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

New Section 1. (a) As part of an original application for or reinstatement of any license, registration, permit or certificate or in connection with any investigation of any holder of a license, registration, permit or certificate, the behavioral sciences regulatory board may require a person to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of criminal history in this state or other jurisdiction. The behavioral sciences regulatory board is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The behavioral sciences regulatory board may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the person to be issued or to maintain a license, registration, permit or certificate.

(b) Local and state law enforcement officers and agencies shall assist the behavioral sciences regulatory board in the taking and processing of fingerprints of applicants for and holders of any license, registration, permit or certificate and shall release all records of adult convictions and nonconvictions and adult convictions or adjudications of another state or country to the behavioral sciences regulatory board.

(c) The behavioral sciences regulatory board may fix and collect a fee
as may be required by the board in an amount equal to the cost of fingerprinting and the criminal history record check. Any moneys collected under this subsection shall be deposited in the state treasury and credited to the behavioral sciences regulatory board fee fund. The behavioral sciences regulatory board shall remit all moneys received by or for it from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the behavioral sciences regulatory board fee fund.

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

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

(b) "Practice of professional counseling" means assisting an individual or group for a fee, monetary or otherwise, through counseling, assessment, consultation and referral and includes the diagnosis and treatment of mental disorders as authorized under the professional counselors licensure act.

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

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

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

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

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

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

Sec. 3. K.S.A. 2014 Supp. 65-5804a is hereby amended to read as
follows: 65-5804a. (a) Applications for licensure as a professional
counselor shall be made to the board on a form and in the manner
prescribed by the board. Each application shall be accompanied by the fee
fixed under K.S.A. 65-5808, and amendments thereto.
(b) Each applicant for licensure as a professional counselor shall
furnish evidence satisfactory to the board that the applicant:
(1) Is at least 21 years of age;
(2) has completed 60 graduate semester hours including a graduate
degree in counseling from a college or university approved by the board
and which includes 45 graduate semester hours distributed among each of
the following areas:
(A) Counseling theory and practice;
(B) the helping relationship;
(C) group dynamics, processing and counseling;
(D) human growth and development;
(E) life-style and career development;
(F) appraisal of individuals;
(G) social and cultural foundations;
(H) research and evaluation;
(I) professional orientation;
(J) supervised practicum and internship;
(3) has passed an examination required by the board; and
(4) has satisfied the board that the applicant is a person who merits
the public trust.
(c) (1) Applications for licensure as a clinical professional counselor
shall be made to the board on a form and in the manner prescribed by the
board. Each applicant shall furnish evidence satisfactory to the board that
the applicant:
(A) Is licensed by the board as a licensed professional counselor or
meets all requirements for licensure as a licensed professional counselor;
(B) has completed 15 credit hours as part of or in addition to the
requirements under subsection (b) supporting diagnosis or treatment of
mental disorders with use of the American psychiatric association's-
 diagnostic and statistical manual, through identifiable study of the
following content areas: Psychopathology, diagnostic assessment,
interdisciplinary referral and collaboration, treatment approaches and
professional ethics;
(C) has completed a graduate level supervised clinical practicum of
supervised professional experience including psychotherapy and
assessment with individuals, couples, families or groups, integrating
diagnosis and treatment of mental disorders with use of the American
psychiatric association's diagnostic and statistical manual, with not less
than 350 hours of direct client contact or additional postgraduate
supervised experience as determined by the board;

(D) has completed not less than two years of postgraduate supervised
professional experience in accordance with a clinical supervision plan
approved by the board of not less than 4,000 hours of supervised
professional experience including at least 1,500 hours of direct client
contact conducting psychotherapy and assessments with individuals,
couples, families or groups and not less than 150 hours of clinical
supervision, including not less than 50 hours of person-to-person
individual supervision, integrating diagnosis and treatment of mental
disorders with use of the American psychiatric association's diagnostic and
statistical manual, except that one-half of the requirement of this part (D)
subparagraph may be waived for persons with a doctor's degree in
professional counseling or a related field acceptable to the board;

