and supplemental to the social  
25 workers licensure act.

26 New Sec. 6. (a) If, in evaluating any applicant for licensure as an  
27 addiction counselor, the board finds that the applicant is deficient in the  
28 qualifications or in the quality of the applicant's educational experience  
29 required by K.S.A. 65-6610 or 65-6613, and amendments thereto, as  
30 applicable, or by rules and regulations adopted by the board, the board  
31 may require the applicant to fulfill remedial or other requirements, as the  
32 board may prescribe.

33 (b) A person who is completing requirements prescribed by the board  
34 under subsection (a) may apply to the board for provisional licensure as an  
35 addiction counselor on a form and in a manner prescribed by the board.  
36 The board may issue a provisional license to practice addiction counseling.  
37 A provisional license shall expire upon the earlier of the date that the board  
38 issues or denies a license to practice addiction counseling or 12 months  
39 after the date of issuance of the provisional license. No provisional license  
40 shall be renewed, and no provisional license shall be issued again, upon  
41 any subsequent application for the same license level.

42 (c) A person practicing addiction counseling with a provisional  
43 license may not use the title "licensed addiction counselor," "licensed

1 master's addiction counselor" or "licensed clinical addiction counselor" or  
2 the initials "LAC," "LMAC" or "LCAC," independently. The word  
3 "licensed" may be used by such person only when preceded by the word  
4 "provisional."

5 (d) This section shall be a part of and supplemental to the addiction  
6 counselor licensure act.

7 New Sec. 7. (a) If, in evaluating any applicant for licensure as a  
8 psychologist, the board finds that the applicant is deficient in the  
9 qualifications or in the quality of the applicant's educational experience  
10 required by K.S.A. 74-5310 or 74-5315, and amendments thereto, as  
11 applicable, or by rules and regulations adopted by the board, the board  
12 may require the applicant to fulfill remedial or other requirements, as the  
13 board may prescribe.

14 (b) A person who is completing requirements prescribed by the board  
15 under subsection (a) may apply to the board for provisional licensure as a  
16 psychologist on a form and in a manner prescribed by the board. The board  
17 may issue a provisional license to practice psychology. A provisional  
18 license shall expire upon the earlier of the date that the board issues or  
19 denies a license to practice psychology or 12 months after the date of  
20 issuance of the provisional license. No provisional license shall be  
21 renewed, and no provisional license shall be issued again, upon any  
22 subsequent application for the same license level.

23 (c) A person practicing psychology with a provisional license may  
24 not use the title "licensed psychologist" or the initials "LP," independently.  
25 The word "licensed" may be used by such person only when preceded by  
26 the word "provisional."

27 Sec. 8. K.S.A. 65-5801 is hereby amended to read as follows: 65-  
28 5801. K.S.A. 65-5801 through ~~65-5816~~ 65-5818, *and amendments thereto,*  
29 *and section 2, and amendments thereto,* shall be known and may be cited  
30 as the professional counselors licensure act.

31 Sec. 9. K.S.A. 65-5807 is hereby amended to read as follows: 65-  
32 5807. (a) The board may issue a license to an individual who is currently  
33 registered, certified or licensed to practice professional counseling in  
34 another jurisdiction if the board determines that:

35 (1) The standards for registration, certification or licensure to practice  
36 professional counseling in the other jurisdiction are substantially  
37 equivalent to the requirements of this state; or

38 (2) the applicant demonstrates on forms provided by the board  
39 compliance with the following standards as adopted by the board:

40 (A) Registration, certification or licensure to practice professional  
41 counseling for at least ~~60~~ 48 of the last ~~66~~ 54 months immediately  
42 preceding the application with at least the minimum professional  
43 experience as established by rules and regulations of the board;

1 (B) the absence of disciplinary actions of a serious nature brought by  
2 a registration, certification or licensing board or agency; and

3 (C) *at least* a master's degree in counseling or a related field from a  
4 regionally accredited university or college.

5 (b) Applicants for licensure as a clinical professional counselor shall  
6 additionally demonstrate competence to diagnose and treat mental  
7 disorders through meeting the requirements of either subsection (a)(1) or  
8 (a)(2) and at least two of the following areas acceptable to the board:

9 (1) Either graduate coursework as established by rules and  
10 regulations of the board or passing a national clinical examination  
11 approved by the board;

12 (2) three years of clinical practice with demonstrated experience in  
13 diagnosing or treating mental disorders; or

14 (3) attestation from a professional licensed to diagnose and treat  
15 mental disorders in independent practice or licensed to practice medicine  
16 and surgery stating that the applicant is competent to diagnose and treat  
17 mental disorders.

