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**HOUSE HEALTH AND HUMAN SERVICES COMMITTEE
SB 449 – 2016 LEGISLATIVE SESSION
PROPONENT TESTIMONY OF MAX FOSTER, EXECUTIVE DIRECTOR
BEHAVIORAL SCIENCES REGULATORY BOARD**

Good Afternoon Mister Chairman and members of the Committee. Thank you for the opportunity to address this Committee. I am Max Foster, Executive Director of the Kansas Behavioral Sciences Regulatory Board and I am here today to provide information to the Committee regarding our support of SB 449.

SB 449 is legislation impacting various statutes administered by the Kansas Behavioral Sciences Regulatory Board (BSRB). The BSRB licenses the following mental health professions: Psychologists, Professional Counselors, Social Workers, Addiction Counselors, Marriage and Family Therapists, and Masters Level Psychologists. These individual professions have been designated to be under the regulatory authority of the BSRB beginning with Psychologists and Social Workers in 1980; Marriage and Family Therapists in 1991; Masters Level Psychologists and Professional Counselors in 1999; and Addiction Counselors in 2011. The language in SB 449 affects specific regulatory statutes administered by the BSRB as they are applied to the professions regulated by the agency. The following summary itemizes the changes included in SB 449.

- Change the “licensure by reciprocity” statutes so that a person who has been licensed in 60 of the previous 66 months would be eligible for licensure. Currently, the applicant must be continually licensed for the previous 60 months with not even a one day lapse in licensure. This change will provide much needed flexibility in the event extenuating circumstances prevented an applicant from being licensed for a short period of time in the 66 month period prior to applying for a license.
- Provide for a standard interpretation for the reasons to deny, suspend, revoke or censure a licensee. Requires a 2/3 vote of the board to approve a license.
- Establish the Masters Licensed Addiction Counselor (LMAC) license. This would assist the applicant to be properly trained as a Licensed Clinical Addiction Counselor (LCAC) if they chose that path of licensure. If an individual is currently licensed as an Addiction Counselor and has a Masters license in a related field they would be eligible for this license.

- Regarding the fees that the agency charges, change the wording in the statutes from “shall” charge to “may” charge. This will allow the agency to eliminate certain licensure fees if the agency desires, but to maintain the authority to require the payment of licensure fees when necessary.
- Place the professions of Licensed Psychologists and Social Workers under the provisions of the Kansas Administrative Procedures Act (KAPA). Currently, they are under the provisions of the Kansas Open Meetings Act because (KOMA) because these professions were originally licensed prior to the creation of KAPA. The four other professions licensed by the BSRB are currently under KAPA. Again, this will provide for consistent review and interpretation of statutes for all professions licensed by BSRB. Also, it will ensure the applicants from these two professions are allowed their individual due process and options currently not afforded under KOMA.
- Per the request of the respective advisory committees and current board members, SB 449 establishes supervisory training / certification standards for the professions of Marriage and Family Therapist, and Licensed Professional Counselor.
- Create the ability to require fingerprinting / background checks for applicants desiring licensure with the agency. Currently, there aren't any provisions in our statutes to require this.
- Upon verification of completion of degree requirements from the Dean of Psychology at an educational institution, the board could issue a temporary license to a Psychologist. (The current statute states the degree must first be conferred).
- Removal of the ceiling for exam fees that are paid directly to exam companies by licensees.

Mister Chairman and Committee members this concludes my remarks. At this time I would be most happy to answer any questions you might have. Thanks for the opportunity to address the Committee.