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

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

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

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

(2) A person who was licensed or registered as a professional
counselor in Kansas at any time prior to the effective date of this act, who
has been actively engaged in the practice of professional counseling as a
registered or licensed professional counselor within five years prior to the
effective date of this act and whose last license or registration in Kansas
prior to the effective date of this act was not suspended or revoked, upon
application to the board, payment of fees and completion of applicable
continuing education requirements, shall be licensed as a licensed clinical
professional counselor by providing demonstration of competence to
diagnose and treat mental disorders through at least two of the following
areas acceptable to the board:

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

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

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

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

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

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

(e) A person who is waiting to take the examination required by the
board may apply to the board for a temporary license to practice as a
licensed professional counselor by: (1) Paying an application fee of no
more than $150; and (2) meeting the application requirements as stated in
subsections (b)(1), (2) and (4) of K.S.A. 65-5804a(b)(1), (2) and (4), and
amendments thereto.

(f) (1) A temporary license may be issued by the board after the
application has been reviewed and approved by the board and the applicant
has paid the appropriate fee set by the board for issuance of new licenses.
(2) Absent extenuating circumstances approved by the board, a
temporary license issued by the board shall expire upon the date the board
issues or denies a license to practice professional counseling or six months
after the date of issuance of the temporary license. No temporary license
will be renewed or issued again on any subsequent application for the
same license level. The preceding provisions in no way limit the number
of times an applicant may take the examination.

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

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

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

Sec. 4. K.S.A. 65-5806 is hereby amended to read as follows: 65-
An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 65-5808, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 65-5808, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board. As part of such continuing education, a licensee shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

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

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

Sec. 5. K.S.A. 2014 Supp. 65-5807 is hereby amended to read as follows:

(a) The board may issue a license to an individual who is currently registered, certified or licensed to practice professional counseling in another jurisdiction if the board determines that:

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

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

(A) Continuous Registration, certification or licensure to practice professional counseling during the five years immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

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

(C) a master's degree in counseling from a regionally accredited university or college.

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

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

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

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

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

Sec. 6. K.S.A. 65-5808 is hereby amended to read as follows: 65-5808. (a) The board may fix by rules and regulations the following fees:

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

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

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

(4) for renewal of a license for licensure as a professional counselor, not more than $150;

(5) for reinstatement of a license, not more than $175;

(6) for replacement of a license, not more than $20;

(7) for application for licensure as a clinical professional counselor, not more than $175;

(8) for licensure as a clinical professional counselor, not more than $175;

(9) for renewal for licensure as a clinical professional counselor, not more than $175;

(10) for late renewal penalty, an amount equal to the fee for renewal of a license; and

(11) for exchange of a license in lieu of registration pursuant to subsection (b) of K.S.A. 65-5811 and amendments thereto, not to exceed $150.

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

Sec. 7. K.S.A. 2014 Supp. 65-5809 is hereby amended to read as follows: 65-5809. (a) The board may refuse to issue, suspend, limit, refuse
to renew, condition or revoke any license granted under the professional counselors licensure act for any of the following reasons:

(a) Use of drugs or alcohol, or both, to an extent that impairs the individual's ability to engage in the practice of professional counseling;

(b) the individual has been convicted of a felony and, after investigation, the board finds that the individual has not been sufficiently rehabilitated to merit the public trust;

(c) use of fraud, deception, misrepresentation or bribery in securing any license issued pursuant to the provisions of the professional counselors licensure act or in obtaining permission to take any examination given or required pursuant to the provisions of the professional counselors licensure act;

(d) obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(e) incompetence, misconduct, fraud, misrepresentation or dishonesty in the performance of the functions or duties of a professional counselor or clinical professional counselor;

(f) violation of, or assisting or enabling any individual to violate, any provision of the professional counselors licensure act or any rule and regulation adopted under such act;

(g) impersonation of any individual holding a license or allowing any individual to use a license or diploma from any school of a person licensed under the professional counselors licensure act or a diploma from any school of an applicant for licensure under the professional counselors licensure act;

(h) revocation or suspension of a license or other authorization to practice counseling granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized by the professional counselors licensure act;

(i) the individual is mentally ill or physically disabled to an extent that impairs the individual's ability to engage in the practice of professional counseling;