18 (c) An applicant for a license under this section shall pay an  
19 application fee established by the board under K.S.A. 65-5808, and  
20 amendments thereto, if required by the board.

21 Sec. 10. K.S.A. 65-6309 is hereby amended to read as follows: 65-  
22 6309. (a) ~~Except as provided in subsections (b) and (c),~~ An applicant shall  
23 be exempted from the requirement for any examination provided for  
24 herein, if:

25 ~~(1) The applicant proves to the board that the applicant is licensed or~~  
26 ~~registered under the laws of a state or territory of the United States that~~  
27 ~~imposes substantially the same requirements as this act as determined by~~  
28 ~~the board; and~~

29 ~~(2) pursuant to the laws of any such state or territory,~~ the applicant  
30 has taken and passed an examination similar to that for which exemption is  
31 sought, as determined by the board.

32 ~~(b) The board may issue a license to an individual who is currently~~  
33 ~~licensed to practice social work at the clinical level in another jurisdiction~~  
34 ~~if the board determines that:~~

35 ~~(1) The standards for licensure to practice social work at the clinical~~  
36 ~~level in the other jurisdiction are substantially equivalent to the~~  
37 ~~requirements of this state for licensure at the clinical level; or~~

38 ~~(2) the applicant demonstrates on forms provided by the board~~  
39 ~~compliance with the following standards as adopted by the board:~~

40 ~~(A) Licensure to practice social work at the clinical level for at least~~  
41 ~~60 of the last 66 months immediately preceding the application with at~~  
42 ~~least the minimum professional experience as established by rules and~~  
43 ~~regulations of the board;~~

1 ~~(B) the absence of disciplinary actions of a serious nature brought by~~  
2 ~~a licensing board or agency; and~~

3 ~~(C) a master's or doctoral degree in social work from a regionally~~  
4 ~~accredited university or college and from an accredited graduate social~~  
5 ~~work program recognized and approved by the board pursuant to rules and~~  
6 ~~regulations adopted by the board.~~

7 ~~(e) Applicants for licensure as a clinical specialist social worker shall~~  
8 ~~additionally demonstrate competence to diagnose and treat mental~~  
9 ~~disorders through meeting the following requirements:~~

10 ~~(1) Passing a national clinical examination approved by the board or,~~  
11 ~~in the absence of the national examination, continuous licensure to practice~~  
12 ~~as a clinical social worker during the 10 years immediately preceding the~~  
13 ~~application; and~~

14 ~~(2) three years of clinical practice with demonstrated experience in~~  
15 ~~diagnosing or treating mental disorders.~~

16 ~~(d) An applicant for a license under this section shall pay an~~  
17 ~~application fee established by the board under K.S.A. 65-6314, and~~  
18 ~~amendments thereto, if required by the board.~~

19 ~~(e) Upon application, the board shall issue temporary licenses to~~  
20 ~~persons who have submitted documentation and met all qualifications for~~  
21 ~~licensure under provisions of this act, except passage of the required~~  
22 ~~examination, and who have paid the required fee.~~

23 ~~(f)(c) Absent extenuating circumstances approved by the board, a~~  
24 ~~temporary license issued by the board shall expire upon the date the board~~  
25 ~~issues or denies a license to practice social work or six 12 months after the~~  
26 ~~date of issuance of the temporary license. No temporary license will be~~  
27 ~~renewed or issued again on any subsequent applications for the same~~  
28 ~~license level. The preceding provisions in no way limit the number of~~  
29 ~~times an applicant may take the examination.~~

30 ~~(g)(d) No person may work under a temporary license except under~~  
31 ~~the supervision of a licensed social worker.~~

32 ~~(h)(e) Nothing in this section shall affect any temporary license to~~  
33 ~~practice issued under this section prior to the effective date of this act and~~  
34 ~~in effect on the effective date of this act. Such temporary license shall be~~  
35 ~~subject to the provisions of this section in effect at the time of its issuance~~  
36 ~~and shall continue to be effective until the date of expiration of the license~~  
37 ~~as provided under this section at the time of issuance of such temporary~~  
38 ~~license.~~

39 ~~(i)(f) Any individual employed by a hospital and working in the area~~  
40 ~~of hospital social services to patients of such hospital on July 1, 1974, is~~  
41 ~~exempt from the provisions of this act.~~

42 ~~(g) A person practicing social work with a temporary license may not~~  
43 ~~use the title "licensed baccalaureate social worker" or "licensed master.~~

1 social worker" or use the initials "LBSW" or "LMSW," independently. The  
2 word "licensed" may be used only when followed by the words "by  
3 temporary license."

