

HOUSE BILL No. 2340

By Committee on Health and Human Services

2-7

1 AN ACT concerning the behavioral sciences; increasing the membership
2 of the behavioral sciences regulatory board; relating to licensure and
3 regulation; professional counselors, social workers, marriage and
4 family therapists, addiction counselors, behavior analysts,
5 psychologists and master's level psychologists; decreasing the years of
6 practice required for reciprocity licensure; requiring that clinical social
7 work supervisors be approved by the board; providing additional
8 continuing education requirements; establishing license categories for
9 applicants from social work programs in candidacy for accreditation
10 and for temporary reinstatement; extending the license period of
11 temporary licenses; amending K.S.A. 65-5802, 65-5806, 65-6302, 65-
12 6313, 65-6314, 65-6402, 65-6407, 65-6608, 65-6614, 65-6618, 65-
13 7504, 65-7505, 74-5302, 74-5318, 74-5361, 74-5365, 74-5366, 74-
14 5367 and 74-7501 and K.S.A. 2022 Supp. 65-5804a, 65-5807, 65-5808,
15 65-6306, 65-6309, 65-6322, 65-6404, 65-6405, 65-6406, 65-6411, 65-
16 6610, 65-6611, 65-6613, 74-5310, 74-5315, 74-5316, 74-5363 and 74-
17 5375 and repealing the existing sections; also repealing K.S.A. 74-
18 5339.

19

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

21 New Section 1. (a) On and after January 1, 2024, any licensee
22 providing postgraduate clinical supervision for any individual working
23 toward licensure as a clinical social worker shall be a board-approved
24 clinical supervisor.

25 (b) An application for a board-approved clinical supervisor shall be
26 made to the board on a form and in the manner prescribed by the board
27 and shall be accompanied by the fee as provided by K.S.A. 65-6314, and
28 amendments thereto.

29 (c) Each applicant for board-approved clinical supervisor shall
30 furnish evidence satisfactory to the board that the applicant:

31 (1) Is currently licensed by the board as a specialist clinical social
32 worker and has practiced as a specialist clinical social worker for at least
33 two years following licensure;

34 (2) is not the subject of any disciplinary action of the board that
35 would prohibit providing clinical supervision, as determined by the board;
and
36

1 (3) (A) Has completed the minimum number of semester hours, or
2 the academic equivalent, of coursework related to the enhancement of
3 supervision skills approved by the board; or

4 (B) has completed the minimum number of continuing education
5 hours related to the enhancement of supervision skills approved by the
6 board.

7 (c) Each board-approved clinical supervisor shall complete, as a part
8 of the continuing education required under K.S.A. 65-6313, and
9 amendments thereto, at least three hours of continuing education related to
10 the enhancement of supervision skills, including at least one hour related
11 to ethics in supervision.

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

14 Sec. 2. K.S.A. 65-5802 is hereby amended to read as follows: 65-
15 5802. As used in the professional counselors licensure act:

16 (a) *"Assessment" means selecting, administering, scoring and*
17 *interpreting instruments designed to describe an individual's aptitudes,*
18 *abilities, achievements, interests and personal characteristics.*

19 (b) *"Board" means the behavioral sciences regulatory board created*
20 *by K.S.A. 74-7501, and amendments thereto.*

21 (c) *"Consultation" means the application of principles, methods and*
22 *techniques of the practice of counseling to assist in solving current or*
23 *potential problems of individuals or groups in relation to a third party.*

24 (d) *"Extenuating circumstances" means any condition or situation*
25 *caused by events beyond an individual's control that is sufficiently extreme*
26 *in nature to result in the:*

27 (1) *Individual's inability to comply with requirements; or*

28 (2) *inadvisability of requiring the individual to comply with*
29 *requirements.*

30 (e) *"Licensed clinical professional counselor" means a person who*
31 *engages in the independent practice of professional counseling including*
32 *the diagnosis and treatment of mental disorders specified in the edition of*
33 *the diagnostic and statistical manual of mental disorders of the American*
34 *psychiatric association designated by the board by rules and regulations*
35 *and who is licensed under this act.*

36 (f) *"Licensed professional counselor" means a person who is licensed*
37 *under this act and who engages in the practice of professional counseling*
38 *only under the direction of a licensed clinical professional counselor; a*
39 *licensed psychologist, a person licensed to practice medicine and surgery*
40 *or a person licensed to provide mental health services as an independent*
41 *practitioner and whose licensure allows for the diagnosis and treatment of*
42 *mental disorders.*

43 (b)(g) *"Practice of professional counseling" means assisting an*

1 individual or group for a fee, monetary or otherwise, through counseling,
2 assessment, consultation and referral and includes the diagnosis and
3 treatment of mental disorders as authorized under the professional
4 counselors licensure act.

5 ~~(e)(h)~~ "Professional counseling" means to assist an individual or
6 group to develop understanding of personal strengths and weaknesses, to
7 restructure concepts and feelings, to define goals and to plan actions as
8 these are related to personal, social, educational and career development
9 and adjustment.

10 ~~(d)~~ "Assessment" means selecting, administering, scoring and
11 interpreting instruments designed to describe an individual's aptitudes,
12 abilities, achievements, interests and personal characteristics.

13 ~~(e)~~ "Consultation" means the application of principles, methods and
14 techniques of the practice of counseling to assist in solving current or
15 potential problems of individuals or groups in relation to a third party.

16 ~~(f)(i)~~ "Referral" means the evaluation of information to identify
17 problems and to determine the advisability of referral to other
18 practitioners.

19 ~~(g)~~ "Licensed professional counselor" means a person who is licensed
20 under this act and who engages in the practice of professional counseling
21 except that on and after January 1, 2002, such person shall engage in the
22 practice of professional counseling only under the direction of a licensed
23 clinical professional counselor, a licensed psychologist, a person licensed
24 to practice medicine and surgery or a person licensed to provide mental
25 health services as an independent practitioner and whose licensure allows
26 for the diagnosis and treatment of mental disorders.

27 ~~(h)~~ "Licensed clinical professional counselor" means a person who
28 engages in the independent practice of professional counseling including
29 the diagnosis and treatment of mental disorders specified in the edition of
30 the diagnostic and statistical manual of mental disorders of the American
31 psychiatric association designated by the board by rules and regulations
32 and who is licensed under this act.

33 Sec. 3. K.S.A. 2022 Supp. 65-5804a is hereby amended to read as
34 follows: 65-5804a. (a) Applications for licensure as a professional
35 counselor shall be made to the board on a form and in the manner
36 prescribed by the board. Each application shall be accompanied by the fee
37 fixed *set* under K.S.A. 65-5808, and amendments thereto.

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

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

41 (2) has completed 60 graduate semester hours including a graduate
42 degree in counseling or a related field from a college or university
43 approved by the board and that includes 45 graduate semester hours of

- 1 counseling coursework distributed among each of the following areas:
- 2 (A) Counseling theory and practice;
 - 3 (B) the helping relationship;
 - 4 (C) group dynamics, processing and counseling;
 - 5 (D) human growth and development;
 - 6 (E) lifestyle and career development;
 - 7 (F) appraisal of individuals;
 - 8 (G) social and cultural foundations;
 - 9 (H) research and evaluation;
 - 10 (I) professional orientation; and
 - 11 (J) supervised practicum and internship;
- 12 (3) has passed an examination required by the board; and
- 13 (4) has satisfied the board that the applicant is a person who merits
14 the public trust.
- 15 (c) (1) Applications for licensure as a clinical professional counselor
16 shall be made to the board on a form and in the manner prescribed by the
17 board. Each applicant shall furnish evidence satisfactory to the board that
18 the applicant:
- 19 (A) Is licensed by the board as a licensed professional counselor or
20 meets all requirements for licensure as a licensed professional counselor;
 - 21 (B) has completed 15 credit hours, as part of or in addition to the
22 requirements under subsection (b), supporting diagnosis or treatment of
23 mental disorders with use of the American psychiatric association's
24 diagnostic and statistical manual through identifiable study of the
25 following content areas: Psychopathology, diagnostic assessment,
26 interdisciplinary referral and collaboration, treatment approaches and
27 professional ethics;
 - 28 (C) has completed a graduate level supervised clinical practicum of
29 supervised professional experience including psychotherapy and
30 assessment with individuals, couples, families or groups, integrating
31 diagnosis and treatment of mental disorders with use of the American
32 psychiatric association's diagnostic and statistical manual, with not less
33 than 280 hours of direct client contact or additional postgraduate
34 supervised experience as determined by the board;
 - 35 (D) has completed not less than two years of postgraduate supervised
36 professional experience in accordance with a clinical supervision plan
37 approved by the board of not less than 3,000 hours of supervised
38 professional experience, including at least 1,500 hours of direct client
39 contact conducting psychotherapy and assessments with individuals,
40 couples, families or groups and not less than 100 hours of face-to-face
41 clinical supervision, as defined by the board in rules and regulations,
42 including not less than 50 hours of individual supervision, except that the
43 board may waive the requirement that such supervision be face-to-face

1 upon a finding of extenuating circumstances, integrating diagnosis and
2 treatment of mental disorders with use of the American psychiatric
3 association's diagnostic and statistical manual, except that the board may
4 waive $\frac{1}{2}$ of the hours required by this subparagraph for an individual who
5 has a doctoral degree in professional counseling or a related field approved
6 by the board and who completes the required $\frac{1}{2}$ of the hours in not less
7 than one year of supervised professional experience;

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

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

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

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

23 (2) A person who was licensed or registered as a professional
24 counselor in Kansas at any time prior to the effective date of this act, who
25 has been actively engaged in the practice of professional counseling as a
26 registered or licensed professional counselor within five years prior to the
27 effective date of this act and whose last license or registration in Kansas
28 prior to the effective date of this act was not suspended or revoked, upon
29 application to the board, payment of fees pursuant to K.S.A. 65-5808, and
30 amendments thereto, and completion of applicable continuing education
31 requirements, shall be licensed as a licensed clinical professional
32 counselor by providing demonstration of competence to diagnose and treat
33 mental disorders through at least two of the following areas acceptable to
34 the board:

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

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

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

1 disorders.

2 (3) A licensed clinical professional counselor may engage in the
3 independent practice of professional counseling and is authorized to
4 diagnose and treat mental disorders specified in the edition of the
5 diagnostic and statistical manual of mental disorders of the American
6 psychiatric association designated by the board by rules and regulations.
7 When a client has symptoms of a mental disorder, a licensed clinical
8 professional counselor shall consult with the client's primary care
9 physician or psychiatrist to determine if there may be a medical condition
10 or medication that may be causing or contributing to the client's symptoms
11 of a mental disorder. A client may request in writing that such consultation
12 be waived and such request shall be made a part of the client's record. A
13 licensed clinical professional counselor may continue to evaluate and treat
14 the client until such time that the medical consultation is obtained or
15 waived.

16 (4) A licensed professional counselor may diagnose and treat mental
17 disorders specified in the edition of the diagnostic and statistical manual of
18 mental disorders of the American psychiatric association designated by the
19 board by rules and regulations only under the direction of a licensed
20 clinical professional counselor, licensed psychologist, person licensed to
21 practice medicine and surgery or person licensed to provide mental health
22 services as an independent practitioner and whose licensure allows for the
23 diagnosis and treatment of mental disorders. When a client has symptoms
24 of a mental disorder, a licensed professional counselor shall consult with
25 the client's primary care physician or psychiatrist to determine if there may
26 be a medical condition or medication that may be causing or contributing
27 to the client's symptoms of a mental disorder. A client may request in
28 writing that such consultation be waived and such request shall be made a
29 part of the client's record. A licensed professional counselor may continue
30 to evaluate and treat the client until such time that the medical consultation
31 is obtained or waived.

32 (d) The board shall adopt rules and regulations establishing the
33 criteria that a college or university shall satisfy in order to be approved by
34 the board. The board may send a questionnaire developed by the board to
35 any college or university for which the board does not have sufficient
36 information to determine whether the school meets the requirements for
37 approval and rules and regulations adopted under this section. The
38 questionnaire providing the necessary information shall be completed and
39 returned to the board in order for the college or university to be considered
40 for approval. The board may contract with investigative agencies,
41 commissions or consultants to assist the board in obtaining information
42 about colleges and universities. In entering such contracts, the authority to
43 approve college and universities shall remain solely with the board.

1 (e) A person who is waiting to take the examination required by the
2 board may apply to the board for a temporary *professional counselor*
3 license to practice as a licensed professional counselor by:

4 (1) Paying an application fee of not more than \$150; and

5 (2) meeting the application requirements as stated in K.S.A. 65-
6 5804a(b)(1), (2) and (4), and amendments thereto.

7 (f) (1) A temporary *professional counselor* license may be issued by
8 the board after the application has been reviewed and approved by the
9 board and the applicant has paid the appropriate fee set by the board for
10 issuance of a temporary license.

11 (2) Absent extenuating circumstances approved by the board, a
12 temporary *professional counselor* license issued by the board shall expire
13 upon the date the board issues or denies a license to practice professional
14 counseling or ~~12~~ 24 months after the date of issuance of the temporary
15 license. No temporary license will be renewed or issued again on any
16 subsequent application for the same license level. The preceding
17 provisions in no way limit the number of times an applicant may take the
18 examination.

19 (g) A person practicing professional counseling with a temporary
20 *professional counselor* license may not use the title "licensed professional
21 counselor" or the initials "LPC" independently. The word "licensed" may
22 be used only when followed by the words "by temporary license," such as
23 licensed professional counselor by temporary license, or professional
24 counselor licensed by temporary license.

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

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

36 Sec. 4. K.S.A. 65-5806 is hereby amended to read as follows: 65-
37 5806. (a) An applicant who meets the requirements for licensure pursuant
38 to ~~this the~~ *professional counselors licensure* act, has paid the license fee
39 provided for by K.S.A. 65-5808, and amendments thereto, and has
40 otherwise complied with the provisions of this act shall be licensed by the
41 board.