(j) assisting or enabling any person to hold oneself out to the public or offer to hold oneself out to the public as a licensed professional counselor or a licensed clinical professional counselor who is not licensed under the provisions of the professional counselors licensure act;

(k) the issuance of the license was based upon a material mistake of fact;

(l) violation of any professional trust or confidence;

(m) use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(n) unprofessional conduct as defined by rules and regulations-
adopted by the board; or

(o) the licensee renew or reinstate a license, may condition, limit, 
revoke or suspend a license or may publicly or privately censure a 
licensee, or may impose a fine not to exceed $1,000 per violation upon a 
finding that a licensee or an applicant for license:

(1) is incompetent to practice professional counseling or is found to 
engage in the practice of professional counseling in a manner harmful or 
dangerous to a client or to the public;

(2) is convicted by a court of competent jurisdiction of a felony, 
misdemeanor crimes against persons or substantiation of abuse against a 
child, adult or resident of a care facility, even if not practice related, after 
investigation, the board finds that the licensee has not been sufficiently 
rehabilitated to merit the public trust;

(3) has violated a provision of the professional counselors licensure 
act or one or more of the rules and regulations of the board;

(4) has obtained or attempted to obtain a license or license renewal 
by bribery or fraudulent representation;

(5) has knowingly made a false statement on a form required by the 
board for a license or license renewal;

(6) has failed to obtain continuing education credits required by rules 
and regulations of the board;

(7) has been found guilty of unprofessional conduct as defined by 
rules and regulations established by the board; or

(8) has had a registration, license or certificate as a professional 
counselor revoked, suspended or limited, or has had other disciplinary 
action taken, or an application for a registration, license or certificate 
denied, by the proper regulatory authority of another state, territory, 
District of Columbia, or other or another country, a certified copy of the 
record of the action of the other jurisdiction being conclusive evidence 
thereof.

(b) Administrative proceedings and disciplinary actions regarding 
licensure under this act shall be conducted in accordance with the Kansas 
administrative procedure act. Judicial review and civil enforcement of 
agency actions under this act shall be in accordance with the Kansas 
judicial review act.

New Sec. 8. On and after July 1, 2016, all licensees providing 
postgraduate clinical supervision for those working toward clinical 
licensure must be board-approved clinical supervisors.

(a) Applications for a board-approved clinical supervisor shall be 
made to the board on 
a form and in the manner prescribed by the board. Each application 
shall be accompanied by the fee fixed under K.S.A. 65-5808, and 
amendments thereto.
(b) Each applicant for board-approved clinical supervisor shall furnish evidence satisfactory to the board that the applicant:

1. (A) Is currently licensed as a clinical professional counselor and has practiced as a clinical professional counselor for two years beyond the supervisor's licensure date; or
2. (B) is a person who is licensed at the graduate level to practice in one of the behavioral sciences, and whose authorized scope of practice permits the independent practice of counseling, therapy, or psychotherapy and has practiced at least two years of clinical practice beyond the date of licensure at this level;
3. (2) does not have any disciplinary action that would prohibit providing clinical supervision; and
4. (3)(A) has completed the minimum number of semester hours of coursework related to the enhancement of supervision skills approved by the board; or
5. (B) has completed the minimum number of continuing education hours related to the enhancement of supervision skills approved by the board.

Sec. 9. K.S.A. 65-6306 is hereby amended to read as follows: 65-6306. (a) The board shall issue a license as a baccalaureate social worker to an applicant who:

1. Has a baccalaureate degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;
2. Has passed an examination approved by the board for this purpose; and
3. Has satisfied the board that the applicant is a person who merits the public trust.

(b) The board shall issue a license as a master social worker to an applicant who:

1. Has a master's degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;
2. Has passed an examination approved by the board for this purpose; and
3. Has satisfied the board that the applicant is a person who merits the public trust.