4 Sec. 11. K.S.A. 65-6321 is hereby amended to read as follows: 65-  
5 6321. K.S.A. 65-6301 through ~~65-6320~~, and K.S.A. 65-6321, and  
6 amendments thereto, *and sections 1 and 5, and amendments thereto*, shall  
7 be known and may be cited as the social workers licensure act.

8 Sec. 12. K.S.A. 65-6401 is hereby amended to read as follows: 65-  
9 6401. K.S.A. 65-6401 through ~~65-6412~~ 65-6414, and amendments thereto,  
10 *and section 3, and amendments thereto*, shall be known and may be cited  
11 as the marriage and family therapists licensure act.

12 Sec. 13. K.S.A. 65-6405 is hereby amended to read as follows: 65-  
13 6405. (a) A person who is waiting to take the examination required by the  
14 board may apply to the board for a temporary license to practice as a  
15 licensed marriage and family therapist by:

16 (1) Paying an application fee as established by the board under  
17 K.S.A. 65-6411, and amendments thereto; and

18 (2) meeting the application requirements as stated in K.S.A. 65-  
19 6404(a)(1), (a)(2) and (a)(4), and amendments thereto.

20 (b) (1) A temporary license may be issued by the board after the  
21 application has been reviewed and approved by the board and the applicant  
22 has paid the appropriate fee ~~set as established by the board for issuance of~~  
23 ~~new licenses under K.S.A. 65-6411, and amendments thereto.~~

24 (2) Absent extenuating circumstances approved by the board, a  
25 temporary license issued by the board shall expire upon the date the board  
26 issues or denies the person a license to practice marriage and family  
27 therapy or 12 months after the date of issuance of the temporary license.

28 (3) No temporary license will be renewed or issued again on any  
29 subsequent application for the same license level. The preceding provision  
30 in no way limits the number of times an applicant may take the  
31 examination.

32 (c) A person practicing marriage and family therapy with a temporary  
33 license may not use the title "licensed marriage and family therapist" or the  
34 initials "LMFT" independently. The word "licensed" may be used only  
35 when followed by the words "by temporary license." ~~such as licensed~~  
36 ~~marriage and family therapist by temporary license, or marriage and~~  
37 ~~family therapist, temporarily licensed.~~

38 (d) No person may practice marriage and family therapy under a  
39 temporary license except under the supervision of a person licensed by the  
40 behavioral sciences regulatory board at the independent level.

41 (e) Nothing in this section shall affect any temporary license to  
42 practice issued under this section prior to the effective date of this act and  
43 in effect on the effective date of this act. Such temporary license shall be



1 subject to the provisions of this section in effect at the time of its issuance  
2 and shall continue to be effective until the date of expiration of the license  
3 as provided under this section at the time of issuance of such temporary  
4 license.

5 Sec. 14. K.S.A. 65-6406 is hereby amended to read as follows: 65-  
6 6406. (a) The board may issue a license to an individual who is currently  
7 registered, certified or licensed to practice marriage and family therapy in  
8 another jurisdiction if the board determines that:

9 (1) The standards for registration, certification or licensure to practice  
10 marriage and family therapy in the other jurisdiction are substantially the  
11 equivalent of the requirements of the marriage and family therapists  
12 licensure act and rules and regulations of the board;

13 (2) the applicant demonstrates on forms provided by the board  
14 compliance with the following standards as adopted by the board:

15 (A) Registration, certification or licensure to practice marriage and  
16 family therapy for at least ~~60~~ 48 of the last ~~66~~ 54 months immediately  
17 preceding the application with at least the minimum professional  
18 experience as established by rules and regulations of the board;

19 (B) the absence of disciplinary actions of a serious nature brought by  
20 a registration, certification or licensing board or agency; and

21 (C) completion of *at least* a master's degree in marriage and family  
22 therapy *or a related field as approved by the board* from a regionally  
23 accredited university.

24 (b) Applicants for licensure as a clinical marriage and family therapist  
25 shall additionally demonstrate competence to diagnose and treat mental  
26 disorders through meeting the requirements of either subsection (a)(1) or  
27 (a)(2) and at least two of the following areas acceptable to the board:

28 (1) Either graduate coursework as established by rules and  
29 regulations of the board or passing a national clinical examination  
30 approved by the board;

31 (2) three years of clinical practice with demonstrated experience in  
32 diagnosing or treating mental disorders; or

33 (3) attestation from a professional licensed to diagnose and treat  
34 mental disorders in independent practice or licensed to practice medicine  
35 and surgery stating that the applicant is competent to diagnose and treat  
36 mental disorders.