42 (b) Licenses issued pursuant to this act shall expire 24 months from
43 the date of issuance unless revoked prior to that time. A license may be

1 renewed upon application and payment of the fee provided for by K.S.A.
2 65-5808, and amendments thereto. The application for renewal shall be
3 accompanied by evidence satisfactory to the board that the applicant has
4 completed during the previous 24 months the continuing education
5 required by rules and regulations of the board. *Prior to July 1, 2025, as*
6 *part of such continuing education, a licensee shall complete not less than*
7 *six continuing education hours relating to diagnosis and treatment of*
8 *mental disorders and not less than three continuing education hours of*
9 *professional ethics. On and after July 1, 2025, as part of such continuing*
10 *education, a licensee shall complete not less than three continuing*
11 *education hours relating to diagnosis and treatment of mental disorders,*
12 *not less than three continuing education hours of professional ethics and*
13 *not less than three continuing education hours in cultural diversity.*
14 *Acceptable continuing education hours in cultural diversity shall include,*
15 *but not be limited to, professional development regarding age, disability,*
16 *ethnicity, gender, gender identity, language, national origin, race, religion,*
17 *cultural, sexual orientation and socioeconomic status.*

18 (c) (1) *A licensee who is unable to complete the required continuing*
19 *education hours for renewal may request additional time to complete any*
20 *remaining continuing education hours. Such request shall be made to the*
21 *board not later than 30 calendar days prior to the expiration of the license*
22 *and shall include:*

23 (A) *The licensee's reason for requesting additional time, showing*
24 *extenuating circumstances for why the hours could not be completed*
25 *during the license period; and*

26 (B) *a plan outlining the manner in which the licensee intends to*
27 *complete the remaining continuing education hours.*

28 (2) *The board may grant a licensee up to three additional months*
29 *beyond the license expiration date to complete the required continuing*
30 *education hours.*

31 (3) *A licensee who receives additional time to complete continuing*
32 *education hours under this subsection shall:*

33 (A) *Renew the license prior to the license expiration date and report*
34 *to the board the number of continuing education hours completed on such*
35 *date;*

36 (B) *notify the board upon completing the remaining continuing*
37 *education hours; and*

38 (C) *be subject to an audit by the board of the total number of*
39 *continuing education hours completed for the applicable license period.*

40 (4) *Continuing education hours completed during additional time*
41 *granted under this subsection shall be credited only toward the*
42 *requirements for the license period for which additional time is granted.*

43 (5) *A licensee shall not be approved for additional time to complete*

1 continuing education requirements in consecutive license periods.

2 (d) A person whose license has been suspended or revoked may make
3 written application to the board requesting reinstatement of the license
4 upon termination of the period of suspension or revocation in a manner
5 prescribed by the board, ~~which~~ and such application shall be accompanied
6 by the fee provided for by K.S.A. 65-5808, and amendments thereto.

7 (e) (1) A person whose license has expired may make written
8 application to the board requesting reinstatement of the license in a
9 manner prescribed by the board, and such application shall be
10 accompanied by:

11 (A) The renewal fee established under K.S.A. 65-5808, and
12 amendments thereto, and, for any person whose license has been expired
13 for one year or less, an additional fee equal to the renewal fee; and

14 (B) evidence satisfactory to the board that the person has completed
15 during the previous 24 months the continuing education requirements for
16 one license period.

17 (2) A person requesting to reinstate a license that has been expired
18 for longer than one year who has not completed the necessary continuing
19 education hours for reinstatement may submit an application for a six-
20 month reinstatement temporary license in a manner prescribed by the
21 board, and such application shall be accompanied by the fee as provided
22 by K.S.A. 65-5808, and amendments thereto. A licensee practicing under a
23 six-month reinstatement temporary license shall complete the continuing
24 education requirements required for a permanent license prior to the
25 expiration of the temporary license and notify the board upon such
26 completion. A six-month reinstatement temporary license shall not be
27 extended or renewed.

28 (d)(f) Within 30 days after any change of permanent address, a
29 licensee shall notify the board of such change.

30 Sec. 5. K.S.A. 2022 Supp. 65-5807 is hereby amended to read as
31 follows: 65-5807. (a) The board may issue a license to an individual who
32 is currently registered, certified or licensed to practice professional
33 counseling in another jurisdiction if the board determines that:

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

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

39 (A) Registration, certification or licensure to practice professional
40 counseling with a similar scope of practice for at least ~~48 of the last 54~~ 12
41 months immediately preceding the application ~~with at least the minimum~~
42 professional experience as established by rules and regulations of the
43 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. *Upon notification from the*
21 *board that all eligibility requirements have been satisfied, the applicant*
22 *shall submit the license fee as provided by K.S.A. 65-5808, and*
23 *amendments thereto.*

24 Sec. 6. K.S.A. 2022 Supp. 65-5808 is hereby amended to read as
25 follows: 65-5808. (a) The board may ~~fix~~ collect the following fees, and
26 any such fees shall be established by rules and regulations adopted by the
27 board:

28 (1) For application for licensure as a professional counselor, not more
29 than \$100;

30 (2) for an original license as a professional counselor, not more than
31 \$175;

32 (3) for a temporary license as a professional counselor, not more than
33 \$175;

34 (4) *for a six-month reinstatement temporary license as a professional*
35 *counselor, not more than \$50;*

36 (5) for renewal for licensure as a professional counselor, not more
37 than \$150;

38 ~~(5)~~(6) for application for licensure as a clinical professional
39 counselor, not more than \$175;

40 ~~(6)~~(7) for licensure as a clinical professional counselor, not more than
41 \$175;

42 ~~(7)~~(8) for renewal for licensure as a clinical professional counselor,
43 not more than \$175;

1 (9) for a six-month reinstatement temporary license as a clinical
2 professional counselor, not more than \$50;

3 ~~(8)~~(10) for late renewal penalty, an amount equal to the fee for
4 renewal of a license;

5 ~~(9)~~(11) for reinstatement of a license, not more than \$175;

6 ~~(10)~~(12) for replacement of a license, not more than \$20;

7 ~~(11)~~(13) for a wallet card license, not more than \$5; and

8 ~~(12)~~(14) for application as a board-approved clinical supervisor, not
9 more than \$50.

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

11 Sec. 7. K.S.A. 65-6302 is hereby amended to read as follows: 65-
12 6302. As used in ~~this~~ *the social workers licensure act*, unless the context
13 clearly requires otherwise, ~~the following words and phrases shall have the~~
14 ~~meaning ascribed to them in this section.~~

15 (a) "Board" means the behavioral sciences regulatory board created
16 by K.S.A. 74-7501, *and amendments thereto.*

17 (b) "*Extenuating circumstances*" means any condition or situation
18 caused by events beyond a person's control that is sufficiently extreme in
19 nature to result in the:

20 (1) *Person's inability to comply with requirements; or*

21 (2) *inadvisability of requiring the person to comply with*
22 *requirements.*

23 (c) "*Psychotherapy*" means the use of psychological and social
24 methods within a professional relationship to assist the person or persons
25 to achieve a better psychosocial adaptation to acquire greater human
26 realization of psychosocial potential and adaptation to modify internal
27 and external conditions that affect individuals, groups or communities in
28 respect to behavior, emotions and thinking and in respect to their intra-
29 personal and inter-personal processes. *Forms of "psychotherapy" include,*
30 *but are not limited to, individual psychotherapy, conjoint marital therapy,*
31 *family therapy and group psychotherapy.*

32 (d) "Social work practice" means the professional activity of helping
33 individuals, groups or communities enhance or restore their capacity for
34 physical, social and economic functioning and the professional application
35 of social work values, principles and techniques in areas such as
36 psychotherapy, social service administration, social planning, social work
37 consultation and social work research to one or more of the following
38 ends: Helping people obtain tangible services; counseling with individuals,
39 families and groups; helping communities or groups provide or improve
40 social and health services; and participating in relevant social action. The
41 practice of social work requires knowledge of human development and
42 behavior; of social, economic and cultural institutions and forces; and of
43 the interaction of all these factors. Social work practice includes the

1 teaching of practicum courses in social work and includes the diagnosis
2 and treatment of mental disorders as authorized under K.S.A. 65-6306 and
3 65-6319, and amendments thereto.

4 ~~(e) "Psychotherapy" means the use of psychological and social~~
5 ~~methods within a professional relationship, to assist the person or persons~~
6 ~~to achieve a better psychosocial adaptation to acquire greater human~~
7 ~~realization of psychosocial potential and adaptation; to modify internal and~~
8 ~~external conditions which affect individuals, groups or communities in~~
9 ~~respect to behavior, emotions and thinking, in respect to their intra-~~
10 ~~personal and inter-personal processes. Forms of psychotherapy include but~~
11 ~~are not restricted to individual psychotherapy, conjoint marital therapy,~~
12 ~~family therapy and group psychotherapy.~~

13 Sec. 8. K.S.A. 2022 Supp. 65-6306 is hereby amended to read as
14 follows: 65-6306. (a) The board shall issue a license as a baccalaureate
15 social worker to an applicant who has:

16 (1) A baccalaureate degree from an accredited college or university,
17 including completion of a social work program recognized and approved
18 by the board, pursuant to rules and regulations adopted by the board;

19 (2) passed an examination approved by the board for this purpose;
20 ~~and~~

21 (3) satisfied the board that the applicant is a person who merits the
22 public trust; *and*

23 (4) *paid an application fee established by the board under K.S.A. 65-*
24 *6314, and amendments thereto, and, upon notification from the board that*
25 *all eligibility requirements have been satisfied, the license fee established*
26 *by the board pursuant to K.S.A. 65-5808, and amendments thereto.*

27 (b) (1) *An applicant for a baccalaureate social work license who*
28 *received a baccalaureate degree from a social work program in candidacy*
29 *status from an accrediting body recognized by the board may request a*
30 *temporary candidacy baccalaureate social work license upon:*

31 (A) *Demonstrating receipt of a baccalaureate degree from a college*
32 *or university, including completion of a social work program in candidacy*
33 *from an accrediting body recognized by the board;*

34 (B) *passing an examination approved by the board for the purpose of*
35 *such temporary candidacy licensure;*

36 (C) *submitting a completed, signed temporary candidacy*
37 *baccalaureate social work license application on a form and in a manner*
38 *provided by the board;*

39 (D) *satisfying the board that the applicant is a person who merits the*
40 *public trust; and*

41 (E) *paying the temporary candidacy baccalaureate social worker fee*
42 *as established under K.S.A. 65-6314, and amendments thereto, upon*
43 *notification from the board that all eligibility requirements have been*

1 *satisfied.*

2 (2) *A temporary candidacy baccalaureate social work license shall*
 3 *expire on the last day of the 24th month after the temporary candidacy*
 4 *baccalaureate social work license's effective date. Such license is*
 5 *nonrenewable, but, upon request by the license holder using a form*
 6 *approved by the board and paying the appropriate fee, the license shall be*
 7 *extended upon a showing that the social work program remains in*
 8 *candidacy status with the accrediting body recognized by the board. In all*
 9 *professional use of the social worker's name, an individual with a*
 10 *temporary candidacy baccalaureate social work license shall represent*
 11 *themselves as a temporary candidacy baccalaureate social worker. An*
 12 *individual with such license may not use the credentials "LBSW." The*
 13 *word "licensed" may be used only when followed by the words "by*
 14 *temporary candidacy license." An individual issued a temporary*
 15 *candidacy baccalaureate social work license shall practice under*
 16 *supervision and shall not be required to complete continuing education. If*
 17 *the accrediting body recognized by the board grants accreditation to the*
 18 *program in candidacy status, the holder of the temporary candidacy*
 19 *baccalaureate social work license shall receive a permanent license upon*
 20 *payment of the appropriate fee. If the accrediting body recognized by the*
 21 *board does not grant accreditation to the program in candidacy status, the*
 22 *board shall immediately revoke the temporary license and notify the*
 23 *licensee of the revocation of such license.*

24 (c) *The board shall issue a license as a master social worker to an*
 25 *applicant who has:*

26 (1) ~~*Except as provided in subsection (f),*~~ *A master's degree from an*
 27 *accredited college or university, including completion of a social work*
 28 *program recognized and approved by the board, pursuant to rules and*
 29 *regulations adopted by the board;*

30 (2) *passed an examination approved by the board for this purpose;*
 31 ~~*and*~~

32 (3) *satisfied the board that the applicant is a person who merits the*
 33 *public trust; and*

34 (4) *paid an application fee established by the board under K.S.A. 65-*
 35 *6314, and amendments thereto, and, upon notification from the board that*
 36 *all eligibility requirements have been satisfied, paid the license fee*
 37 *established under K.S.A. 65-5808, and amendments thereto.*

38 (d) (1) *An applicant for a master social work license who received a*
 39 *master's degree from a social work program in candidacy status from an*
 40 *accrediting body recognized by the board may request a temporary*
 41 *candidacy master social work license upon:*

42 (A) *Demonstrating receipt of a master's degree from a college or*
 43 *university, including completion of a social work program in candidacy*

1 *from an accrediting body recognized by the board;*

2 *(B) passing an examination approved by the board for the purpose of*
3 *such temporary candidacy licensure;*

4 *(C) submitting a completed, signed temporary candidacy master*
5 *social work license application on a form and in a manner provided by the*
6 *board;*

7 *(D) satisfying the board that the applicant is a person who merits the*
8 *public trust; and*

9 *(E) paying the temporary candidacy master social worker fee as*
10 *established under K.S.A. 65-6314, and amendments thereto, upon*
11 *notification from the board that all eligibility requirements have been*
12 *satisfied.*

13 *(2) A temporary candidacy master social work license shall expire on*
14 *the last day of the 24th month after the temporary candidacy master social*
15 *work license's effective date. Such license is nonrenewable, but, upon*
16 *request by the license holder using a form approved by the board and*
17 *paying the appropriate fee, the license shall be extended upon a showing*
18 *that the social work program remains in candidacy status with the*
19 *accrediting body recognized by the board. In all professional use of the*
20 *social worker's name, an individual with a temporary candidacy master*
21 *social work license shall represent themselves as a temporary candidacy*
22 *master social worker. An individual with such license shall not use the*
23 *credentials "LMSW." The word "licensed" may be used only when followed*
24 *by the words "by temporary candidacy license." An individual issued a*
25 *temporary candidacy master social work license shall practice under*
26 *supervision and shall not be required to complete continuing education. If*
27 *the accrediting body recognized by the board grants accreditation to the*
28 *program in candidacy status, the holder of the temporary candidacy*
29 *master social work license shall receive a permanent license upon*
30 *payment of the appropriate fee. If the accrediting body recognized by the*
31 *board does not grant accreditation to the program in candidacy status, the*
32 *board shall immediately revoke the temporary license and notify the*
33 *licensee of the revocation of such license.*

34 ~~(e)~~(e) *The board shall issue a license in one of the social work*
35 *specialties to an applicant who has:*

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

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

43 *(3) passed an examination approved by the board for this purpose;*

1 and

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

4 (5) upon notification from the board that all eligibility requirements
5 have been satisfied, paid the license fee established under K.S.A. 65-6314,
6 and amendments thereto.

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

9 (A) Has met the requirements of subsection~~(e)~~ (e);

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

17 (C) has completed a graduate level supervised clinical practicum of
18 supervised professional experience, including psychotherapy and
19 assessment, integrating diagnosis and treatment of mental disorders with
20 use of the American psychiatric association's diagnostic and statistical
21 manual or additional postgraduate supervised experience as determined by
22 the board;

23 (D) has completed as part of or in addition to the requirements of
24 subsection~~(e)~~ (e) not less than two years of postgraduate supervised
25 professional experience, in accordance with a clinical supervision plan
26 approved by the board of not less than 3,000 hours of supervised
27 professional experience including at least 1,500 hours of direct client
28 contact conducting psychotherapy and assessments with individuals,
29 couples, families or groups and not less than 100 hours of face-to-face
30 clinical supervision, as defined by the board in rules and regulations,
31 including not less than 50 hours of individual supervision, except that the
32 board may waive the requirement that such supervision be face-to-face
33 upon a finding of extenuating circumstances, integrating diagnosis and
34 treatment of mental disorders with use of the American psychiatric
35 association's diagnostic and statistical manual;

36 (E) for persons earning a degree under subsection (c) prior to July 1,
37 2003, in lieu of the education and training requirements under
38 subparagraphs (B) and (C), has completed the education requirements for
39 licensure as a specialist clinical social worker in effect on the day
40 immediately preceding the effective date of this act;

41 (F) for persons who apply for and are eligible for a temporary license
42 to practice as a specialist clinical social worker on the day immediately
43 preceding the effective date of this act, in lieu of the education and training

1 requirements under subparagraphs (B), (C) and (D), has completed the
2 education and training requirements for licensure as a specialist clinical
3 social worker in effect on the day immediately preceding the effective date
4 of this act;

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

6 (H) has paid the application fee.