(c) The board shall issue a license in one of the social work specialties to an applicant who:

1. Has a master's or doctor's degree from an accredited graduate school of social work, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations
adopted by the board;

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

(3) has passed an examination approved by the board for this purpose; and

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

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

(A) Has met the requirements of subsection (c);

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

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

(D) has completed as part of or in addition to the requirements of subsection (c) not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 75 hours of person-to-person individual supervision, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual;

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

(F) for persons who apply for and are eligible for a temporary license to practice as a specialist clinical social worker on the day immediately preceding the effective date of this act, in lieu of the education and training
requirements under parts (B), (C) and (D) of this subsection, has completed the education and training requirements for licensure as a specialist clinical social worker in effect on the day immediately preceding the effective date of this act;

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

(H) has paid the application fee.

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

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

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

(e) The board shall adopt rules and regulations establishing the criteria which a social work program of a college or university shall satisfy to be recognized and approved by the board under this section. The board may send a questionnaire developed by the board to any college or university conducting a social work program for which the board does not have sufficient information to determine whether the program should be recognized and approved by the board and whether the program meets the rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the program to be considered for recognition and approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information
Sec. 10. K.S.A. 2014 Supp. 65-6309 is hereby amended to read as follows: 65-6309. (a) Except as provided in subsections (b) and (c), an applicant shall be exempted from the requirement for any examination provided for herein if:

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

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

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

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

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

(A) Continuous Licensure to practice social work at the clinical level during the five years for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

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

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

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

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

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

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

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

(f) Such persons shall take the license examination within six months subsequent to the date of issuance of the temporary license unless there are extenuating circumstances approved by the board.

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

(h) No person may work under a temporary license except under the supervision of a licensed social worker.

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

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

Sec. 11. K.S.A. 2014 Supp. 65-6311 is hereby amended to read as follows: 65-6311. (a) The board may suspend, limit, revoke, condition or refuse to issue or renew a license of any social worker upon proof that the social worker:

(1) Has been convicted of a felony and, after investigation, the board finds that the licensee has not been sufficiently rehabilitated to merit the public trust;

(2) has been found guilty of fraud or deceit in connection with services rendered as a social worker or in establishing needed qualifications under this act;

(3) has knowingly aided or abetted a person, not a licensed social worker, in representing such person as a licensed social worker in this state;
(4) has been found guilty of unprofessional conduct as defined by rules established by the board;
(5) has been found to have engaged in diagnosis as authorized under K.S.A. 65-6319, and amendments thereto, even though not authorized to engage in such diagnosis under K.S.A. 65-6319, and amendments thereto;
(6) has been found guilty of negligence or wrongful actions in the performance of duties; or
(7) refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license or may publicly or privately censure a licensee, or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for a license:
    (1) is incompetent to practice social work or is found to engage in the practice of social work in a manner harmful or dangerous to a client or to the public;
    (2) is convicted by a court of competent jurisdiction of a felony, misdemeanor crimes against persons or substantiation of abuse against a child, adult or resident of a care facility, even if not practice related, after investigation, the board finds that the licensee has not been sufficiently rehabilitated to merit the public trust;
    (3) has violated a provision of the social work licensure act or one or more of the rules and regulations of the board;
    (4) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;
    (5) has knowingly made a false statement on a form required by the board for a license or license renewal;
    (6) has failed to obtain continuing education credits required by rules and regulations of the board;
    (7) has been found guilty of unprofessional conduct as defined by rules and regulations established by the board; or
    (8) has had a license, registration or certificate to practice social work revoked, suspended or limited, or has had other disciplinary action taken, or an application for a license, registration or certificate denied, by the proper licensing regulatory authority of another state, territory, District of Columbia, or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) Proceedings to consider the suspension, revocation or refusal to renew a license shall be conducted in accordance with the provisions of Administrative proceedings and disciplinary actions regarding licensure under this act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under this act shall be in accordance with the Kansas judicial review act.