37 (c) An applicant for a license under this section shall pay an  
38 application fee established by the board under K.S.A. 65-6411, and  
39 amendments thereto, if required by the board.

40 Sec. 15. K.S.A. 65-6411 is hereby amended to read as follows: 65-  
41 6411. (a) The board may fix the following fees, and any such fees shall be  
42 established by rules and regulations adopted by the board:

43 (1) For application for licensure as a marriage and family therapist,

1 not to exceed \$150;

2 (2) *for temporary licensure as a marriage and family therapist, not to*  
3 *exceed \$175;*

4 (3) *for original licensure as a marriage and family therapist, not to*  
5 *exceed \$175;*

6 ~~(3)~~(4) *for renewal for licensure as a marriage and family therapist, not*  
7 *to exceed \$175;*

8 ~~(4)~~(5) *for application for licensure as a clinical marriage and family*  
9 *therapist, not to exceed \$175;*

10 ~~(5)~~(6) *for original licensure as a clinical marriage and family*  
11 *therapist, not to exceed \$175;*

12 ~~(6)~~(7) *for renewal for licensure as a clinical marriage and family*  
13 *therapist, not to exceed \$175;*

14 ~~(7)~~(8) *for reinstatement of a license, not to exceed \$175;*

15 ~~(8)~~(9) *for replacement of a license, not to exceed \$20;*

16 ~~(9)~~(10) *for renewal penalty, an amount equal to the renewal of*  
17 *license; and*

18 ~~(10)~~(11) *for a wallet card license, not to exceed \$5.*

19 (b) Fees paid to the board are not refundable.

20 Sec. 16. K.S.A. 65-6611 is hereby amended to read as follows: 65-  
21 6611. (a) A person who is waiting to take the examination for licensure as  
22 an addiction counselor may apply to the board for a temporary license to  
23 practice as a licensed addiction counselor by:

24 (1) ~~Paying an application~~ *a fee for a temporary license fixed under*  
25 *K.S.A. 65-6618, and amendments thereto; and*

26 (2) *meeting the application requirements as stated in K.S.A. 65-*  
27 *6610(a)(1), (a)(2) and, (a)(4) and (a)(5), and amendments thereto.*

28 (b) A person who is waiting to take the examination for licensure as a  
29 master's addiction counselor may apply to the board for a temporary  
30 license to practice as a licensed master's addiction counselor by:

31 (1) ~~Paying an application~~ *a fee for a temporary license fixed under*  
32 *K.S.A. 65-6618, and amendments thereto; and*

33 (2) *meeting the application requirements as stated in K.S.A. 65-*  
34 *6610(b)(1)(A), (b)(2) and (b)(4)(1)(B), (b)(1)(D) and (b)(1)(E), and*  
35 *amendments thereto.*

36 (c) (1) A temporary license may be issued by the board after the  
37 application has been reviewed and approved by the board and the applicant  
38 has paid the appropriate fee set by the board for issuance of new licenses.

39 (2) Absent extenuating circumstances approved by the board, a  
40 temporary license issued by the board shall expire upon the date the board  
41 issues or denies the person a license to practice addiction counseling or 12  
42 months after the date of issuance of the temporary license.

43 (3) No temporary license will be renewed or issued again on any

1 subsequent application for the same license level. The preceding provision  
 2 in no way limits the number of times an applicant may take the  
 3 examination.

4 (d) A person practicing addiction counseling with a temporary license  
 5 may not use the title "licensed addiction counselor" or "licensed master's  
 6 addiction counselor" or use the initials "LAC" or "LMAC" independently.  
 7 The word "licensed" may be used only when followed by the words "by  
 8 temporary license." ~~such as licensed addiction counselor by temporary~~  
 9 ~~license, or addiction counselor, temporarily licensed.~~

10 (e) No person may practice addiction counseling under a temporary  
 11 license except in a licensed or certified alcohol and other drug abuse  
 12 program, under the direction of a person licensed by the behavioral  
 13 sciences regulatory board at the clinical level or a person licensed to  
 14 practice medicine and surgery.