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

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

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

32 ~~(e)~~(g) The board shall adopt rules and regulations establishing the
33 criteria that a social work program of a college or university shall satisfy to
34 be recognized and approved by the board under this section. The board
35 may send a questionnaire developed by the board to any college or
36 university conducting a social work program for which the board does not
37 have sufficient information to determine whether the program should be
38 recognized and approved by the board and whether the program meets the
39 rules and regulations adopted under this section. The questionnaire
40 providing the necessary information shall be completed and returned to the
41 board in order for the program to be considered for recognition and
42 approval. The board may contract with investigative agencies,
43 commissions or consultants to assist the board in obtaining information

1 about a social work program of a college or university. In entering such
2 contracts the authority to recognize and approve a social work program of
3 a college or university shall remain solely with the board.

4 ~~(f)~~(h) (1) Notwithstanding any pending candidacy for accreditation of
5 the masters of social work program at Fort Hays state university, the board
6 shall:

7 (A) Accept a master's degree from such program as from an
8 accredited college or university for the purpose of issuing a license as a
9 master social worker to an applicant under subsection (b); and

10 (B) not impose any additional or alternative requirements to
11 accreditation upon an applicant with such degree based on such program's
12 pending candidacy for accreditation.

13 (2) The provisions of this subsection shall apply retroactively and
14 shall expire on July 1, 2023.

15 Sec. 9. K.S.A. 2022 Supp. 65-6309 is hereby amended to read as
16 follows: 65-6309. (a) An applicant shall be exempted from the requirement
17 for any examination provided for herein, if the applicant has taken and
18 passed an examination similar to that for which exemption is sought, as
19 determined by the board.

20 (b) Upon application, the board shall issue ~~a temporary license~~
21 *bachelor's social work license or a temporary master's social work license*
22 to persons who have submitted documentation and met all qualifications
23 for licensure under provisions of this act, except passage of the required
24 examination, and who have paid the required fee.

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

34 (d) No person ~~may~~ *shall* work under a temporary *bachelor's social*
35 *work license or a temporary master's social work license* except under the
36 supervision of a licensed social worker.

37 (e) Nothing in this section shall affect any temporary license to
38 practice issued under this section prior to the effective date of this act and
39 in effect on the effective date of this act. Such temporary license shall be
40 subject to the provisions of this section in effect at the time of its issuance
41 and shall continue to be effective until the date of expiration of the license
42 as provided under this section at the time of issuance of such temporary
43 license.

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

4 (g) A person practicing social work with a temporary license may not
5 use the title "licensed baccalaureate social worker" or "licensed master
6 social worker" or use the initials "LBSW" or "LMSW," independently. The
7 word "licensed" may be used only when followed by the words "by
8 temporary license."

9 Sec. 10. K.S.A. 65-6313 is hereby amended to read as follows: 65-
10 6313. (a) All licenses issued shall be effective upon the date issued and
11 shall expire at the end of 24 months from the date of issuance.

12 (b) (1) Except as otherwise provided in K.S.A. 65-6311, and
13 amendments thereto, a license may be renewed by the payment of the
14 renewal fee set forth in K.S.A. 65-6314, and amendments thereto, and the
15 execution and submission of a signed statement, on a form to be provided
16 by the board, attesting that the applicant's license has been neither revoked
17 nor currently suspended and that applicant has met the requirements for
18 continuing education established by the board including not less than three
19 continuing education hours of professional ethics.

20 (2) *On and after July 1, 2025, an applicant for renewal of a license,*
21 *as part of such continuing education, shall complete not less than three*
22 *continuing education hours in cultural diversity. Acceptable continuing*
23 *education hours in cultural diversity shall include, but not be limited to,*
24 *professional development regarding age, disability, ethnicity, gender,*
25 *gender identity, language, national origin, race, religion, cultural, sexual*
26 *orientation and socioeconomic status.*

27 (3) *Prior to July 1, 2025, an applicant for renewal of a license as a*
28 *master social worker or a specialist clinical social worker, as part of such*
29 *continuing education, shall complete not less than six continuing education*
30 *hours relating to diagnosis and treatment of mental disorders. On and after*
31 *July 1, 2025, such applicant shall complete not less than three continuing*
32 *education hours relating to diagnosis and treatment of mental disorders.*

33 ~~(3)(4)~~ (4) An applicant for first time licensure renewal as a baccalaureate
34 social worker, master social worker or specialist clinical social worker, as
35 part of such continuing education, shall complete not less than six hours of
36 social worker safety awareness training. If the applicant for first time
37 licensure renewal has already taken such training, as part of a previous
38 level of social work licensure renewal, then the applicant is not required to
39 complete an additional six hours of social worker safety training.

40 (c) The application for renewal shall be made on or before the date of
41 the expiration of the license or on or before the date of the termination of
42 the period of suspension.

43 ~~(d) If the application for renewal, including payment of the required~~

1 renewal fee, is not made on or before the date of the expiration of the
2 license, the license is void, and no license shall be reinstated except upon
3 payment of the required renewal fee established under K.S.A. 65-6314,
4 and amendments thereto, plus a penalty equal to the renewal fee, and proof
5 satisfactory to the board of the completion of 40 hours of continuing
6 education within two years prior to application for reinstatement. Upon
7 receipt of such payment and proof, the board shall reinstate the license. A
8 license shall be reinstated under this subsection, upon receipt of such
9 payment and proof, at any time after the expiration of such license. (1) A
10 licensee who is unable to complete the required continuing education
11 hours for renewal may request additional time to complete any remaining
12 continuing education hours. Such request shall be made to the board not
13 later than 30 calendar days prior to the expiration of the license and shall
14 include:

15 (A) The licensee's reason for requesting additional time, showing
16 extenuating circumstances for why the hours could not be completed
17 during the license period; and

18 (B) a plan outlining the manner in which the licensee intends to
19 complete the remaining continuing education hours.

20 (2) The board may grant a licensee up to three additional months
21 beyond the license expiration date to complete the required continuing
22 education hours.

23 (3) A licensee who receives additional time to complete continuing
24 education hours under this subsection shall:

25 (A) Renew the license prior to the license expiration date and report
26 to the board the number of continuing education hours completed on such
27 date;

28 (B) notify the board upon completing the remaining continuing
29 education hours; and

30 (C) be subject to an audit by the board of the total number of
31 continuing education hours completed for the applicable license period.

32 (4) Continuing education hours completed during additional time
33 granted under this subsection shall be credited only toward the
34 requirements for the license period for which additional time is granted.

35 (5) A licensee shall not be approved for additional time to complete
36 continuing education requirements in consecutive license periods.

37 (e) (1) A person whose license has expired may make written
38 application to the board requesting reinstatement of the license in a
39 manner prescribed by the board, and such application shall be
40 accompanied by:

41 (A) The renewal fee established under K.S.A. 65-6314, and
42 amendments thereto, and, for any person whose license has been expired
43 for one year or less, an additional fee equal to the renewal fee; and

1 (B) *evidence satisfactory to the board that the person has completed*
2 *during the previous 24 months the continuing education requirements for*
3 *one license period.*

4 (2) *A person requesting to reinstate a license that has been expired*
5 *for longer than one year who has not completed the necessary continuing*
6 *education hours for reinstatement may submit an application for a six-*
7 *month reinstatement temporary license in a manner prescribed by the*
8 *board, and such application shall be accompanied by the fee established*
9 *under K.S.A. 65-6314, and amendments thereto. A licensee practicing*
10 *under a six-month reinstatement temporary license shall complete the*
11 *continuing education requirements required for a permanent license prior*
12 *to the expiration of the temporary license and notify the board upon such*
13 *completion. A six-month reinstatement temporary license shall not be*
14 *extended or renewed.*

15 ~~(e)~~(f) In case of a lost or destroyed license, and upon satisfactory
16 proof of the loss or destruction thereof, the board may issue a duplicate
17 license and shall charge a fee as set forth in K.S.A. 65-6314, and
18 amendments thereto, for such duplicate license.

19 ~~(f)~~(g) Within 30 days after any change of permanent address, a
20 licensee shall notify the board of such change.

21 Sec. 11. K.S.A. 65-6314 is hereby amended to read as follows: 65-
22 6314. (a) The following fees may be established by the board in
23 accordance with the following limitations, and any such fees shall be
24 established by rules and regulations adopted by the board:

25 (1) Renewal or reinstatement fee for a license as a social work
26 associate shall be not more than \$150.

27 (2) Application, new license, reinstatement or renewal fee for a
28 license as a baccalaureate social worker shall be not more than \$150.

29 (3) Application, new license, reinstatement or renewal fee for a
30 license as master social worker shall be not more than \$150.

31 (4) Application, new license, reinstatement or renewal fee for a
32 license in a social work specialty shall be not more than \$150.

33 (5) Replacement fee for reissuance of a license certificate due to loss
34 or name change shall be not more than \$20.

35 (6) Replacement fee for reissuance of a wallet card shall be not more
36 than \$5.

37 (7) Temporary license fee for a baccalaureate social worker, master
38 social worker or a social work specialty shall be not more than \$50.

39 (8) *Temporary candidacy license fee for a baccalaureate social*
40 *worker, master social worker or a social work specialty shall be not more*
41 *than \$75.*

42 (9) *Six-month reinstatement temporary license fee for a*
43 *baccalaureate social worker, master social worker or a social work*

1 *specialty shall be not more than \$50.*

2 (10) Application fee for approval as board-approved continuing
3 education sponsors shall be as follows:

4 (A) Initial application fee for one year provisionally approved
5 providers shall be not more than \$125;

6 (B) three-year renewal fees for approved providers shall be not more
7 than \$350; and

8 (C) application fees for single program providers shall be not more
9 than \$50 for each separately offered continuing education activity for
10 which prior approval is sought.

11 (11) *Application for approval as a board-approved clinical*
12 *supervisor shall be not more than \$50.*

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

14 Sec. 12. K.S.A. 2022 Supp. 65-6322 is hereby amended to read as
15 follows: 65-6322. (a) The board may issue a license to an individual who
16 is currently registered, certified or licensed to practice social work in
17 another jurisdiction, if the board determines that:

18 (1) The standards for registration, certification or licensure to practice
19 social work at the baccalaureate level in another jurisdiction are
20 substantially the equivalent of the requirements in the social workers
21 licensure act and rules and regulations of the board for licensure as a
22 baccalaureate social worker; or

23 (2) the applicant demonstrates compliance on forms set by the board;
24 with the following standards as adopted by the board:

25 (A) Registration, certification or licensure to practice social work at
26 the baccalaureate level *with a similar scope of practice* for at least 48 of
27 ~~the last 54~~ 12 months immediately preceding the application, ~~with at least~~
28 ~~the minimum professional experience as established by rules and~~
29 ~~regulations of the board;~~

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

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

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

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

41 (2) the applicant demonstrates compliance on forms set by the board;
42 with the following standards as adopted by the board:

43 (A) Registration, certification or licensure to practice social work at

1 the master level *with a similar scope of practice* for at least ~~48~~ of the last
2 ~~54~~ 12 months immediately preceding the application ~~with at least the~~
3 ~~minimum professional experience as established by rules and regulations~~
4 ~~of the board;~~

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

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

9 (c) Applicants for licensure as a specialist clinical social worker shall
10 demonstrate:

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

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

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

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

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

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

23 (d) An applicant for a license under this section shall pay an
24 application fee established by the board under K.S.A. 65-6411, and
25 amendments thereto, if required by the board. *Upon notification from the*
26 *board that all eligibility requirements have been satisfied, the applicant*
27 *shall submit the license fee as provided in K.S.A. 65-6411, and*
28 *amendments thereto.*

29 Sec. 13. K.S.A. 65-6402 is hereby amended to read as follows: 65-
30 6402. As used in the marriage and family therapists licensure act:

31 (a) "Board" means the behavioral sciences regulatory board created
32 under K.S.A. 74-7501 and amendments thereto.

33 (b) ~~"Marriage and family therapy" means the assessment and~~
34 ~~treatment of cognitive, affective or behavioral problems within the context~~
35 ~~of marital and family systems and includes the diagnosis and treatment of~~
36 ~~mental disorders as authorized under the marriage and family therapists~~
37 ~~licensure act.~~

38 (c) ~~"Licensed marriage and family therapist" means a person who~~
39 ~~engages in the practice of marriage and family therapy and who is licensed~~
40 ~~under this act except that on and after January 1, 2002, such person shall~~
41 ~~engage in the practice of marriage and family therapy only under the~~
42 ~~direction of a licensed clinical marriage and family therapist, a licensed~~
43 ~~psychologist, a person licensed to practice medicine and surgery or a~~

1 ~~person licensed to provide mental health services as an independent~~
2 ~~practitioner and whose licensure allows for the diagnosis and treatment of~~
3 ~~mental disorders~~ "Extenuating circumstances" means any condition or
4 situation caused by events beyond an individual's control that is
5 sufficiently extreme in nature to result in the:

6 (1) Individual's inability to comply with requirements; or
7 (2) inadvisability of requiring the individual to comply with
8 requirements.

9 ~~(d)~~(c) "Licensed clinical marriage and family therapist" means a
10 person who engages in the independent practice of marriage and family
11 therapy including the diagnosis and treatment of mental disorders specified
12 in the edition of the diagnostic and statistical manual of mental disorders
13 of the American psychiatric association designated by the board by rules
14 and regulations and is licensed under this act.

15 (d) "Licensed marriage and family therapist" means a person who
16 engages in the practice of marriage and family therapy, is licensed under
17 this act and engages in the practice of marriage and family therapy only
18 under the direction of a licensed clinical marriage and family therapist, a
19 licensed psychologist, a person licensed to practice medicine and surgery
20 or a person licensed to provide mental health services as an independent
21 practitioner and whose licensure allows for the diagnosis and treatment of
22 mental disorders.

23 (e) "Marriage and family therapy" means the assessment and
24 treatment of cognitive, affective or behavioral problems within the context
25 of marital and family systems and includes the diagnosis and treatment of
26 mental disorders as authorized under the marriage and family therapists
27 licensure act.

