

**OPPONENT TESTIMONY ON HB 2209
HOUSE HEALTH AND HUMAN SERVICES COMMITTEE
FEBRUARY 11, 2021**

Madam Chairperson and Committee Members:

Thank you for the opportunity to provide opponent testimony for HB 2209. I am David Fye, Executive Director for the Behavioral Sciences Regulatory Board (BSRB), and I am providing this testimony on behalf of the BSRB.

The BSRB is charged to protect the consumers of services offered by BSRB licensees, including Licensed Psychologists, which would be affected by the enactment of HB 2209. To assist the Board with its oversight of the licensed professions, the Board relies on input from advisory committees for each of the professions. The Licensed Psychology Advisory Committee met on February 9, 2021, to discuss HB 2209. The Committee reported its' concerns to the full Board at a meeting on the morning of February 10, 2021.

Although the Board appreciates the need to increase availability of mental health services (particularly in rural areas), the Board opposes the bill because of the following concerns:

- Lack of clarity regarding the process that consumers would use to submit complaints against out-of-state psychologists providing services to Kansans;
- Lack of specificity regarding several aspects of how the BSRB would be able to utilize an effective investigation process for out-of-state psychologists who would provide services to Kansas under the provisions of the bill; and
- Concerns regarding economic impact on agency operations. There would be a decrease in revenue from fees to the BSRB from out-of-state psychologists in Psypact states (both from permanent licenses and those seeking a temporary permit), which would provide fewer resources to investigate complaints. However, with more psychologists providing services in Kansas, there would be an increase in reported complaints and a need for more investigative resources.

As a result of these concerns, the Board does not feel that HB 2209 adequately protects consumers of psychological services in Kansas. Because of the items listed above, we believe the bill represents a potential threat to vulnerable Kansans and may limit the regulatory function of the BSRB for out-of-state providers.

We ask the Committee to table the bill for this legislative session, in hopes that sponsors of the bill will have more time to work on a Kansas specific bill with the Licensed Psychology Advisory Committee and the Board for the BSRB to craft a bill for next session that will achieve the objectives of the sponsor but with clearer protections of the public.