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

21 Sec. 17. K.S.A. 65-6613 is hereby amended to read as follows: 65-  
 22 6613. (a) The board may issue a license to an individual who is currently  
 23 registered, certified or licensed to practice addiction counseling in another  
 24 jurisdiction if the board determines that:

25 (1) The standards for registration, certification or licensure to practice  
 26 addiction counseling in the other jurisdiction are substantially the  
 27 equivalent of the requirements of the addiction counselor licensure act and  
 28 rules and regulations of the board; or

29 (2) the applicant demonstrates on forms provided by the board  
 30 compliance with the following standards as adopted by the board:

31 (A) Registration, certification or licensure to practice as an addiction  
 32 counselor for at least ~~60~~ 48 of the last ~~66~~ 54 months immediately  
 33 preceding the application with at least the minimum professional  
 34 experience as established by rules and regulations of the board;

35 (B) the absence of disciplinary actions of a serious nature brought by  
 36 a registration, certification or licensing board or agency; and

37 (C) completion of at least a baccalaureate degree from a college or  
 38 university approved by the board.

39 (b) The board may issue a license to an individual who is currently  
 40 registered, certified or licensed to practice addiction counseling at the  
 41 master's level in another jurisdiction if the board determines that:

42 (1) (A) The standards for registration, certification or licensure to  
 43 practice addiction counseling at the master's level in the other jurisdiction

1 are substantially the equivalent of the requirements of the addiction  
2 counselor licensure act and rules and regulations of the board; and

3 (B) completion of at least a master's degree from a college or  
4 university approved by the board; or

5 (2) the applicant demonstrates on forms provided by the board  
6 compliance with the following standards as adopted by the board:

7 (A) Registration, certification or licensure to practice addiction  
8 counseling at the master's level for at least ~~60~~ 48 of the last ~~66~~ 54 months  
9 immediately preceding the application with at least the minimum  
10 professional experience as established by rules and regulations of the  
11 board;

12 (B) the absence of disciplinary actions of a serious nature brought by  
13 a registration, certification or licensing board or agency; and

14 (C) completion of at least a master's degree from a college or  
15 university approved by the board.

16 (c) The board may issue a license to an individual who is currently  
17 registered, certified or licensed to practice addiction counseling at the  
18 clinical level in another jurisdiction if the board determines that:

19 (1) (A) The standards for registration, certification or licensure to  
20 practice addiction counseling at the clinical level in the other jurisdiction  
21 are substantially the equivalent of the requirements of the addiction  
22 counselor licensure act and rules and regulations of the board; and

23 (B) the applicant demonstrates completion of at least a master's  
24 degree from a college or university approved by the board; or

25 (2) the applicant demonstrates on forms provided by the board  
26 compliance with the following standards as adopted by the board:

27 (A) Registration, certification or licensure to practice addiction  
28 counseling at the clinical level for at least ~~60~~ 48 of the last ~~66~~ 54 months  
29 immediately preceding the application with at least the minimum  
30 professional experience as established by rules and regulations of the  
31 board;

32 (B) the absence of disciplinary actions of a serious nature brought by  
33 a registration, certification or licensing board or agency;

34 (C) completion of at least a master's degree from a college or  
35 university approved by the board; and

36 (D) at least two of the following areas acceptable to the board:

37 (i) Either coursework as established by rules and regulations of the  
38 board or passing a national clinical examination approved by the board;

39 (ii) three years of clinical practice with demonstrated experience  
40 supporting diagnosing or treating substance use disorders; or

41 (iii) attestation from a professional licensed to diagnose and treat  
42 mental disorders, or substance use disorders, or both, in independent  
43 practice or licensed to practice medicine and surgery stating that the

1 applicant is competent to diagnose and treat substance use disorders.

2 (d) An applicant for a license under this section shall pay an  
3 application fee established by the board under K.S.A. 65-6618, and  
4 amendments thereto, if required by the board.

5 Sec. 18. K.S.A. 74-5301 is hereby amended to read as follows: 74-  
6 5301. ~~This act K.S.A. 74-5301 through 74-5350, and amendments thereto,~~  
7 *and section 7, and amendments thereto*, shall be known and may be cited  
8 as the licensure of psychologists act of the state of Kansas.

9 Sec. 19. K.S.A. 74-5310 is hereby amended to read as follows: 74-  
10 5310. (a) The board shall issue a license as a psychologist to any person  
11 who pays ~~an~~ a *nonrefundable* application fee prescribed by the board, if  
12 required by the board, not in excess of \$225 and, if required by the board,  
13 ~~an a nonrefundable~~ original license fee not in excess of \$150, ~~which shall~~  
14 ~~not be refunded~~, who either satisfies the board as to such person's training  
15 and experience after a thorough review of such person's credentials and  
16 who passes a satisfactory examination in psychology. Any person paying  
17 the fee must also submit evidence verified by oath and satisfactory to the  
18 board that such person:

19 (1) Is at least 21 years of age;

20 (2) is of good moral character;

21 (3) has received the doctor's degree based on a program of studies in  
22 content primarily psychological from an educational institution having a  
23 graduate program with standards consistent with those of the state  
24 universities of Kansas, or the substantial equivalent of such program in  
25 both subject matter and extent of training; and

26 (4) has had at least two years of supervised experience, a significant  
27 portion of which shall have been spent in rendering psychological services  
28 satisfying the board's approved standards for the psychological service  
29 concerned.