28 Sec. 14. K.S.A. 2022 Supp. 65-6404 is hereby amended to read as
29 follows: 65-6404. (a) An applicant for licensure as a marriage and family
30 therapist shall furnish evidence that the applicant has:

31 (1) Attained 21 years of age;
32 (2) (A) completed a master's or doctoral degree from a marriage and
33 family therapy program, in an educational institution with standards
34 approved by the board; (B) has completed a master's or doctoral degree
35 from an educational institution in a related field for which the course work
36 is considered by the board to be equivalent to that provided in
37 subparagraph (A) and consists of a minimum of nine semester hours in
38 human development, nine semester hours in theories of marriage and
39 family functioning, nine semester hours of marital and family assessment
40 and therapy, three semester hours in professional studies and three
41 semester hours in research *and has completed an academically supervised*
42 *practicum in the master's degree program with at least 300 hours of direct*
43 *client contact or a combined 300 hours of direct client contact and*

1 *additional postgraduate supervised experience*; or (C) completed a
2 master's or doctoral degree from an educational institution in a related field
3 with additional work from an educational program in marriage and family
4 therapy approved by the board and such degree program and additional
5 work includes the course work requirements provided in subparagraph (B);

6 (3) passed an examination approved by the board;

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

9 (5) paid the application fee established by the board under K.S.A. 65-
10 6411, and amendments thereto.

11 (b) (1) Applications for licensure as a clinical marriage and family
12 therapist shall be made to the board on a form and in the manner
13 prescribed by the board. Each applicant shall furnish evidence satisfactory
14 to the board that the applicant:

15 (A) Is licensed by the board as a licensed marriage and family
16 therapist or meets all requirements for licensure as a marriage and family
17 therapist;

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

25 (C) has completed a graduate level supervised clinical practicum of
26 supervised professional experience including psychotherapy and
27 assessment with individuals, couples, families or groups, integrating
28 diagnosis and treatment of mental disorders with use of the American
29 psychiatric association's diagnostic and statistical manual, with not less
30 than ~~350~~ 300 hours of direct client contact or additional postgraduate
31 supervised experience as determined by the board;

32 (D) has completed not less than two years of postgraduate supervised
33 professional experience in accordance with a clinical supervision plan
34 approved by the board of not less than 3,000 hours of supervised
35 professional experience including at least 1,500 hours of direct client
36 contact conducting psychotherapy and assessments with individuals,
37 couples, families or groups and not less than 100 hours of face-to-face
38 clinical supervision, as defined by the board in rules and regulations,
39 including not less than 50 hours of individual supervision, except that the
40 board may waive the requirement that such supervision be face-to-face
41 upon a finding of extenuating circumstances, integrating diagnosis and
42 treatment of mental disorders with use of the American psychiatric
43 association's diagnostic and statistical manual, except that the board may

1 waive $\frac{1}{2}$ of the hours required by this subparagraph for an individual who
2 has a doctor's degree in marriage and family therapy or a related field
3 acceptable to the board and who completes the required $\frac{1}{2}$ of the hours in
4 not less than one year of supervised professional experience;

5 (E) for persons who earned a degree under subsection (a) prior to July
6 1, 2003, in lieu of the education and training requirements under
7 subparagraphs (B) and (C), has completed the education requirements for
8 licensure as a marriage and family therapist in effect on the day
9 immediately preceding the effective date of this act;

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

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

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

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

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

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

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

41 (3) A licensed clinical marriage and family therapist may engage in
42 the independent practice of marriage and family therapy and is authorized
43 to diagnose and treat mental disorders specified in the edition of the

1 diagnostic and statistical manual of mental disorders of the American
2 psychiatric association designated by the board by rules and regulations.
3 When a client has symptoms of a mental disorder, a licensed clinical
4 marriage and family therapist shall consult with the client's primary care
5 physician or psychiatrist to determine if there may be a medical condition
6 or medication that may be causing or contributing to the client's symptoms
7 of a mental disorder. A client may request in writing that such consultation
8 be waived and such request shall be made a part of the client's record. A
9 licensed clinical marriage and family therapist may continue to evaluate
10 and treat the client until such time that the medical consultation is obtained
11 or waived.

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

29 Sec. 15. K.S.A. 2022 Supp. 65-6405 is hereby amended to read as
30 follows: 65-6405. (a) A person who is waiting to take the examination
31 required by the board may apply to the board for a temporary *marriage*
32 *and family therapy* license to practice as a licensed marriage and family
33 therapist by:

34 (1) ~~Paying an application~~ *a temporary license* fee as established by
35 the board under K.S.A. 65-6411, and amendments thereto; and

36 (2) meeting the application requirements as stated in K.S.A. 65-
37 6404(a)(1), (a)(2) ~~and~~, (a)(4) *and (a)(5)*, and amendments thereto.

38 (b) *A person who is waiting to take the license examination required*
39 *by the board, and who has not completed a practicum including 300 hours*
40 *of direct client contact but has been approved by the board to complete*
41 *other postgraduate experience totaling 300 hours, may apply to the board*
42 *for a temporary marriage and family therapy license to practice as a*
43 *licensed marriage and family therapist by:*

1 (1) *Paying a temporary license fee established by the board under*
2 *K.S.A. 65-6411, and amendments thereto; and*

3 (2) *meeting the application requirements as stated in K.S.A. 65-*
4 *6404(a)(1), (a)(2), (a)(4) and (a)(5), and amendments thereto, and, except*
5 *for the requirement to complete a practicum or other postgraduate*
6 *experience, the requirements of K.S.A. 65-6404(a)(2), and amendments*
7 *thereto.*

8 (c) (1) A temporary *marriage and family therapy* license may be
9 issued by the board after the application has been reviewed and approved
10 by the board and the applicant has paid the appropriate fee as established
11 by the board under K.S.A. 65-6411, and amendments thereto.

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

17 (3) No temporary license shall be renewed or issued again on any
18 subsequent application for the same license level. The preceding provision
19 in no way limits the number of times an applicant may take the
20 examination.

21 (c) A person practicing marriage and family therapy with a temporary
22 *marriage and family therapy* license may not use the title "licensed
23 marriage and family therapist" or the initials "LMFT" independently. The
24 word "licensed" may be used only when followed by the words "by
25 temporary license."

26 (d) No person may practice marriage and family therapy under a
27 temporary *marriage and family therapy* license except under the
28 supervision of a person licensed by the behavioral sciences regulatory
29 board at the independent level.

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

37 Sec. 16. K.S.A. 2022 Supp. 65-6406 is hereby amended to read as
38 follows: 65-6406. (a) The board may issue a license to an individual who
39 is currently registered, certified or licensed to practice marriage and family
40 therapy in another jurisdiction if the board determines that:

41 (1) The standards for registration, certification or licensure to practice
42 marriage and family therapy in the other jurisdiction are substantially the
43 equivalent of the requirements of the marriage and family therapists

1 licensure act and rules and regulations of the board; *or*

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

4 (A) Registration, certification or licensure to practice marriage and
5 family therapy *with a similar scope of practice* for at least ~~48 of the last 54~~
6 *12* months immediately preceding the application ~~with at least the~~
7 ~~minimum professional experience as established by rules and regulations~~
8 ~~of the board;~~

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

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

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

18 (1) Either graduate coursework as established by rules and
19 regulations of the board or passing a national clinical examination
20 approved by the board;

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

23 (3) attestation from a professional licensed to diagnose and treat
24 mental disorders in independent practice or licensed to practice medicine
25 and surgery stating that the applicant is competent to diagnose and treat
26 mental disorders.

27 (c) An applicant for a license under this section shall pay an
28 application fee established by the board under K.S.A. 65-6411, and
29 amendments thereto, if required by the board. *Upon notification from the*
30 *board that all eligibility requirements have been satisfied, the applicant*
31 *shall pay the license fee as provided in K.S.A. 65-6411, and amendments*
32 *thereto.*

33 Sec. 17. K.S.A. 65-6407 is hereby amended to read as follows: 65-
34 6407. (a) An applicant who meets the requirements for licensure pursuant
35 to this act, has paid the license fee provided for by K.S.A. 65-6411, and
36 amendments thereto, and has otherwise complied with the provisions of
37 this act shall be licensed by the board.

38 (b) Licenses issued pursuant to this act shall expire 24 months from
39 the date of issuance unless revoked prior to that time. A license may be
40 renewed upon application and payment of the fee provided for by K.S.A.
41 65-6411, and amendments thereto. The application for renewal shall be
42 accompanied by evidence satisfactory to the board that the applicant has
43 completed during the previous 24 months the continuing education

1 required by rules and regulations of the board. *Prior to July 1, 2025, as*
2 *part of such continuing education, the applicant shall complete not less*
3 *than six continuing education hours relating to diagnosis and treatment of*
4 *mental disorders and not less than three continuing education hours of*
5 *professional ethics. On and after July 1, 2025, as part of such continuing*
6 *education, a licensee shall complete not less than three continuing*
7 *education hours relating to diagnosis and treatment of mental disorders,*
8 *not less than three continuing education hours of professional ethics and*
9 *not less than three continuing education hours in cultural diversity.*
10 *Acceptable continuing education hours in cultural diversity shall include,*
11 *but not be limited to, professional development regarding age, disability,*
12 *ethnicity, gender, gender identity, language, national origin, race, religion,*
13 *cultural, sexual orientation and socioeconomic status.*

14 (c) (1) *A licensee who is unable to complete the required continuing*
15 *education hours for renewal may request additional time to complete any*
16 *remaining continuing education hours. Such request shall be made to the*
17 *board not later than 30 calendar days prior to the expiration of the license*
18 *and shall include:*

19 (A) *The licensee's reason for requesting additional time, showing*
20 *extenuating circumstances for why the hours could not be completed*
21 *during the license period; and*

22 (B) *a plan outlining the manner in which the licensee intends to*
23 *complete the remaining continuing education hours.*

24 (2) *The board may grant a licensee up to three additional months*
25 *beyond the license expiration date to complete the required continuing*
26 *education hours.*

27 (3) *A licensee who receives additional time to complete continuing*
28 *education hours under this subsection shall:*

29 (A) *Renew the license prior to the license expiration date and report*
30 *to the board the number of continuing education hours completed on such*
31 *date;*

32 (B) *notify the board upon completing the remaining continuing*
33 *education hours; and*

34 (C) *be subject to an audit by the board of the total number of*
35 *continuing education hours completed for the applicable license period.*

36 (4) *Continuing education hours completed during additional time*
37 *granted under this subsection shall be credited only toward the*
38 *requirements for the license period for which additional time is granted.*

39 (5) *A licensee shall not be approved for additional time to complete*
40 *continuing education requirements in consecutive license periods.*

41 (d) *A person whose license has been suspended or revoked may make*
42 *written application to the board requesting reinstatement of the license*
43 *upon termination of the period of suspension or revocation in a manner*

1 prescribed by the board, which application shall be accompanied by the
2 fee provided for by K.S.A. 65-6411, and amendments thereto.

3 *(e) (1) A person whose license has expired may make written*
4 *application to the board requesting reinstatement of the license in a*
5 *manner prescribed by the board, and such application shall be*
6 *accompanied by:*

7 *(A) The renewal fee established under K.S.A. 65-6411, and*
8 *amendments thereto, and, for any person whose license has been expired*
9 *for one year or less, an additional fee equal to the renewal fee; and*

10 *(B) evidence satisfactory to the board that the person has completed*
11 *during the previous 24 months the continuing education requirements for*
12 *one license period.*

13 *(2) A person requesting to reinstate a license that has been expired*
14 *for longer than one year who has not completed the necessary continuing*
15 *education hours for reinstatement may submit an application for a six-*
16 *month reinstatement temporary license in a manner prescribed by the*
17 *board, and such application shall be accompanied by the fee established*
18 *under K.S.A. 65-6411, and amendments thereto. A licensee practicing*
19 *under a six-month reinstatement temporary license shall complete the*
20 *continuing education requirements required for a permanent license prior*
21 *to the expiration of the temporary license and notify the board upon such*
22 *completion. A six-month reinstatement temporary license shall not be*
23 *extended or renewed.*

24 ~~(d)~~(f) Within 30 days after any change of permanent address, a
25 licensee shall notify the board of such change.

26 Sec. 18. K.S.A. 2022 Supp. 65-6411 is hereby amended to read as
27 follows: 65-6411. (a) The board may ~~fix~~ collect the following fees, and
28 any such fees shall be established by rules and regulations adopted by the
29 board:

30 (1) For application for licensure as a marriage and family therapist,
31 not to exceed \$150;

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

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

36 (4) for renewal for licensure as a marriage and family therapist, not to
37 exceed \$175;

38 (5) *for a six-month reinstatement temporary license as a marriage*
39 *and family therapist, not to exceed \$50;*

40 (6) for application for licensure as a clinical marriage and family
41 therapist, not to exceed \$175;

42 ~~(6)~~(7) for original licensure as a clinical marriage and family
43 therapist, not to exceed \$175;

- 1 ~~(7)~~(8) for renewal for licensure as a clinical marriage and family
- 2 therapist, not to exceed \$175;
- 3 (9) for a six-month reinstatement temporary license as a clinical
- 4 marriage and family therapist, not more than \$50;
- 5 ~~(8)~~(10) for reinstatement of a license, not to exceed \$175;
- 6 ~~(9)~~(11) for replacement of a license, not to exceed \$20;
- 7 ~~(10)~~(12) for renewal penalty, an amount equal to the renewal of
- 8 license;
- 9 ~~(11)~~(13) for a wallet card license, not to exceed \$5; and
- 10 ~~(12)~~(14) for application for approval as a board-approved clinical
- 11 supervisor, not to exceed \$50.

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

13 Sec. 19. K.S.A. 65-6608 is hereby amended to read as follows: 65-

14 6608. As used in the addiction counselor licensure act:

15 ~~(a) "Board" means the behavioral sciences regulatory board created~~

16 ~~under K.S.A. 74-7501, and amendments thereto.~~

17 ~~(b)~~ "Addiction counseling" means the utilization of special skills to

18 assist persons with addictions, and to assist such persons' families and

19 friends to achieve resolution of addiction through the exploration of the

20 disease and its ramifications, the examination of attitudes and feelings, the

21 consideration of alternative solutions and decision making, as these relate

22 specifically to addiction. Evaluation and assessment, treatment including

23 treatment plan development, crisis intervention, referral, record keeping

24 and clinical consultation specifically related to addiction are within the

25 scope of addiction counseling. Additionally, at the clinical level of

26 licensure, addiction counseling includes independent practice and the

27 diagnosis and treatment of substance use disorders.

28 (b) "Board" means the behavioral sciences regulatory board created

29 under K.S.A. 74-7501, and amendments thereto.

30 (c) "Extenuating circumstances" means any condition or situation

31 caused by events beyond an individual's control that is sufficiently extreme

32 in nature to result in the:

33 (1) Individual's inability to comply with requirements; or

34 (2) inadvisability of requiring the individual to comply with

35 requirements.

36 (d) "Licensed addiction counselor" means a person who engages in

37 the practice of addiction counseling limited to substance use disorders and

38 who is licensed under this act. Such person shall engage in the practice of

39 addiction counseling in a state-licensed or certified alcohol and other drug

40 treatment program or in completing a Kansas domestic violence offender

41 assessment for participants in a certified batterer intervention program

42 pursuant to K.S.A. 75-7d01 through 75-7d13, and amendments thereto,

43 unless otherwise exempt from licensure under K.S.A. 59-29b46(n), and

1 amendments thereto.