Sec. 12. K.S.A. 2014 Supp. 65-6313 is hereby amended to read as
follows: 65-6313. (a) All licenses issued shall be effective upon the date
issued and shall expire at the end of 24 months from the date of issuance.
(b) (1) Except as otherwise provided in K.S.A. 65-6311, and
amendments thereto, a license may be renewed by the payment of the
renewal fee set forth in K.S.A. 65-6314, and amendments thereto, and the
execution and submission of a signed statement, on a form to be provided
by the board, attesting that the applicant's license has been neither revoked
nor currently suspended and that applicant has met the requirements for
continuing education established by the board including not less than three
continuing education hours of professional ethics.
(2) An applicant for renewal of a license as a master social worker or
a specialist clinical social worker, as part of such continuing education,
shall complete not less than six continuing education hours relating to
diagnosis and treatment of mental disorders.
On and after January 1, 2011, (3) An applicant for first time licensure
renewal as a baccalaureate social worker, master social worker or
specialist clinical social worker, as part of such continuing education, shall
complete not less than six hours of social worker safety awareness
training. If the applicant for first time licensure renewal has already taken
such training, as part of the applicant's social work degree program or as
part of a previous level of social work licensure renewal, then the applicant
is not required to complete an additional six hours of social worker safety
training.
(c) The application for renewal shall be made on or before the date of
the expiration of the license or on or before the date of the termination of
the period of suspension.
(d) If the application for renewal, including payment of the required
renewal fee, is not made on or before the date of the expiration of the
license, the license is void, and no license shall be reinstated except upon
payment of the required renewal fee established under K.S.A. 65-6314,
and amendments thereto, plus a penalty equal to the renewal fee, and proof
satisfactory to the board of the completion of 40 hours of continuing
education within two years prior to application for reinstatement. Upon
receipt of such payment and proof, the board shall reinstate the license. A
license shall be reinstated under this subsection, upon receipt of such
payment and proof, at any time after the expiration of such license.
(e) In case of a lost or destroyed license, and upon satisfactory proof
of the loss or destruction thereof, the board may issue a duplicate license
and shall charge a fee as set forth in K.S.A. 65-6314, and amendments
thereto, for such duplicate license.
(f) Within 30 days after the changing of a permanent address, a
licensee shall notify the board of such change.
Sec. 13. K.S.A. 65-6314 is hereby amended to read as follows: 65-
6314. (a) The following fees may be established by the board by rules and regulations in accordance with the following limitations:

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

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

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

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

(5) Examination fee for a license as a baccalaureate social worker, for a license as a master social worker or for a license in a social work specialty shall be not more than $200. If an applicant fails an examination, such applicant may be admitted to subsequent examinations upon payment of an additional fee prescribed by the board of not more than $200.

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

(7) Replacement fee for reissuance of a wallet card shall be not more than $5.

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

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

Sec. 14. K.S.A. 65-6319 is hereby amended to read as follows: 65-6319. The following licensed social workers may diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations: (a) A licensed specialist clinical social worker; and (b) a licensed master social worker who engages in the practice of social work only under the direction of a licensed specialist clinical social worker, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders. When a client has symptoms of a mental disorder, a licensed master social worker shall
consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed master social worker may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

New Sec. 15. On and after July 1, 2016, all licensees providing postgraduate clinical supervision for those working toward clinical licensure must be board-approved clinical supervisors.

(a) Applications for board-approved clinical supervisor shall be made to the board on a form and in the manner prescribed by the board. Each application shall be accompanied by the fee fixed under K.S.A. 65-6314, and amendments thereto.

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

(1) Is currently licensed as a specialist clinical social worker;

(2) has practiced as a specialist clinical social worker for two years beyond the supervisor's licensure date;

(3) does not have any disciplinary action that would prohibit providing clinical supervision; and

(4) (A) has completed the minimum number of semester hours of coursework related to the enhancement of supervision skills approved by the board; or

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

New Sec. 16. K.S.A. 65-6301 through 65-6320, section 15, and this section, and amendments thereto, shall be known and may be cited as the social workers licensure act.

Sec. 17. K.S.A. 65-6402 is hereby amended to read as follows: 65-6402. As used in the marriage and family therapists licensure act:

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

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

(c) "Licensed marriage and family therapist" means a person who engages in the practice of marriage and family therapy and who is licensed under this act except that on and after January 1, 2002, such person shall engage in the practice of marriage and family therapy only under the
direction of a licensed clinical marriage and family therapist, a licensed
psychologist, a person licensed to practice medicine and surgery or a
person licensed to provide mental health services as an independent
practitioner and whose licensure allows for the diagnosis and treatment of
mental disorders.

