

MINUTES OF THE HOUSE GOVERNMENT EFFICIENCY AND TECHNOLOGY COMMITTEE

The meeting was called to order by Chairman Jim Morrison at 3:30 P.M. on February 14, 2008, in Room 526-S of the Capitol.

All members were present except: Representatives Ruiz, Trimmer, Wilk, King, Mah, Tafanelli, Holland, Johnson, and Kelley, all of whom were excused.

Committee staff present:

Mary Galligan, Kansas Legislative Research Department  
Jennifer Thierer, Kansas Legislative Research Department  
Rena Jefferies, Office of Revisor of Statutes  
Rose Marie Glatt, Acting Committee Assistant

Conferees appearing before the committee:

Phyllis Gilmore, Executive Director, Behavioral Sciences Regulatory Board

Others attending:

See attached list.

The Chairman reminded the committee that the meeting is being broadcast on the Internet. He encouraged members to make attendance paramount, since the Committee has important issues to deal with in the next few weeks. He mentioned three of these issues:

- Bringing back an oversight mechanism regarding state agencies;
- Updates on two federal investigations regarding fraud and waste; and
- Consideration of projects by the Department of Social and Rehabilitation Services.

Phyllis Gilmore, Executive Director, Behavioral Sciences Regulatory Board, gave an overview of the work of the Board ([Attachment 1](#)). She said the Board was formed in 1980 by combining the Board of Psychology Examiners and the Social Work Examiners Board, and was later expanded to include registration of:

- Professional counselors and Master's level psychologists (1987);
- Marriage and family therapists (1991);
- Alcohol and drug abuse counselors (1992).

In 1997 the registration of professional counselors, Master's level psychologists, and marriage and family therapists was changed to licensure; at the same time the Board membership was increased to 11 members, who may serve up to two four-year terms. In 1999 a clinical level of licensure was created for professional counselors, Master's level psychologists, and marriage and family therapists.

Ms. Gilmore explained that the Board has six Advisory Committees, one for each profession; committee members make recommendations relating to regulations, licensure, and disciplinary actions. She commented that currently there are 8943 active licenses, 271 of which are temporary licenses. She stated that complaints must be submitted in writing using a Board complaint form, which includes a release-of-information. The

## CONTINUATION SHEET

MINUTES OF THE House Government Efficiency and Technology Committee at 3:30 P.M. on February 14, 2008 in Room 526-S of the Capitol.

complaint is assigned a number, is reviewed by the investigator or by the Executive Director to determine if a violation may have occurred, and, if so, the complaint is sent to the Complaint Review Committee, which includes the Attorney General's Office and the special investigator. The licensee is notified of the complaint and asked to respond; a member of the Complaint Review Committee serves as a consultant for the investigator. The results of the investigation are presented to the Complaint Review Committee, which, if the facts indicate a violation, can issue a cautionary letter, propose a consent agreement, propose an adjudicative hearing, or refer the case to the County or District Attorney for prosecution. The Board can revoke, suspend, limit, condition, refuse to issue, or refuse to renew a license; it can also assess penalties not to exceed \$1000.00. She noted that in FY 2007 the Board received 108 complaints, with 88 of the cases still open on December 31, 2007.

Mr. Gilmore responded to members' questions:

- A professional counselor must have a degree in counseling.
- School counselors are not required to be licensed, but many are. Social workers must be licensed to work in a school.
- There are five cases still pending from CY 2007. A software program tracks the progress of investigations.
- If an applicant lacks certain degrees, has not passed the national test, or lacks other qualifications, the person is denied licensure. Giving a psychological test to applicants might violate constitutional parameters.

The meeting was adjourned at 4:35 p.m. The next meeting is scheduled for Monday, February 18, 2008.