2 ~~(d) "Licensed master's addiction counselor" means a person who~~
3 ~~engages in the practice of addiction counseling limited to substance use~~
4 ~~disorders and who is licensed under this act. Such person may diagnose~~
5 ~~substance use disorders only under the direction of a licensed clinical~~
6 ~~addiction counselor, a licensed psychologist, a person licensed to practice~~
7 ~~medicine and surgery or a person licensed to provide mental health~~
8 ~~services as an independent practitioner and whose licensure allows for the~~
9 ~~diagnosis and treatment of substance abuse disorders or mental disorders.~~

10 (e) "Licensed clinical addiction counselor" means a person who
11 engages in the independent practice of addiction counseling and diagnosis
12 and treatment of substance use disorders specified in the edition of the
13 American psychiatric association's diagnostic and statistical manual of
14 mental disorders (DSM) designated by the board by rules and regulations
15 and is licensed under this act.

16 *(f) "Licensed master's addiction counselor" means a person who*
17 *engages in the practice of addiction counseling limited to substance use*
18 *disorders and who is licensed under the addiction counselor licensure act.*
19 *Such person may diagnose substance use disorders only under the*
20 *direction of a licensed clinical addiction counselor, a licensed*
21 *psychologist, a person licensed to practice medicine and surgery or a*
22 *person licensed to provide mental health services as an independent*
23 *practitioner and whose licensure allows for the diagnosis and treatment of*
24 *substance abuse disorders or mental disorders.*

25 Sec. 20. K.S.A. 2022 Supp. 65-6610 is hereby amended to read as
26 follows: 65-6610. (a) An applicant for licensure as an addiction counselor
27 shall furnish evidence that the applicant:

28 (1) Has attained 21 years of age;

29 (2) (A) has completed at least a baccalaureate degree from an
30 addiction counseling program that is part of a college or university
31 approved by the board;

32 (B) has completed at least a baccalaureate degree from a college or
33 university approved by the board. As part of, or in addition to, the
34 baccalaureate degree coursework, such applicant shall also complete a
35 minimum number of semester hours of coursework on substance use
36 disorders as approved by the board;

37 (C) is currently licensed in Kansas as a licensed baccalaureate social
38 worker and has completed a minimum number of semester hours of
39 coursework on substance use disorders as approved by the board; or

40 (D) is currently licensed in Kansas by the board as a master social
41 worker, specialist clinical social worker, professional counselor, clinical
42 professional counselor, marriage and family therapist, clinical marriage
43 and family therapist, master's level psychologist, clinical psychotherapist

1 or psychologist. Such licensees shall be eligible to take the examination as
2 required by paragraph (3);

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

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

6 (5) has paid the application fee established by the board under K.S.A.
7 65-6618, and amendments thereto, *and, upon notification from the board*
8 *that all eligibility requirements have been satisfied, paid the license fee*
9 *established under K.S.A. 65-6618, and amendments thereto.*

10 (b) Applications for licensure as a master's addiction counselor shall
11 be made to the board on a form and in the manner prescribed by the board.
12 Each applicant shall furnish evidence satisfactory to the board that the
13 applicant:

14 (1) (A) Has attained 21 years of age;

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

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

23 (iii) is currently licensed in Kansas as a licensed master social
24 worker, licensed professional counselor, licensed marriage and family
25 therapist or licensed master's level psychologist;

26 (C) has passed an examination approved by the board;

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

29 (E) has paid the application fee ~~fixed~~ *set* under K.S.A. 65-6618, and
30 amendments thereto, *and, upon notification from the board that all*
31 *eligibility requirements have been satisfied, paid the license fee as*
32 *provided by K.S.A. 65-6618, and amendments thereto; or*

33 (2) (A) has met the following requirements on or before July 1, 2016:

34 (i) Holds an active license by the board as an addiction counselor; and

35 (ii) has completed at least a master's degree in a related field from a
36 college or university approved by the board; and

37 (B) has completed six hours of continuing education in the diagnosis
38 and treatment of substance use disorders during the three years
39 immediately preceding the application date.

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

1 (1) Has attained 21 years of age;

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

5 (ii) has completed not less than two years of postgraduate supervised
6 professional experience in accordance with a clinical supervision plan
7 approved by the board of not less than 3,000 hours of supervised
8 professional experience, including at least 1,500 hours of direct client
9 contact conducting substance abuse assessments and treatment with
10 individuals, couples, families or groups and not less than 100 hours of
11 face-to-face clinical supervision, as defined by the board in rules and
12 regulations, including not less than 50 hours of individual supervision,
13 except that the board may waive the requirement that such supervision be
14 face-to-face upon a finding of extenuating circumstances, integrating
15 diagnosis and treatment of substance use disorders with use of the
16 diagnostic and statistical manual of mental disorders of the American
17 psychiatric association, except that the board may waive $\frac{1}{2}$ of the hours
18 required by this clause for an individual who has a doctoral degree in
19 addiction counseling or a related field approved by the board and who
20 completes the required $\frac{1}{2}$ of the hours in not less than one year of
21 supervised professional experience; or

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

27 (ii) has completed not less than two years of postgraduate supervised
28 professional experience in accordance with a clinical supervision plan
29 approved by the board of not less than 3,000 hours of supervised
30 professional experience, including at least 1,500 hours of direct client
31 contact conducting substance abuse assessments and treatment with
32 individuals, couples, families or groups and not less than 100 hours of
33 face-to-face clinical supervision, as defined by the board in rules and
34 regulations, including not less than 50 hours of individual supervision,
35 except that the board may waive the requirement that such supervision be
36 face-to-face upon a finding of extenuating circumstances, integrating
37 diagnosis and treatment of substance use disorders with use of the
38 diagnostic and statistical manual of mental disorders of the American
39 psychiatric association, except that the board may waive $\frac{1}{2}$ of the hours
40 required by this clause for an individual who has a doctoral degree in
41 addiction counseling or a related field approved by the board and who
42 completes the required $\frac{1}{2}$ of the hours in not less than one year of
43 supervised professional experience; or

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

4 (ii) has completed not less than two years of postgraduate supervised
5 professional experience in accordance with a clinical supervision plan
6 approved by the board of not less than 3,000 hours of supervised
7 professional experience, including at least 1,500 hours of direct client
8 contact conducting substance abuse assessments and treatment with
9 individuals, couples, families or groups and not less than 100 hours of
10 face-to-face clinical supervision, as defined by the board in rules and
11 regulations, including not less than 50 hours of individual supervision,
12 except that the board may waive the requirement that such supervision be
13 face-to-face upon a finding of extenuating circumstances, integrating
14 diagnosis and treatment of substance use disorders with use of the
15 diagnostic and statistical manual of mental disorders of the American
16 psychiatric association, except that the board may waive $\frac{1}{2}$ of the hours
17 required by this clause for an individual who has a doctoral degree in
18 addiction counseling or a related field approved by the board and who
19 completes the required $\frac{1}{2}$ of the hours in not less than one year of
20 supervised professional experience; or

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

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

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

32 (5) has paid the application fee ~~fixed set~~ under K.S.A. 65-6618, and
33 amendments thereto, *and, upon notification from the board that all*
34 *eligibility requirements have been satisfied, paid the license fee*
35 *established under K.S.A. 65-6618, and amendments thereto.*

36 Sec. 21. K.S.A. 2022 Supp. 65-6611 is hereby amended to read as
37 follows: 65-6611. (a) A person who is waiting to take the examination for
38 licensure as an addiction counselor may apply to the board for a temporary
39 *addiction counselor* license to practice as a licensed addiction counselor
40 by:

41 (1) Paying a fee for a temporary license ~~fixed set~~ under K.S.A. 65-
42 6618, and amendments thereto; and

43 (2) meeting the application requirements as stated in K.S.A. 65-

1 6610(a)(1), (a)(2), (a)(4) and (a)(5), and amendments thereto.

2 (b) A person who is waiting to take the examination for licensure as a
3 master's addiction counselor may apply to the board for a temporary
4 *master's addiction counselor* license to practice as a licensed master's
5 addiction counselor by:

6 (1) Paying a fee for a temporary license ~~fixed set~~ under K.S.A. 65-
7 6618, and amendments thereto; and

8 (2) meeting the application requirements as stated in K.S.A. 65-
9 6610(b)(1)(A), (b)(1)(B), (b)(1)(D) and (b)(1)(E), and amendments
10 thereto.

11 (c) (1) A temporary *addiction counselor* license or *temporary*
12 *master's addiction counselor* license may be issued by the board after the
13 application has been reviewed and approved by the board and the applicant
14 has paid the appropriate fee ~~set by the board for issuance of new licenses~~.

15 (2) Absent extenuating circumstances approved by the board, a
16 temporary *addiction counselor* license or a *temporary master's addiction*
17 *counselor* license issued by the board shall expire upon the date the board
18 issues or denies the person a license to practice addiction counseling or ~~12~~
19 24 months after the date of issuance of the temporary *addiction counselor*
20 license or *temporary master's addiction counselor* license.

21 (3) No temporary *addiction counselor* license or *temporary master's*
22 *addiction counselor* license will be renewed or issued again on any
23 subsequent application for the same license level. The preceding provision
24 in no way limits the number of times an applicant may take the
25 examination.

26 (d) A person practicing addiction counseling with a temporary
27 *addiction counselor* license or a *temporary master's addiction counselor*
28 *license* may not use the title "licensed addiction counselor" or "licensed
29 master's addiction counselor" or use the initials "LAC" or "LMAC"
30 independently. The word "licensed" may be used only when followed by
31 the words "by temporary license."

32 (e) No person may practice addiction counseling under a temporary
33 *addiction counselor* license or a *temporary master's addiction counselor*
34 *license* except in a licensed or certified alcohol and other drug abuse
35 program, under the direction of a person licensed by the behavioral
36 sciences regulatory board at the clinical level or a person licensed to
37 practice medicine and surgery.

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

1 (g) *A person may apply to the board for a student temporary*
2 *addiction counselor license to practice as a student temporary addiction*
3 *counselor, on a form and in the manner prescribed by the board, by:*

4 (1) *Providing documentation of completing at least 60 credit hours*
5 *from an institution of higher education with an emphasis in addiction*
6 *counseling or a related field, as defined by the board in rules and*
7 *regulations;*

8 (2) *providing a signed attestation indicating the applicant's intention*
9 *to pursue licensure as a licensed addiction counselor with a plan to*
10 *complete the education requirements toward a licensed addiction*
11 *counseling license within 48 months;*

12 (3) *providing an education plan, signed by an official of the*
13 *institution of higher education, including steps to obtain coursework*
14 *necessary to receive an addiction counselor license;*

15 (4) *providing a signed attestation from a prospective employer who*
16 *intends to offer employment when the applicant receives the student*
17 *temporary addiction counselor license;*

18 (5) *submitting a supervision plan signed by a person who is*
19 *employed by the prospective employer and who would be providing*
20 *supervision to the applicant under K.S.A. 65-6611(i), and amendments*
21 *thereto. Such supervision plan shall include not less than 4 hours of*
22 *supervision per month and not fewer than 2 supervision meetings per*
23 *month. A maximum of 2 hours per month may be in group supervision;*

24 (6) *satisfying the board that the applicant is a person who merits the*
25 *public trust;*

26 (7) *attaining 20 years of age; and*

27 (8) *paying a fee for a student temporary addiction counselor license*
28 *established under K.S.A. 65-6618, and amendments thereto.*

29 (h) *A student temporary addiction counselor license issued by the*
30 *board shall expire upon the date the board issues the person a permanent*
31 *license to practice addiction counseling or 24 months after the date of*
32 *issuance of the student temporary addiction counselor license. A student*
33 *temporary addiction counselor license may be renewed for one additional*
34 *24-month period by demonstrating:*

35 (1) *Evidence of the person's compliance with the education plan,*
36 *including completion of coursework and remaining in good standing with*
37 *the institution of higher education;*

38 (2) *changes or updates to the education plan signed by a*
39 *representative of the institution of higher education;*

40 (3) *evidence of supervision logs signed by the supervisor and student*
41 *for the periods of supervision; and*

42 (4) *paying a fee for renewal of a student temporary addiction*
43 *counselor license established under K.S.A. 65-6618, and amendments*

1 *thereto.*

2 *(i) No person may practice addiction counseling under a student*
3 *temporary addiction counselor license except in a licensed or certified*
4 *alcohol and other drug abuse program, a certified community behavioral*
5 *health clinic or a community mental health center, supervised by a person*
6 *licensed by the behavioral sciences regulatory board as an addiction*
7 *counselor, master's addiction counselor or clinical addiction counselor or*
8 *other individual licensed by the behavioral sciences regulatory board*
9 *holding a license as a master's social worker, specialist clinical social*
10 *worker, professional counselor, clinical professional counselor, marriage*
11 *and family therapist, clinical marriage and family therapist, master's level*
12 *psychologist, clinical psychotherapist or psychologist.*

13 Sec. 22. K.S.A. 2022 Supp. 65-6613 is hereby amended to read as
14 follows: 65-6613. (a) The board may issue a license to an individual who
15 is currently registered, certified or licensed to practice addiction
16 counseling in another jurisdiction if the board determines that:

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

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

23 (A) Registration, certification or licensure to practice as an addiction
24 counselor *with a similar scope of practice* for at least ~~48 of the last 54~~ 12
25 months immediately preceding the application ~~with at least the minimum~~
26 ~~professional experience as established by rules and regulations of the~~
27 ~~board;~~

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

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

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

35 (1) (A) The standards for registration, certification or licensure to
36 practice addiction counseling at the master's level in the other jurisdiction
37 are substantially the equivalent of the requirements of the addiction
38 counselor licensure act and rules and regulations of the board; and

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

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

43 (A) Registration, certification or licensure to practice addiction

1 counseling at the master's level *with a similar scope of practice* for at least
2 ~~48 of the last 54 12~~ months immediately preceding the application ~~with at~~
3 ~~least the minimum professional experience as established by rules and~~
4 ~~regulations of the board;~~

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

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

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

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

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

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

20 (A) Registration, certification or licensure to practice addiction
21 counseling at the clinical level *with a similar scope of practice* for at least
22 ~~48 of the last 54 12~~ months immediately preceding the application ~~with at~~
23 ~~least the minimum professional experience as established by rules and~~
24 ~~regulations of the board;~~

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

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

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

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

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

34 (iii) attestation from a professional licensed to diagnose and treat
35 mental disorders, or substance use disorders, or both, in independent
36 practice or licensed to practice medicine and surgery, stating that the
37 applicant is competent to diagnose and treat substance use disorders.

38 (d) An applicant for a license under this section shall pay an
39 application fee established by the board under K.S.A. 65-6618, and
40 amendments thereto, if required by the board. *Upon notification from the*
41 *board that all eligibility requirements have been satisfied, the applicant*
42 *shall submit the license fee as provided in K.S.A. 65-6618, and*
43 *amendments thereto.*

1 Sec. 23. K.S.A. 65-6614 is hereby amended to read as follows: 65-
2 6614. (a) An applicant who meets the requirements for licensure pursuant
3 to this act, has paid the license fee provided for by K.S.A. 65-6618, and
4 amendments thereto, and has otherwise complied with the provisions of
5 this act shall be licensed by the board.