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

Sec. 18. K.S.A. 2014 Supp. 65-6404 is hereby amended to read as
follows: 65-6404. (a) An applicant for licensure as a marriage and family
therapist shall furnish evidence that the applicant:

(1) Has attained the age of 21;

(2) (A) has completed a master's or doctoral degree from a marriage
and family therapy program, in an educational institution with standards
approved by the board; or (B) has completed a master's or doctoral degree
from an educational institution in a related field for which the course work
is considered by the board to be equivalent to that provided in clause (2)
(A) of this paragraph subsection (a)(2)(A) and consists of a minimum of
nine semester hours in human development, nine semester hours in
theories of marriage and family functioning, nine semester hours of marital
and family assessment and therapy, three semester hours in professional
studies and three semester hours in research; or (C) completed a master's
or doctoral degree from an educational institution in a related field with
additional work from an educational program in marriage and family
therapy approved by the board and such degree program and additional
work includes the course work requirements provided in clause (2)(B) of
this paragraph subsection (a)(2)(B);

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

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

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

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

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

(B) has completed 15 credit hours as part of or in addition to the
requirements under subsection (a) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's
diagnostic and statistical manual, through identifiable study of the following content areas: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;
(C) has completed a graduate level supervised clinical practicum of supervised professional experience including psychotherapy and assessment with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 350 hours of direct client contact or additional postgraduate supervised experience as determined by the board;
(D) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, except that one-half of the requirement of this part subparagraph (D) may be waived for persons with a doctor's degree in marriage and family therapy or a related field acceptable to the board;
(E) for persons earning a degree under subsection (a) prior to July 1, 2003, in lieu of the education and training requirements under parts subparagraphs (B) and (C) of this subsection, has completed the education requirements for licensure as a marriage and family therapist in effect on the day immediately preceding the effective date of this act;
(F) for persons who apply for and are eligible for a temporary permit to practice as a licensed marriage and family therapist on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under parts subparagraphs (B), (C) and (D) of this subsection, has completed the education and training requirements for licensure as a marriage and family therapist in effect on the day immediately preceding the effective date of this act;
(G) has passed an examination approved by the board; and
(H) has paid the application fee fixed under K.S.A. 65-6411, and amendments thereto.
(2) A person who was licensed or registered as a marriage and family therapist in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of marriage and family therapy

as a registered or licensed marriage and family therapist within five years
prior to the effective date of this act and whose last license or registration
in Kansas prior to the effective date of this act was not suspended or
revoked, upon application to the board, payment of fees and completion of
applicable continuing education requirements, shall be licensed as a
licensed clinical marriage and family therapist by providing demonstration
of competence to diagnose and treat mental disorders through at least two
of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national,
clinical examination;
(B) either: (i) Three years of clinical practice in a community mental
health center, its contracted affiliate or a state mental hospital; or (ii) three
years of clinical practice in other settings with demonstrated experience in
diagnosing or treating mental disorders; or
(C) attestation from one professional licensed to diagnose and treat
mental disorders in independent practice or licensed to practice medicine
and surgery that the applicant is competent to diagnose and treat mental
disorders.

(3) A licensed clinical marriage and family therapist may engage in
the independent practice of marriage and family therapy and is authorized
to diagnose and treat mental disorders specified in the edition of the
diagnostic and statistical manual of mental disorders of the American
psychiatric association designated by the board by rules and regulations.
When a client has symptoms of a mental disorder, a licensed clinical
marriage and family therapist shall consult with the client's primary care
physician or psychiatrist to determine if there may be a medical condition
or medication that may be causing or contributing to the client's symptoms
of a mental disorder. A client may request in writing that such consultation
be waived and such request shall be made a part of the client's record. A
licensed clinical marriage and family therapist may continue to evaluate
and treat the client until such time that the medical consultation is obtained
or waived.