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

43 Sec. 20. K.S.A. 74-5315 is hereby amended to read as follows: 74-

1 5315. (a) The board may grant a license to any person who, at the time of  
 2 application, is registered, certified or licensed as a psychologist at the  
 3 doctoral level in another jurisdiction if the board determines that:

4 (1) The requirements of such jurisdiction for such certification or  
 5 licensure are substantially the equivalent of the requirements of this state;  
 6 or

7 (2) the applicant demonstrates on forms provided by the board  
 8 compliance with the following standards as adopted by the board:

9 (A) Registration, certification or licensure as a psychologist at the  
 10 doctoral level for at least ~~60~~ 48 of the last ~~66~~ 54 months immediately  
 11 preceding the application with at least the minimum professional  
 12 experience as established by rules and regulations of the board;

13 (B) the absence of disciplinary actions of a serious nature brought by  
 14 a registration, certification or licensing board or agency; and

15 (C) a doctoral degree in psychology from a regionally accredited  
 16 university or college.

17 (b) An applicant for a license under this section shall pay an  
 18 application fee established by the board under K.S.A. 74-5310, and  
 19 amendments thereto, if required by the board.

20 Sec. 21. K.S.A. 74-5316 is hereby amended to read as follows: 74-  
 21 5316. (a) Upon application, the board may issue temporary licenses to  
 22 persons who have met all qualifications for licensure under *the* provisions  
 23 of the licensure of psychologists act of the state of Kansas, except passage  
 24 of the required examination, pursuant to K.S.A. 74-5310, and amendments  
 25 thereto, ~~who must wait for completion of the next examination~~, who have  
 26 paid the required application, ~~examination~~ and temporary license fees and  
 27 who have submitted documentation as required by the board, under the  
 28 following:

29 ~~(1) Such temporary licensee shall take the next license examination~~  
 30 ~~subsequent to the date of issuance of the temporary license unless there are~~  
 31 ~~extenuating circumstances approved by the board~~ *Absent extenuating*  
 32 *circumstances approved by the board, a temporary license issued by the*  
 33 *board shall expire upon the earlier of the date the board issues or denies a*  
 34 *license to practice psychology or two years after the date of issuance of*  
 35 *the temporary license. No temporary license shall be renewed or issued*  
 36 *again on any subsequent application for licensure under the provisions of*  
 37 *the licensure of psychologists act of the state of Kansas. This paragraph*  
 38 *shall not limit the number of times that an applicant may take the required*  
 39 *examination;*

40 (2) the board shall adopt rules and regulations prescribing continuing  
 41 education requirements for temporary licensees, including, but not limited to,  
 42 a requirement that temporary licensees shall complete a minimum of 25  
 43 contact hours of continuing education during the two-year period of

1 temporary licensure, which shall include a minimum of three hours in  
2 psychology ethics;

3 (3) no person may work under a temporary license except under the  
4 supervision of a licensed psychologist as prescribed in rules and  
5 regulations adopted by the board; and

6 (4) the fee for such temporary license may be fixed by the board and  
7 shall not exceed \$200, and any such fee shall be established by rules and  
8 regulations adopted by the board.

9 (b) Upon application, the board may issue temporary licenses not to  
10 exceed two years to persons who have completed all requirements for a  
11 doctoral degree approved by the board but have not received such degree  
12 conferral or who have met all qualifications for licensure under provisions  
13 of such act, except completion of the postdoctoral supervised work  
14 experience pursuant to K.S.A. 74-5310(a)(4), and amendments thereto,  
15 who have paid the required application and temporary license fees and  
16 who have submitted documentation as required by the board, under the  
17 following:

18 (1) The temporary license shall expire at the end of the two-year  
19 period after issuance or if such temporary licensee is denied a license to  
20 practice psychology;

21 (2) the temporary license may be renewed for one additional two-year  
22 period after expiration;

23 ~~(3) temporary licensees shall take the license examination pursuant to~~  
24 ~~K.S.A. 74-5310(a)(4), and amendments thereto, subsequent to the date of~~  
25 ~~issuance and prior to expiration of the temporary license unless there are~~  
26 ~~extenuating circumstances approved by the board~~ *no temporary license*  
27 *shall be issued again on any subsequent application for licensure under*  
28 *the provisions of the licensure of psychologists act of the state of Kansas.*  
29 *This paragraph shall not limit the number of times that an applicant may*  
30 *take the required examination;*