6 (b) Licenses issued pursuant to this act shall expire 24 months from
7 the date of issuance unless revoked prior to that time. A license may be
8 renewed upon application and payment of the fee provided for by K.S.A.
9 65-6618, and amendments thereto. The application for renewal shall be
10 accompanied by evidence satisfactory to the board that the applicant has
11 completed during the previous 24 months the continuing education
12 required by rules and regulations of the board, including not less than three
13 hours in ethics. ~~In addition~~ *Prior to July 1, 2025*, as part of such
14 continuing education, the master's addiction counselor applicant and the
15 clinical addiction counselor applicant shall complete not less than six
16 continuing education hours relating to diagnosis and treatment of
17 substance use disorders. *On and after July 1, 2025, as part of such*
18 *continuing education:*

19 (1) *A master's addiction counselor applicant or clinical addiction*
20 *counselor applicant shall complete not less than three continuing*
21 *education hours relating to diagnosis and treatment of mental disorders;*
22 *and*

23 (2) *a licensed addiction counselor applicant, master's addiction*
24 *counselor applicant or clinical addiction counselor applicant shall*
25 *complete not less than three continuing education hours in cultural*
26 *diversity. Acceptable continuing education hours in cultural diversity shall*
27 *include, but not be limited to, professional development regarding age,*
28 *disability, ethnicity, gender, gender identity, language, national origin,*
29 *race, religion, cultural, sexual orientation and socioeconomic status.*

30 (c) (1) *A licensee who is unable to complete the required continuing*
31 *education hours for renewal may request additional time to complete any*
32 *remaining continuing education hours. Such request shall be made to the*
33 *board not later than 30 calendar days prior to the expiration of the license*
34 *and shall include:*

35 (A) *The licensee's reason for requesting additional time, showing*
36 *extenuating circumstances for why the hours could not be completed*
37 *during the license period; and*

38 (B) *a plan outlining the manner in which the licensee intends to*
39 *complete the remaining continuing education hours.*

40 (2) *The board may grant a licensee up to three additional months*
41 *beyond the license expiration date to complete the required continuing*
42 *education hours.*

43 (3) *A licensee who receives additional time to complete continuing*

1 *education hours under this subsection shall:*

2 *(A) Renew the license prior to the license expiration date and report*
3 *to the board the number of continuing education hours completed on such*
4 *date;*

5 *(B) notify the board upon completing the remaining continuing*
6 *education hours; and*

7 *(C) be subject to an audit by the board of the total number of*
8 *continuing education hours completed for the applicable license period.*

9 *(4) Continuing education hours completed during additional time*
10 *granted under this subsection shall be credited only toward the*
11 *requirements for the license period for which additional time is granted.*

12 *(5) A licensee shall not be approved for additional time to complete*
13 *continuing education requirements in consecutive license periods.*

14 *(d) A person whose license has been suspended or revoked may make*
15 *written application to the board requesting reinstatement of the license*
16 *upon termination of the period of suspension or revocation in a manner*
17 *prescribed by the board, which application shall be accompanied by the*
18 *fee provided for by K.S.A. 65-6618, and amendments thereto.*

19 *(e) (1) A person whose license has expired may make written*
20 *application to the board requesting reinstatement of the license in a*
21 *manner prescribed by the board, and such application shall be*
22 *accompanied by:*

23 *(A) The renewal fee established under K.S.A. 65-6618, and*
24 *amendments thereto, and, for any person whose license has been expired*
25 *for one year or less, an additional fee equal to the renewal fee; and*

26 *(B) evidence satisfactory to the board that the person has completed*
27 *during the previous 24 months the continuing education requirements for*
28 *one license period.*

29 *(2) A person requesting to reinstate a license that has been expired*
30 *for longer than one year who has not completed the necessary continuing*
31 *education hours for reinstatement may submit an application for a six-*
32 *month reinstatement temporary license in a manner prescribed by the*
33 *board, and such application shall be accompanied by the fee established*
34 *under K.S.A. 65-6618, and amendments thereto. A licensee practicing*
35 *under a six-month reinstatement temporary license shall complete the*
36 *continuing education requirements required for a permanent license prior*
37 *to the expiration of the temporary license and notify the board upon such*
38 *completion. A six-month reinstatement temporary license shall not be*
39 *extended or renewed.*

40 *(f) Within 30 days after any change of permanent address, a*
41 *licensee shall notify the board of such change.*

42 *Sec. 24. K.S.A. 65-6618 is hereby amended to read as follows: 65-*
43 *6618. (a) The board may ~~fix~~ collect the following fees, and any such fees*

- 1 shall be established by rules and regulations adopted by the board:
- 2 (1) For application for licensure as an addiction counselor, not to
3 exceed \$150;
- 4 (2) for original licensure as an addiction counselor, not to exceed
5 \$150;
- 6 (3) for renewal for licensure as an addiction counselor, not to exceed
7 \$150;
- 8 (4) for a temporary license *as an addiction counselor*, not to exceed
9 \$100;
- 10 (5) *for a six-month reinstatement temporary license as an addiction*
11 *counselor, not to exceed \$50;*
- 12 (6) *for a student temporary addiction counselor license, not to exceed*
13 *\$100;*
- 14 (7) *for renewal for a student temporary addiction counselor license,*
15 *not to exceed \$100;*
- 16 (8) for application for licensure as a master's addiction counselor, not
17 to exceed \$150;
- 18 ~~(6)~~(9) for original licensure as a master's addiction counselor, not to
19 exceed \$150;
- 20 ~~(7)~~(10) for renewal for licensure as a master's addiction counselor, not
21 to exceed \$150;
- 22 (11) *for a temporary license as a master's addiction counselor, not to*
23 *exceed \$100;*
- 24 (12) *for a six-month reinstatement temporary license as a master's*
25 *addiction counselor, not to exceed \$50;*
- 26 ~~(8)~~(13) for application for licensure as a clinical addiction counselor,
27 not to exceed \$150;
- 28 ~~(9)~~(14) for original licensure as a clinical addiction counselor, not to
29 exceed \$150;
- 30 ~~(10)~~(15) for renewal for licensure as a clinical addiction counselor,
31 not to exceed \$150;
- 32 (16) *for a six-month reinstatement temporary license as a clinical*
33 *addiction counselor, not to exceed \$50;*
- 34 ~~(11)~~(17) for a temporary permit to practice clinical addiction
35 counseling, not to exceed \$200;
- 36 ~~(12)~~(18) for extension of a temporary permit to practice clinical
37 addiction counseling, not to exceed \$200;
- 38 ~~(13)~~(19) for reinstatement of a license, not to exceed \$150;
- 39 ~~(14)~~(20) for replacement of a license, not to exceed \$20;
- 40 ~~(15)~~(21) for late renewal penalty, an amount equal to the fee for
41 renewal; and
- 42 ~~(16)~~(22) for a wallet license, not more than \$5.
- 43 (b) The board shall require that fees paid for any examination under

1 the addiction counselor licensure act be paid directly to the examination
2 services by the person taking the examination.

3 (c) Fees paid to the board are not refundable.

4 Sec. 25. K.S.A. 65-7504 is hereby amended to read as follows: 65-
5 7504. (a) ~~The board may deny, suspend, revoke or refuse renewal of any~~
6 ~~license issued under this act if the board finds that the applicant or license~~
7 ~~holder has~~ *refuse to issue, renew or reinstate a license, may condition,*
8 *limit, revoke or suspend a license, may publicly or privately censure a*
9 *licensee or may impose a fine not to exceed \$1,000 per violation upon a*
10 *finding that a licensee or an applicant for licensure has:*

11 (1) Used any controlled substance or alcoholic beverage to an extent
12 that such use impairs such person's ability to perform the work of any
13 profession licensed or regulated by this act.

14 (2) ~~The person has~~ Been finally adjudicated and found guilty, or
15 entered a plea of guilty or nolo contendere, in a criminal prosecution under
16 the laws of any state or of the United States, for any offense reasonably
17 related to the qualifications, functions or duties of any professional
18 licensed or regulated under this act, for any offense an essential element of
19 which is fraud, dishonesty or an act of violence, or for any offense
20 involving moral turpitude, whether or not a sentence is imposed.

21 (3) Used any fraud, deception or misrepresentation in securing any
22 license issued under this act.

23 (4) Obtained or attempted to obtain any fee, charge, tuition or other
24 compensation by fraud, deception or misrepresentation.

25 (5) Committed any act of incompetency, misconduct, gross
26 negligence, fraud, misrepresentation or dishonesty in the performance of
27 the functions or duties of any profession licensed by the board.

28 (6) Committed any violation of or assisted or enabled any person to
29 violate any provision of this act or any rule and regulation promulgated
30 thereunder.

31 (7) Impersonated any person holding a certificate of registration or
32 authority, permit or license or allowed any other person to use such
33 person's certificate of registration or authority, permit, license or diploma
34 from any school.

35 (8) Been disciplined in any action by another state, territory, federal
36 agency or country which would constitute grounds for a license issued
37 under this act being suspended or revoked.

38 (9) Been finally adjudged insane or incapacitated by a court of
39 competent jurisdiction.

40 (10) Assisted or enabled any person to practice or offer to practice
41 any profession licensed or regulated by the board when such person is not
42 eligible to practice such profession as required by law.

43 (11) Issued any certificate of registration or authority, permit or

1 license based upon a material mistake of fact.

2 (12) Failed to display a valid certificate or license if so required by
3 this act or any rules and regulations promulgated thereunder.

4 (13) Violated any professional trust or confidence.

5 (14) Used any advertisement or solicitation which is false, misleading
6 or deceptive to the general public or persons to whom the advertisement or
7 solicitation is primarily directed.

8 (15) Been found ~~guilty of~~ *to have engaged in* unprofessional conduct
9 ~~or professional incompetency~~ as defined by ~~the board~~ *by applicable* rules
10 and regulations *adopted by the board*.

11 (16) *Violated any lawful order or directive of the board previously*
12 *entered by the board.*

13 ~~(b) Any action taken under this section which affects any license or~~
14 ~~imposes any administrative penalty shall be taken only after notice and an~~
15 ~~opportunity for a hearing conducted in accordance with the provisions~~
16 ~~of Administrative proceedings and disciplinary actions regarding~~
17 ~~licensure under the applied behavior analysis licensure act shall be~~
18 ~~conducted in accordance with the Kansas administrative procedure act.~~
19 ~~Judicial review and civil enforcement of agency actions under the applied~~
20 ~~behavior analysis licensure act shall be in accordance with the Kansas~~
21 ~~judicial review act.~~

22 Sec. 26. K.S.A. 65-7505 is hereby amended to read as follows: 65-
23 7505. The board shall ~~promulgate~~ *adopt* rules and regulations necessary to
24 implement and administer this act. Such rules and regulations shall
25 include, but not be limited to:

26 (a) The form and content of license applications required and the
27 procedures for filing an application for an initial or renewal license *or*
28 *reinstatement* in this state;

29 (b) the establishment of fees for licenses; and ~~the~~ *renewal and*
30 *reinstatement* thereof; to cover all or any part of the cost of administering
31 the provisions of this act;

32 (c) the educational and training requirements for licensed behavior
33 analysts and licensed assistant behavior analysts;

34 (d) the roles, responsibilities and duties of licensed behavior analysts
35 and licensed assistant behavior analysts;

36 (e) the characteristics of supervision and supervised clinical
37 practicum experience for the licensed behavior analysts and the licensed
38 assistant behavior analysts;

39 (f) the supervision of licensed behavior analysts and licensed assistant
40 behavior analysts;

41 (g) the requirements for continuing education for licensed behavior
42 analysts and licensed assistant behavior analysts;

43 (h) standards of professional competency;

- 1 (i) standards of professional conduct; and
2 (j) such other rules and regulations as the board deems necessary to
3 carry out the provisions of this act.

4 Sec. 27. K.S.A. 74-5302 is hereby amended to read as follows: 74-
5 5302. ~~For the purpose of this act the following definitions shall apply~~As
6 *used in the licensure of psychologists act of the state of Kansas:*

7 (a) *"Board" means the behavioral sciences regulatory board created*
8 *by K.S.A. 74-7501, and amendments thereto.*

9 (b) *"Extenuating circumstances" means any condition or situation*
10 *caused by events beyond an individual's control that is sufficiently extreme*
11 *in nature to result in the:*

12 (1) *Individual's inability to comply with requirements; or*

13 (2) *inadvisability of requiring the individual to comply with*
14 *requirements.*

15 (c) *"License" means a license as a psychologist issued by the board.*

16 (d) *"Licensed psychologist" means a person licensed by the board*
17 *under the provisions of the licensure of psychologists act of the state of*
18 *Kansas.*

19 (e) *"Merits the public trust" means that an applicant or licensee*
20 *possesses the high standard of good moral character and fitness that is*
21 *required to practice psychology as demonstrated by the following personal*
22 *qualities:*

23 (1) *Good judgment;*

24 (2) *integrity;*

25 (3) *honesty;*

26 (4) *fairness;*

27 (5) *credibility;*

28 (6) *reliability;*

29 (7) *respect for others;*

30 (8) *respect for the laws of this state and the nation;*

31 (9) *self-discipline;*

32 (10) *self-evaluation;*

33 (11) *initiative; and*

34 (12) *commitment to the psychology profession and its values and*
35 *ethics.*

36 (f) *"Practice of psychology" means the application of established*
37 *principles of learning, motivation, perception, thinking and emotional*
38 *relationships to problems of behavior adjustment, group relations and*
39 *behavior modification, by persons trained in psychology. The application*
40 *of such principles includes, but is not restricted to, counseling and the use*
41 *of psychological remedial measures with persons, in groups or*
42 *individually, having adjustment or emotional problems in the areas of*
43 *work, family, school and personal relationships; measuring and testing*

1 personality, intelligence, aptitudes, public opinion, attitudes and skills; the
 2 teaching of such subject matter; and the conducting of research on
 3 problems relating to human behavior, except that in all cases involving the
 4 care of the sick and ill as defined by the laws of this state, the primary
 5 responsibility devolves upon those licensed under the Kansas healing arts
 6 act. The practice of psychology includes the diagnosis and treatment of
 7 mental disorders specified in the edition of the diagnostic and statistical
 8 manual of mental disorders of the American psychiatric association
 9 designated by the board by rules and regulations. If a licensed psychologist
 10 cannot make an independent diagnosis of a mental disorder, such
 11 psychologist shall consult with the client's primary care physician or
 12 psychiatrist to determine if there may be a medical condition or medication
 13 that may be causing or contributing to the client's symptoms of a mental
 14 disorder. A client may request in writing that such consultation be waived
 15 and such request shall be made a part of the client's record. A licensed
 16 psychologist may continue to evaluate and treat the client until such time
 17 that the medical consultation is obtained or waived.