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

Sec. 19. K.S.A. 2014 Supp. 65-6405 is hereby amended to read as  
follows: 65-6405. (a) A person who is waiting to take the examination  
required by the board may apply to the board for a temporary license to  
practice as a licensed marriage and family therapist by: (1) Paying an  
application fee of no more than $150, as established by the board in K.S.A.  
65-6411, and amendments thereto, and (2) meeting the application  
requirements as stated in subsections (a)(1), (2) and (4) of K.S.A. 65-6404  
(a)(1), (a)(2) and (a)(4), and amendments thereto.

(b) (1) A temporary license may be issued by the board after the  
application has been reviewed and approved by the board and the applicant  
has paid the appropriate fee set by the board for issuance of new licenses.  
(2) Absent extenuating circumstances approved by the board, a  
temporary license issued by the board shall expire upon the date the board  
issues or denies the person a license to practice marriage and family  
therapy or 12 months after the date of issuance of the temporary license.

(3) A temporary licensee shall take the license examination within six  
months subsequent to the date of issuance of the temporary license unless  
there are extenuating circumstances approved by the board or if the  
temporary licensee does not take the license examination within six  
months subsequent to the date of issuance of the temporary license and no  
extenuating circumstances have been approved by the board, the  
temporary license will expire after the first six months.

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

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

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

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

Sec. 20. K.S.A. 2014 Supp. 65-6406 is hereby amended to read as
follows: 65-6406. (a) The board may issue a license to an individual who
is currently registered, certified or licensed to practice marriage and family
therapy in another jurisdiction if the board determines that:

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

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

(A) Continuous Registration, certification or licensure to practice
marriage and family therapy during the five years for at least 60 of the last
66 months immediately preceding the application with at least the
minimum professional experience as established by rules and regulations
of the board;

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

(C) completion of a master’s degree in marriage and family therapy
from a regionally accredited university.

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

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

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

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

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

Sec. 21. K.S.A. 65-6407 is hereby amended to read as follows: 65-
(a) An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 65-6411, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 65-6411, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board. As part of such continuing education, the applicant shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(c) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, which application shall be accompanied by the fee provided for by K.S.A. 65-6411, and amendments thereto.

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

Sec. 22. K.S.A. 65-6408 is hereby amended to read as follows: 65-6408. (a) The board may refuse to grant licensure to, or may suspend, revoke, condition, limit, qualify or restrict the licensure of any individual who the board, after a hearing, determines issue, renew or reinstate a license, may condition, limit, revoke or suspend a license or may publicly or privately censure a licensee, or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for license:

(1) Is incompetent to practice marriage and family therapy, or is found to engage in the practice of marriage and family therapy in a manner harmful or dangerous to a client or to the public;

(2) is convicted by a court of competent jurisdiction of a crime that the board determines is of a nature to render the convicted person unfit to practice marriage and family therapy, felony, misdemeanor crimes against persons or substantiation of abuse against a child, adult or resident of a care facility, even if not practice-related, after investigation, the board finds that the licensee has not been sufficiently rehabilitated to merit the public trust;

(3) has violated a provision of the marriage and family therapists licensure act or one or more of the rules and regulations of the board;

(4) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(5) has knowingly made a false statement on a form required by the
board for license or license renewal;
(6) has failed to obtain continuing education credits required by rules and regulations of the board;
(7) has been found guilty of unprofessional conduct as defined by rules and regulations established by the board; or
(8) has had a registration, license or certificate as a marriage and family therapist revoked, suspended or limited, or has had other disciplinary action taken, or an application for registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) Administrative proceedings and disciplinary actions regarding licensure under this act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under this act shall be in accordance with the Kansas judicial review act.

Sec. 23. K.S.A. 65-6411 is hereby amended to read as follows: 65-6411. (a) The board shall may fix by rules and regulations and shall may collect the following fees:
(1) For application for licensure as a marriage and family therapist, not to exceed $150;
(2) for original licensure as a marriage and family therapist, not to exceed $175;
(3) for examination, not to exceed $275;
(4) for renewal of a license for licensure as a marriage and family therapist, not to exceed $175;
(5) for application for licensure as a clinical marriage and family therapist, not to exceed $175;
(6) for original licensure as a clinical marriage and family therapist, not to exceed $175;
(7) for reinstatement of a license, not to exceed $175;
(8) for replacement of a license, not to exceed $20; and
(9) for late charges, not to exceed $5 for each 30 days of delay beyond the date the renewal application was to be made renewal penalty, an amount equal to the renewal of license; and
(10) for a wallet card license, not to exceed $5.
(b) Fees paid to the board are not refundable.