31 (4) temporary licensees shall be working toward the completion of  
32 the postdoctoral supervised work experience prescribed in K.S.A. 74-  
33 5310(a)(4), and amendments thereto;

34 (5) the board shall adopt rules and regulations prescribing continuing  
35 education requirements for temporary licensees, including, but not limited to,  
36 a requirement that temporary licensees shall complete a minimum of 25  
37 contact hours of continuing education during the two-year period of  
38 temporary licensure, which shall include a minimum of three hours in  
39 psychology ethics;

40 (6) no temporary licensee may work under a temporary license except  
41 under the supervision of a licensed psychologist as prescribed in rules and  
42 regulations adopted by the board; and

43 (7) the fee for a renewal of the temporary license may be fixed by the

1 board and shall not exceed \$200 per issuance, and any such fee shall be  
2 established by rules and regulations adopted by the board.

3 (c) A person practicing psychology with a temporary license may not  
4 use the title "licensed psychologist" or the initials "LP," independently. The  
5 word "licensed" may be used only when preceded by the word  
6 "temporary" ~~such as temporary licensed psychologist, or the initials "TLP."~~

7 (d) This section shall be part of and supplemental to the provisions of  
8 article 53 of chapter 74 of the Kansas Statutes Annotated, and amendments  
9 thereto.

10 (e) As used in this section, "temporary licensee" means any person  
11 practicing psychology with a temporary license pursuant to subsection (a)  
12 ~~or (b) or (e).~~

13 Sec. 22. K.S.A. 74-5344 is hereby amended to read as follows: 74-  
14 5344. Nothing contained in the licensure of psychologists act of the state  
15 of Kansas shall be construed: (a) To prevent qualified members of other  
16 professional groups such as, but not limited to, ministers, Christian  
17 Science practitioners, social workers and sociologists from doing work of  
18 a psychological nature consistent with their training and consistent with  
19 any code of ethics of their respective professions so long as they do not  
20 hold themselves out to the public by any title or description of services  
21 incorporating the words "psychologic," "psychological," "psychologist" or  
22 "psychology";

23 (b) in any way to restrict any person from carrying on any of the  
24 aforesaid activities in the free expression or exchange of ideas concerning  
25 the practice of psychology, the application of its principles, the teaching of  
26 such subject matter and the conducting of research on problems relating to  
27 human behavior if such person does not represent such person or such  
28 person's services in any manner prohibited by such act;

29 (c) to limit the practice of psychology of a licensed masters level  
30 psychologist or a person who holds a temporary license to practice as a  
31 licensed masters level psychologist ~~insofar as such practice is a part of the~~  
32 ~~duties of any such person's salaried position, and insofar as such practice is~~  
33 ~~performed solely on behalf of such person's employer, so long as such~~  
34 ~~practice is under the direction of a licensed psychologist, licensed clinical~~  
35 ~~psychotherapist, a person licensed by the state board of healing arts to~~  
36 ~~practice medicine and surgery or a person licensed to provide mental~~  
37 ~~health services as an independent practitioner and whose licensure allows~~  
38 ~~for the diagnosis and treatment of mental disorders~~ or insofar as such  
39 person is engaged in public speaking with or without remuneration;

40 (d) to limit the practice of psychology or services of a student, intern  
41 or resident in psychology pursuing a degree in psychology in a school,  
42 college, university or other institution, with educational standards  
43 consistent with those of the state universities of Kansas if such practice or



1 services are supervised as a part of such person's degree program. Nothing  
2 contained in this section shall be construed as permitting such persons to  
3 offer their services as psychologists to any other person and to accept  
4 remuneration for such psychological services other than as specifically  
5 excepted herein, unless they have been licensed under the provisions of the  
6 licensure of psychologists act of the state of Kansas, registered under the  
7 provisions of K.S.A. 74-5361—~~to~~ through 74-5371,—~~inclusive~~, and  
8 amendments thereto, or granted a temporary license under the provisions  
9 of K.S.A. 74-5367, and amendments thereto;

10 (e) to prevent the employment, by a person, association, partnership  
11 or a corporation furnishing psychological services for remuneration, of  
12 persons licensed as psychologists under the provisions of the licensure of  
13 psychologists act of the state of Kansas;

14 (f) to restrict the use of tools, tests, instruments or techniques usually  
15 denominated "psychological," so long as the user does not represent  
16 oneself to be a licensed psychologist or a licensed masters level  
17 psychologist;