18 ~~(b)~~(g) "Represents oneself to be a psychologist" means that a person
 19 engages in the practice of psychology for a fee, monetary or otherwise, or
 20 holds oneself out to the public by any title or description of services
 21 incorporating the word "psychologic," "psychological," "psychologist" or
 22 "psychology" and under such title or description offers to render or renders
 23 services to individuals, corporations or the public for a fee, monetary or
 24 otherwise.

25 ~~(c) "Board" means the behavioral sciences regulatory board created~~
 26 ~~by K.S.A. 74-7501 and amendments thereto.~~

27 ~~(d) "License" means a license as a psychologist issued by the board.~~

28 ~~(e) "Licensed psychologist" means a person licensed by the board~~
 29 ~~under the provisions of this act.~~

30 Sec. 28. K.S.A. 2022 Supp. 74-5310 is hereby amended to read as
 31 follows: 74-5310. (a) The board shall issue a license as a psychologist to
 32 any person who pays a nonrefundable application fee prescribed by the
 33 board, if required by the board, not in excess of \$225 and, if required by
 34 the board, a nonrefundable original license fee not in excess of \$150, who
 35 satisfies the board as to such person's training and experience after a
 36 thorough review of such person's credentials and who passes a satisfactory
 37 examination in psychology. Any person paying the fee ~~must~~ shall also
 38 submit evidence verified by oath and satisfactory to the board that such
 39 person:

- 40 (1) Is at least 21 years of age;
- 41 (2) ~~is of good moral character~~ *a person who merits the public trust;*
- 42 (3) has received the doctor's degree based on a program of studies in
 43 content primarily psychological from an educational institution having a

1 graduate program with standards consistent with those of the state
2 universities of Kansas, or the substantial equivalent of such program in
3 both subject matter and extent of training; and

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

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

21 Sec. 29. K.S.A. 2022 Supp. 74-5315 is hereby amended to read as
22 follows: 74-5315. (a) The board may grant a license to any person who, at
23 the time of application, is registered, certified or licensed as a psychologist
24 at the doctoral level in another jurisdiction if the board determines that:

25 (1) The requirements of such jurisdiction for such certification or
26 licensure are substantially the equivalent of the requirements of this state;
27 or

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

30 (A) Registration, certification or licensure as a psychologist at the
31 doctoral level *with a similar scope of practice* for at least 48 of the last 54
32 12 months immediately preceding the application ~~with at least the~~
33 ~~minimum professional experience as established by rules and regulations~~
34 ~~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) a doctoral degree in psychology from a regionally accredited
38 university or college.

39 (b) An applicant for a license under this section shall pay an
40 application fee established by the board under K.S.A. 74-5310, and
41 amendments thereto, if required by the board. *Upon notification from the*
42 *board that all eligibility requirements have been satisfied, the applicant*
43 *shall pay the license fee as provided in K.S.A. 74-5310, and amendments*

1 *thereto.*

2 Sec. 30. K.S.A. 2022 Supp. 74-5316 is hereby amended to read as
3 follows: 74-5316. (a) Upon application, the board may issue temporary
4 licenses to persons who have met all qualifications for licensure under the
5 provisions of the licensure of psychologists act of the state of Kansas,
6 except passage of the required examination, pursuant to K.S.A. 74-5310,
7 and amendments thereto, who have paid the required application and
8 temporary license fees and who have submitted documentation as required
9 by the board, under the following:

10 (1) Absent extenuating circumstances approved by the board, a
11 temporary license issued by the board shall expire upon the earlier of the
12 date the board issues or denies a license to practice psychology or two
13 years after the date of issuance of the temporary license. No temporary
14 license shall be renewed or issued again on any subsequent application for
15 licensure under the provisions of the licensure of psychologists act of the
16 state of Kansas. This paragraph shall not limit the number of times that an
17 applicant may take the required examination;

18 ~~(2) the board shall adopt rules and regulations prescribing continuing~~
19 ~~education requirements for temporary licensees, including, but not limited~~
20 ~~to, a requirement that temporary licensees shall complete a minimum of 25~~
21 ~~contact hours of continuing education during the two-year period of~~
22 ~~temporary licensure, which shall include a minimum of three hours in~~
23 ~~psychology ethics;~~

24 (3) no person ~~may~~ shall work under a temporary license except under
25 the supervision of a licensed psychologist as prescribed in rules and
26 regulations adopted by the board; and

27 ~~(4)~~(3) the fee for such temporary license may be ~~fixed~~ set by the
28 board and shall not exceed \$200, and any such fee shall be established by
29 rules and regulations adopted by the board.

30 (b) Upon application, the board may issue temporary licenses not to
31 exceed two years to persons who have completed all requirements for a
32 doctoral degree approved by the board but have not received such degree
33 conferral or who have met all qualifications for licensure under provisions
34 of such act, except completion of the postdoctoral supervised work
35 experience pursuant to K.S.A. 74-5310(a)(4), and amendments thereto,
36 who have paid the required application and temporary license fees and
37 who have submitted documentation as required by the board, under the
38 following:

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

42 (2) the temporary license may be renewed for one additional two-year
43 period;

1 (3) no temporary license shall be issued again on any subsequent
2 application for licensure under the provisions of the licensure of
3 psychologists act of the state of Kansas. This paragraph shall not limit the
4 number of times that an applicant may take the required examination;

5 (4) temporary licensees shall be working toward the completion of
6 the postdoctoral supervised work experience prescribed in K.S.A. 74-
7 5310(a)(4), and amendments thereto;

8 ~~(5) the board shall adopt rules and regulations prescribing continuing~~
9 ~~education requirements for temporary licensees, including, but not limited~~
10 ~~to, a requirement that temporary licensees shall complete a minimum of 25~~
11 ~~contact hours of continuing education during the two-year period of~~
12 ~~temporary licensure, which shall include a minimum of three hours in~~
13 ~~psychology ethics;~~

14 (6) no temporary licensee ~~may~~ shall work under a temporary license
15 except under the supervision of a licensed psychologist as prescribed in
16 rules and regulations adopted by the board; and

17 ~~(7)~~(6) the fee for a renewal of the temporary license may be ~~fixed~~ set
18 by the board and shall not exceed \$200 per issuance, and any such fee
19 shall be established by rules and regulations adopted by the board.

20 (c) A person practicing psychology with a temporary license ~~may~~
21 shall not use the title "licensed psychologist" or the initials "LP,"
22 independently. The word "licensed" may be used only when preceded by
23 the word "temporary."

24 (d) This section shall be a part of and supplemental to the provisions
25 of article 53 of chapter 74 of the Kansas Statutes Annotated, and
26 amendments thereto.

27 (e) As used in this section, "temporary licensee" means any person
28 practicing psychology with a temporary license pursuant to subsection (a)
29 or (b).

30 Sec. 31. K.S.A. 74-5318 is hereby amended to read as follows: 74-
31 5318. (a) An application for renewal shall be accompanied by evidence
32 satisfactory to the board that the applicant has completed, during the
33 previous 24 months, the continuing education required by rules and
34 regulations of the board. *Prior to July 1, 2025, as part of such continuing*
35 *education, a licensed psychologist shall complete not less than six*
36 *continuing education hours relating to diagnosis and treatment of mental*
37 *disorders and not less than three continuing education hours of*
38 *professional ethics. On and after July 1, 2025, as part of such continuing*
39 *education, a licensee shall complete not less than three continuing*
40 *education hours relating to diagnosis and treatment of mental disorders,*
41 *not less than three continuing education hours of professional ethics and*
42 *not less than three continuing education hours in cultural diversity.*
43 *Acceptable continuing education hours in cultural diversity shall include,*

1 *but not be limited to, professional development regarding age, disability,*
 2 *ethnicity, gender, gender identity, language, national origin, race, religion,*
 3 *cultural, sexual orientation and socioeconomic status.*

4 (b) (1) *A licensee who is unable to complete the required continuing*
 5 *education hours for renewal may request additional time to complete any*
 6 *remaining continuing education hours. Such request shall be made to the*
 7 *board not later than 30 calendar days prior to the expiration of the license*
 8 *and shall include:*

9 (A) *The licensee's reason for requesting additional time, showing*
 10 *extenuating circumstances for why the hours could not be completed*
 11 *during the license period; and*

12 (B) *a plan outlining the manner in which the licensee intends to*
 13 *complete the remaining continuing education hours.*

14 (2) *The board may grant a licensee up to three additional months*
 15 *beyond the license expiration date to complete the required continuing*
 16 *education hours.*

17 (3) *A licensee who receives additional time to complete continuing*
 18 *education hours under this subsection shall:*

19 (A) *Renew the license prior to the license expiration date and report*
 20 *to the board the number of continuing education hours completed on such*
 21 *date;*

22 (B) *notify the board upon completing the remaining continuing*
 23 *education hours; and*

24 (C) *be subject to an audit by the board of the total number of*
 25 *continuing education hours completed for the applicable license period.*

26 (4) *Continuing education hours completed during additional time*
 27 *granted under this subsection shall be credited only toward the*
 28 *requirements for the license period for which additional time is granted.*

29 (5) *A licensee shall not be approved for additional time to complete*
 30 *continuing education requirements in consecutive license periods.*

31 (c) *A licensee shall submit the application to the board with a renewal*
 32 *fee—fixed set by rules and regulations of the board not to exceed \$200.*
 33 *Upon receipt of such application and fee, the board shall issue a renewal*
 34 *license for the period commencing on the date on which the license is*
 35 *issued and expiring on June 30 of the next even-numbered year. Initial*
 36 *licenses shall be for the current biennium of registration.*

37 ~~(e)~~(d) *Applications for renewal of a license shall be made biennially*
 38 *on or before July 1 June 30 and, if not so made, an additional fee equal to*
 39 *the renewal fee shall be added to the regular renewal fee.*

40 ~~(d)~~(e) *Any psychologist who has failed to renew a license and*
 41 *continues to represent oneself as a psychologist after July 1 June 30 shall*
 42 *be in violation of the licensure of psychologists act of the state of Kansas.*
 43 ~~The board may suspend or revoke such psychologist's license under the~~

1 ~~provisions of K.S.A. 74-5324, and amendments thereto.~~

2 (f) *A person whose license has been suspended or revoked may make*
 3 *written application to the board requesting reinstatement of the license*
 4 *upon termination of the period of suspension or revocation. Such*
 5 *application shall be in a manner prescribed by the board and*
 6 *accompanied by a reinstatement fee not to exceed \$200 prescribed by the*
 7 *board in rules and regulations.*

8 (g) (1) *A person whose license has expired may make written*
 9 *application to the board requesting reinstatement of the license in a*
 10 *manner prescribed by the board, and such application shall be*
 11 *accompanied by:*

12 (A) *The required renewal fee and, for any person whose license has*
 13 *been expired for one year or less, an additional fee equal to the renewal*
 14 *fee; and*

15 (B) *evidence satisfactory to the board that the person has completed*
 16 *during the previous 24 months the continuing education requirements for*
 17 *one license period.*

18 (2) *A person requesting to reinstate a license that has been expired*
 19 *for longer than one year who has not completed the necessary continuing*
 20 *education hours for reinstatement may submit an application for a six-*
 21 *month reinstatement temporary license in a manner prescribed by the*
 22 *board, and such application shall be accompanied by a fee not to exceed*
 23 *\$50 prescribed by the board in rules and regulations. A licensee practicing*
 24 *under a six-month reinstatement temporary license shall complete the*
 25 *continuing education requirements required for a permanent license prior*
 26 *to the expiration of the temporary license and notify the board upon such*
 27 *completion. A six-month reinstatement temporary license shall not be*
 28 *extended or renewed.*

29 ~~(e)(h)~~ *Within 30 days after any change of permanent address, a*
 30 *licensee shall notify the board of such change.*

31 Sec. 32. K.S.A. 74-5361 is hereby amended to read as follows: 74-
 32 5361. As used in ~~this~~ *the licensure of master's level psychologists act:*

33 (a) ~~"Practice of psychology" shall have the meaning ascribed thereto~~
 34 ~~in K.S.A. 74-5302 and amendments thereto.~~

35 (b) *"Board" means the behavioral sciences regulatory board created*
 36 *by K.S.A. 74-7501, and amendments thereto.*

37 (b) *"Extenuating circumstances" means any condition or situation*
 38 *caused by events beyond an individual's control that is sufficiently extreme*
 39 *in nature to result in the:*

40 (1) *Individual's inability to comply with requirements; or*

41 (2) *inadvisability of requiring the individual to comply with*
 42 *requirements.*

43 (c) *"Licensed clinical psychotherapist" means a person licensed by*

1 *the board under the licensure of master's level psychologists act who*
2 *engages in the independent practice of master's level psychology,*
3 *including the diagnosis and treatment of mental disorders specified in the*
4 *edition of the diagnostic and statistical manual of mental disorders of the*
5 *American psychiatric association designated by the board by rules and*
6 *regulations.*

7 (d) "Licensed master's level psychologist" means a person licensed by
8 the board under the provisions of ~~this the licensure of master's level~~
9 ~~psychologists act.~~

10 ~~(d) "Licensed clinical psychotherapist" means a person licensed by~~
11 ~~the board under this act who engages in the independent practice of~~
12 ~~master's level psychology including the diagnosis and treatment of mental~~
13 ~~disorders specified in the edition of the diagnostic and statistical manual of~~
14 ~~mental disorders of the American psychiatric association designated by the~~
15 ~~board by rules and regulations.~~

16 (e) "Master's level psychology" means the practice of psychology
17 pursuant to the restrictions set out in K.S.A. 74-5362, and amendments
18 thereto, and includes the diagnosis and treatment of mental disorders as
19 authorized under K.S.A. 74-5361 et seq., and amendments thereto.

20 (f) "*Practice of psychology*" means the same as defined in K.S.A. 74-
21 5302, and amendments thereto.

22 Sec. 33. K.S.A. 2022 Supp. 74-5363 is hereby amended to read as
23 follows: 74-5363. (a) Any person who desires to be licensed under this act
24 shall apply to the board in writing, on forms prepared and furnished by the
25 board. Each application shall contain appropriate documentation of the
26 particular qualifications required by the board and shall be accompanied
27 by the required fee.