18 (g) to permit persons licensed as psychologists to engage in the  
19 practice of medicine as defined in the laws of this state, nor to require such  
20 licensed psychologists to comply with the Kansas healing arts act;

21 (h) to restrict the use of the term "social psychologist" by any person  
22 who has received a doctoral degree in sociology or social psychology from  
23 an institution whose credits in sociology or social psychology are  
24 acceptable by a school or college as defined in the licensure of  
25 psychologists act of the state of Kansas, and who has passed  
26 comprehensive examination in the field of social psychology as a part of  
27 the requirements for the doctoral degree or has had equivalent specialized  
28 training in social psychology;

29 (i) to restrict the practice of psychology by a person who is certified  
30 as a school psychologist by the state department of education so long as  
31 such practice is conducted as a part of the duties of employment by a  
32 unified school district or as part of an independent evaluation conducted in  
33 accordance with K.S.A. 72-3405, and amendments thereto, including the  
34 use of the term "school psychologist" by such person in conjunction with  
35 such practice; or

36 (j) to restrict the use of the term psychologist or the practice of  
37 psychology by psychologists not licensed under the licensure of  
38 psychologists act of the state of Kansas in institutions for people with  
39 intellectual disability, in a juvenile correctional facility, as defined in  
40 K.S.A. 2018 Supp. 38-2302, and amendments thereto, or in institutions  
41 within the department of corrections insofar as such term is used or such  
42 practice of psychology is performed solely in conjunction with such  
43 person's employment by any such institution or juvenile correctional

1 facility.

2 (k) Any person not licensed as a psychologist but who immediately  
3 prior to the effective date of this act was engaged in the practice of  
4 psychology in accordance with subsection (e) as it existed immediately  
5 prior to the effective date of this act under the supervision of a licensed  
6 psychologist may continue on and after the effective date of this act to  
7 engage in such practice in the manner authorized by subsection (e) as it  
8 existed immediately prior to the effective date of this act.

9 Sec. 23. K.S.A. 74-5375 is hereby amended to read as follows: 74-  
10 5375. (a) The behavioral sciences regulatory board may issue a license to  
11 an individual who is currently registered, certified or licensed to practice  
12 psychology at the master's level in another jurisdiction if the board  
13 determines that:

14 (1) The standards for registration, certification or licensure to practice  
15 psychology at the master's level in the other jurisdiction are substantially  
16 equivalent to the requirements of this state; or

17 (2) the applicant demonstrates, on forms provided by the board,  
18 compliance with the following standards adopted by the board:

19 (A) Registration, certification or licensure to practice psychology at  
20 the master's level for at least ~~60~~ 48 of the last ~~66~~ 54 months immediately  
21 preceding the application with at least the minimum professional  
22 experience as established by rules and regulations of the board;

23 (B) the absence of disciplinary actions of a serious nature brought by  
24 a registration, certification or licensing board or agency; and

25 (C) *at least* a master's degree in psychology from a regionally  
26 accredited university or college.

27 (b) Applicants for licensure as a clinical psychotherapist shall  
28 additionally demonstrate competence to diagnose and treat mental  
29 disorders through meeting the requirements of either subsection (a)(1) or  
30 (a)(2) and at least two of the following areas acceptable to the board:

31 (1) Either graduate coursework as established by rules and  
32 regulations of the board or passing a national clinical examination  
33 approved by the board;

34 (2) three years of clinical practice with demonstrated experience in  
35 diagnosing or treating mental disorders; or

36 (3) attestation from a professional licensed to diagnose and treat  
37 mental disorders in independent practice or licensed to practice medicine  
38 and surgery stating that the applicant is competent to diagnose and treat  
39 mental disorders.

40 (c) An applicant for a license under this section shall pay an  
41 application fee established by the board under K.S.A. 74-5365, and  
42 amendments thereto, if required by the board.

43 Sec. 24. K.S.A. 74-5376 is hereby amended to read as follows: 74-

1 5376. K.S.A. 74-5361 through ~~74-5374~~ and ~~K.S.A. 74-5375~~, and  
2 amendments thereto, *and section 4, and amendments thereto*, shall be  
3 known and may be cited as the licensure of master's level psychologists  
4 act.

5 Sec. 25. K.S.A. 65-5801, 65-5807, 65-6309, 65-6321, 65-6401, 65-  
6 6405, 65-6406, 65-6411, 65-6611, 65-6613, 74-5301, 74-5310, 74-5315,  
7 74-5316, 74-5344, 74-5375 and 74-5376 are hereby repealed.

8 Sec. 26. This act shall take effect and be in force from and after its  
9 publication in the Kansas register.