28 (b) The board shall license as a licensed master's level psychologist
29 any applicant for licensure who pays the fee prescribed by the board under
30 K.S.A. 74-5365, and amendments thereto, which shall not be refunded,
31 who has satisfied the board as to such applicant's training and who
32 complies with the provisions of this subsection. An applicant for licensure
33 also shall submit evidence satisfactory to the board that such applicant:

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

35 (2) has satisfied the board that the applicant is a person who merits
36 public trust;

37 (3) has received at least 60 graduate hours including a master's degree
38 in psychology based on a program of studies in psychology from an
39 educational institution having a graduate program in psychology consistent
40 with state universities of Kansas; or until July 1, 2003, has received at least
41 a master's degree in psychology and during such master's or post-master's
42 coursework completed a minimum of 12 semester hours or its equivalent in
43 in psychological foundation courses such as, but not limited to, philosophy

1 of psychology, psychology of perception, learning theory, history of
2 psychology, motivation, and statistics and 24 semester hours or its
3 equivalent in professional core courses such as, but not limited to, two
4 courses in psychological testing, psychopathology, two courses in
5 psychotherapy, personality theories, developmental psychology, research
6 methods, social psychology; or has passed comprehensive examinations or
7 equivalent final examinations in a doctoral program in psychology and
8 during such graduate program completed a minimum of 12 semester hours
9 or its equivalent in psychological foundation courses such as, but not
10 limited to, philosophy of psychology, psychology of perception, learning
11 theory, history of psychology, motivation; and statistics and 24 semester
12 hours or its equivalent in professional core courses such as, but not limited
13 to, two courses in psychological testing, psychopathology, two courses in
14 psychotherapy, personality theories, developmental psychology, research
15 methods, social psychology;

16 (4) has completed 750 clock hours of academically supervised
17 practicum in the master's degree program or 1,500 clock hours of
18 postgraduate supervised work experience; and

19 (5) has passed an examination approved by the board with a
20 minimum score set by the board by rules and regulations.

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

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

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

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

40 (D) has completed not less than two years of postgraduate supervised
41 professional experience in accordance with a clinical supervision plan
42 approved by the board of not less than 3,000 hours of supervised
43 professional experience including at least 1,500 hours of direct client

1 contact conducting psychotherapy and assessments with individuals,
2 couples, families or groups and not less than 100 hours of face-to-face
3 clinical supervision, as defined by the board in rules and regulations,
4 including not less than 50 hours of individual supervision, except that the
5 board may waive the requirement that such supervision be face-to-face
6 upon a finding of extenuating circumstances, integrating diagnosis and
7 treatment of mental disorders with use of the American psychiatric
8 association's diagnostic and statistical manual;

9 (E) for persons earning a degree under subsection (b) prior to July 1,
10 2003, in lieu of the education requirements under subparagraphs (B) and
11 (C), has completed the education requirements for licensure as a licensed
12 master's level psychologist in effect on the day immediately preceding the
13 effective date of this act;

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

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

24 (H) has paid the application fee; if required by the board *and, upon*
25 *notification from the board that all eligibility requirements have been*
26 *satisfied, paid the license fee.*

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

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

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

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

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

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

31 Sec. 34. K.S.A. 74-5365 is hereby amended to read as follows: 74-
32 5365. (a) The following fees may be ~~fixed~~ *set* by the board for licensure
33 under the licensure of master's level psychologists act: For application,
34 issuance of a new license and renewal of a license, an amount not to
35 exceed \$200; for replacement of a license, an amount not to exceed \$20;
36 and for a wallet card license, an amount not to exceed \$5. Any such fees
37 required by the board shall be established by rules and regulations adopted
38 by the board.

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

40 (c) The application for renewal shall be accompanied by evidence
41 satisfactory to the board that the applicant has completed, during the
42 previous 24 months, the continuing education required by rules and
43 regulations of the board. *Prior to July 1, 2025*, as part of such continuing

1 education, a licensed master's level psychologist and a licensed clinical
2 psychotherapist shall complete not less than six continuing education
3 hours relating to diagnosis and treatment of mental disorders and not less
4 than three continuing education hours of professional ethics. *On and after*
5 *July 1, 2025, as part of such continuing education, a licensee shall*
6 *complete not less than three continuing education hours relating to*
7 *diagnosis and treatment of mental disorders, not less than three continuing*
8 *education hours of professional ethics and not less than three continuing*
9 *education hours in cultural diversity. Acceptable continuing education*
10 *hours in cultural diversity shall include, but not be limited to, professional*
11 *development regarding age, disability, ethnicity, gender, gender identity,*
12 *language, national origin, race, religion, cultural, sexual orientation and*
13 *socioeconomic status.*

14 (d) (1) *A licensee who is unable to complete the required continuing*
15 *education hours for renewal may request additional time to complete any*
16 *remaining continuing education hours. Such request shall be made to the*
17 *board not later than 30 calendar days prior to the expiration of the license*
18 *and shall include:*

19 (A) *The licensee's reason for requesting additional time, showing*
20 *extenuating circumstances for why the hours could not be completed*
21 *during the license period; and*

22 (B) *a plan outlining the manner in which the licensee intends to*
23 *complete the remaining continuing education hours.*

24 (2) *The board may grant a licensee up to three additional months*
25 *beyond the license expiration date to complete the required continuing*
26 *education hours.*

27 (3) *A licensee who receives additional time to complete continuing*
28 *education hours under this subsection shall:*

29 (A) *Renew the license prior to the license expiration date and report*
30 *to the board the number of continuing education hours completed on such*
31 *date;*

32 (B) *notify the board upon completing the remaining continuing*
33 *education hours; and*

34 (C) *be subject to an audit by the board of the total number of*
35 *continuing education hours completed for the applicable license period.*

36 (4) *Continuing education hours completed during additional time*
37 *granted under this subsection shall be credited only toward the*
38 *requirements for the license period for which additional time is granted.*

39 (5) *A licensee shall not be approved for additional time to complete*
40 *continuing education requirements in consecutive license periods.*

41 (e) *Within 30 days after any change of permanent address, a licensee*
42 *shall notify the board of such change.*

43 Sec. 35. K.S.A. 74-5366 is hereby amended to read as follows: 74-

1 5366. (a) All licenses shall be effective upon the date issued and shall
2 expire at the end of 24 months from the date of issuance.

3 (b) A license may be renewed by the payment of the renewal fee and
4 the execution and submission of a signed statement, on a form provided by
5 the board, attesting that the applicant's license has been neither revoked
6 nor currently suspended and that the applicant has met the requirements
7 for continuing education set forth in this act.

8 ~~(c) If the application for renewal, including payment of the required~~
9 ~~renewal fee, is not made on or before the date of the expiration of the~~
10 ~~license, the license is void, and no license shall be reinstated except upon~~
11 ~~payment of the required renewal fee, plus a penalty equal to the renewal~~
12 ~~fee, and proof satisfactory to the board of compliance with the continuing~~
13 ~~education requirements. Upon receipt of such payment and proof, the~~
14 ~~board shall reinstate the license.~~

15 ~~(d)~~ *A person whose license has been suspended or revoked may make*
16 *written application to the board requesting reinstatement of the license*
17 *upon termination of the period of suspension or revocation. Such*
18 *application shall be in a manner prescribed by the board and*
19 *accompanied by a reinstatement fee.*

20 *(d) (1) A person whose license has expired may make written*
21 *application to the board requesting reinstatement of the license in a*
22 *manner prescribed by the board, and such application shall be*
23 *accompanied by:*

24 *(A) A reinstatement fee, and, for any person whose license has been*
25 *expired for one year or less, a penalty established by the board in rules*
26 *and regulations; and*

27 *(B) evidence satisfactory to the board that the person has completed*
28 *during the previous 24 months the continuing education requirements for*
29 *one license period.*

30 *(2) A person requesting to reinstate a license that has been expired*
31 *for longer than one year who has not completed the necessary continuing*
32 *education hours for reinstatement may submit an application for a six-*
33 *month reinstatement temporary license in a manner prescribed by the*
34 *board, and such application shall be accompanied by a fee of \$25. A*
35 *licensee practicing under a six-month reinstatement temporary license*
36 *shall complete the continuing education requirements required for a*
37 *permanent license prior to the expiration of the temporary license and*
38 *notify the board upon such completion. A six-month reinstatement*
39 *temporary license shall not be extended or renewed.*

40 *(e) A duplicate license shall be issued by the board upon receipt of a*
41 *\$20 fee.*

42 ~~(e)(f)~~ *A person registered as a masters level psychologist on*
43 *December 30, 1996, shall be deemed to be a licensed masters level*

1 psychologist under this act. Such person shall not be required to file an
2 original application for licensure under this act, but shall apply to the
3 board for a license in lieu of registration upon payment of the fee set by
4 the board for renewal of license. Any application for registration filed but
5 which has not been granted prior to January 1, 1997, shall be processed as
6 an application for licensure pursuant to this act. For exchange of a license
7 in lieu of registration pursuant to this subsection, a fee not to exceed \$100.

8 ~~(f)~~(g) The board shall collect a fee not to exceed \$100 for exchange
9 of a license in lieu of a registration pursuant to subsection~~(e)~~(f).

10 Sec. 36. K.S.A. 74-5367 is hereby amended to read as follows: 74-
11 5367. (a) The board may issue a temporary *master's level psychology*
12 license to practice as a licensed master's level psychologist to any person
13 who pays a *nonrefundable* fee prescribed by the board under this section,
14 ~~which shall not be refunded~~, and who meets all the requirements for
15 licensure under K.S.A. 74-5361 et seq., and amendments thereto, as a
16 licensed master's level psychologist except the requirement of
17 postgraduate supervised work experience or passing the licensing
18 examination, or both.

19 (b) Absent extenuating circumstances approved by the board, a
20 temporary *master's level psychology* license issued by the board shall
21 expire upon the date the board issues or denies a license to practice
22 master's level psychology or 24 months after the date of issuance of the
23 temporary *master's level psychology* license. No temporary *master's level*
24 *psychology* license issued by the board ~~will~~ *shall* be renewed or issued
25 again on any subsequent applications for the same license level. ~~The~~
26 ~~preceding provision in no way limits~~ *This subsection shall not limit* the
27 number of times an applicant may take the examination.

28 (c) The board may fix a fee for the application of the temporary
29 *master's level psychology* license. The application fee shall not exceed
30 \$100. Any such fee shall be established by rules and regulations adopted
31 by the board.

32 (d) A person practicing master's level psychology with a temporary
33 *master's level psychology* license ~~may~~ *shall* not use the title "licensed
34 master's level psychologist" or the initials "LMLP" independently. The
35 word "licensed" may be used only when followed by the words "by
36 temporary license" such as licensed master's level psychologist by
37 temporary license, or master's level psychologist licensed by temporary
38 license.

39 (e) No person ~~may~~ *shall* work under a temporary *master's level*
40 *psychology* license except under the supervision of a person licensed to
41 practice psychology or master's level psychology in Kansas.

42 (f) The application for a temporary *master's level psychology* license
43 may be denied or a temporary *master's level psychology* license ~~which that~~

1 has been issued may be suspended or revoked on the same grounds as
2 provided for suspension or revocation of a license under K.S.A. 74-5369,
3 and amendments thereto.

4 (g) Nothing in this section shall affect any temporary license to
5 practice issued under this section prior to the effective date of this act and
6 in effect on the effective date of this act. Such temporary license shall be
7 subject to the provisions of this section in effect at the time of its issuance
8 and shall continue to be effective until the date of expiration of the license
9 as provided under this section at the time of issuance of such temporary
10 license.

11 Sec. 37. K.S.A. 2022 Supp. 74-5375 is hereby amended to read as
12 follows: 74-5375. (a) The behavioral sciences regulatory board may issue
13 a license to an individual who is currently registered, certified or licensed
14 to practice psychology at the master's level in another jurisdiction if the
15 board determines that:

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

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

21 (A) Registration, certification or licensure to practice psychology at
22 the master's level *with a similar scope of practice* for at least ~~48 of the last~~
23 ~~54~~ 12 months immediately preceding the application ~~with at least the~~
24 ~~minimum professional experience as established by rules and regulations~~
25 ~~of the board~~;

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

28 (C) at least a master's degree in psychology from a regionally
29 accredited university or college.

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

34 (1) Either graduate coursework as established by rules and
35 regulations of the board or passing a national clinical examination
36 approved by the board;

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

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

43 (c) An applicant for a license under this section shall pay an

1 application fee established by the board under K.S.A. 74-5365, and
2 amendments thereto, if required by the board. *Upon notification from the*
3 *board that all eligibility requirements have been satisfied, the applicant*
4 *shall pay the license fee as provided in K.S.A. 74-5365, and amendments*
5 *thereto.*

6 Sec. 38. K.S.A. 74-7501 is hereby amended to read as follows: 74-
7 7501. (a) There is hereby created a behavioral sciences regulatory board
8 consisting of ~~12~~ 13 members appointed by the governor. The membership
9 of the board shall be as follows: Two members of the board shall be
10 licensed psychologists; two members of the board shall be licensed to
11 engage in the practice of social work; one member of the board shall be a
12 professional counselor; one member of the board shall be a marriage and
13 family therapist ~~and~~; one member of the board shall be a licensed ~~masters~~
14 *master's* level psychologist *or a licensed clinical psychotherapist*; one
15 member of the board shall be a licensed addiction counselor, *a licensed*
16 *master's addiction counselor* or a licensed clinical addiction counselor;
17 *one member of the board shall be a licensed behavior analyst*; and four
18 members of the board shall be from and represent the general public. Each
19 member of the board shall be a citizen of the United States and a resident
20 of this state.

21 (b) The term of office of each member of the board shall be four
22 years. No member of the board shall be appointed for more than two
23 successive terms. Upon the expiration of a member's term of office, the
24 governor shall appoint a qualified successor. Each member shall serve
25 until a successor is appointed and qualified. Whenever a vacancy occurs in
26 the membership of the board prior to the expiration of a term of office, the
27 governor shall appoint a qualified successor to fill the unexpired term. The
28 governor may remove any member of the board for misconduct,
29 incompetency or neglect of duty.

30 (c) The board shall organize annually at its first meeting subsequent
31 to June 30 and shall select from its members a chairperson and a ~~vice-~~
32 ~~chairperson~~ *vice chairperson*. Other meetings shall be held as the board
33 designates. A majority of members appointed to the board shall constitute
34 a quorum for the transaction of business.

35 (d) The board may appoint an executive director who shall be in the
36 unclassified service of the Kansas civil service act and shall receive an
37 annual salary ~~fixed~~ *set* by the board, subject to approval by the governor.
38 The board may employ clerical personnel and other assistants, all of whom
39 shall be in the ~~classified~~ *unclassified* service under the Kansas civil service
40 act. The board may make and enter into contracts of employment with
41 such professional personnel as necessary, in the board's judgment, for the
42 performance of its duties and functions and the execution of its powers.

43 (e) Members of the behavioral sciences regulatory board attending

1 meetings of the board, or attending a subcommittee meeting thereof
2 authorized by the board, shall be paid compensation, subsistence
3 allowances, mileage and other expenses as provided in K.S.A. 75-3223,
4 and amendments thereto.

5 Sec. 39. K.S.A. 65-5802, 65-5806, 65-6302, 65-6313, 65-6314, 65-
6 6402, 65-6407, 65-6608, 65-6614, 65-6618, 65-7504, 65-7505, 74-5302,
7 74-5318, 74-5339, 74-5361, 74-5365, 74-5366, 74-5367 and 74-7501 and
8 K.S.A. 2022 Supp. 65-5804a, 65-5807, 65-5808, 65-6306, 65-6309, 65-
9 6322, 65-6404, 65-6405, 65-6406, 65-6411, 65-6610, 65-6611, 65-6613,
10 74-5310, 74-5315, 74-5316, 74-5363 and 74-5375 are hereby repealed.

11 Sec. 40. This act shall take effect and be in force from and after its
12 publication in the statute book.