Sec. 24. K.S.A. 2014 Supp. 65-6412 is hereby amended to read as follows: 65-6412. Proceedings regarding licensure under the marriage and family therapists licensure act shall be conducted in accordance with the
Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the marriage and family therapists licensure act shall be in accordance with the Kansas judicial review act.

New Sec. 25. On and after July 1, 2016, all licensees providing postgraduate clinical supervision for those working toward clinical licensure must be board-approved clinical supervisors.

(a) Applications for board-approved clinical supervisor shall be made to the board on a form and in the manner prescribed by the board. Each application shall be accompanied by the fee fixed under K.S.A. 65-6411, and amendments thereto.

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

1. (A) Is currently licensed as a clinical marriage and family therapist and has practiced as a clinical marriage and family therapist for two years beyond the supervisor's licensure date; or

2. (B) be a person who is licensed at the graduate level to practice in one of the behavioral sciences, and whose authorized scope of practice permits the diagnosis and treatment of mental disorders and shall have at least two years of professional experience in the independent practice of clinical marriage and family therapy beyond the date of licensure at this level;

3. (2) does not have any disciplinary action that would prohibit providing clinical supervision; and

4. (3) (A) has completed the minimum number of semester hours of coursework related to the enhancement of supervision skills approved by the board; or

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

Sec. 26. K.S.A. 2014 Supp. 65-6608 is hereby amended to read as follows: 65-6608. As used in the addictions counselor licensure act:

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

(b) "Addiction counseling" means the utilization of special skills to assist persons with addictions, and to assist such persons' families and friends to achieve resolution of addiction through the exploration of the disease and its ramifications, the examination of attitudes and feelings, the consideration of alternative solutions and decision making, as these relate specifically to addiction. Evaluation and assessment, treatment including treatment plan development, crisis intervention, referral, record keeping and clinical consultation specifically related to addiction are within the scope of addiction counseling. Additionally, at the clinical level of licensure, addiction counseling includes independent practice and the diagnosis and treatment of substance use disorders.
(c) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or in completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 2014 Supp. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt for licensure under subsection (m) of K.S.A. 59-29b46(m), and amendments thereto.

(d) "Licensed master's addiction counselor" means any person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person may diagnose substance use disorders only under the supervision of a licensed clinical addiction counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of substance abuse disorders or mental disorders. Such person shall engage in the practice of addiction counseling only in a state-licensed or certified alcohol and other drug treatment program or in completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 2014 Supp. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt for licensure under K.S.A. 59-29b46(m), and amendments thereto.

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

Sec. 27. K.S.A. 2014 Supp. 65-6609 is hereby amended to read as follows: 65-6609. (a) On and after September 1, 2011, no person shall engage in the practice of addiction counseling or represent that such person is a licensed addiction counselor or is an addiction counselor or a substance abuse counselor or an alcohol and drug counselor without having first obtained a license as an addiction counselor under the addictions counselor licensure act.

(b) On and after September 1, 2015, no person shall engage in the practice of addiction counseling or represent that such person is a licensed master's addiction counselor or is a master's addiction counselor or a master's substance abuse counselor or a master's alcohol and drug counselor without having first obtained a license as a master's addiction counselor under the addictions counselor licensure act.
On and after September 1, 2011, no person shall engage in the practice of addiction counseling as a clinical addiction counselor or represent that such person is a licensed clinical addiction counselor or is a clinical addiction counselor or a clinical substance abuse counselor or a clinical alcohol and drug counselor without having first obtained a license as a clinical addiction counselor under the addiction counselor licensure act.

Violation of this section is a class B misdemeanor.

Sec. 28. K.S.A. 2014 Supp. 65-6610 is hereby amended to read as follows: 65-6610. (a) An applicant for licensure as an addiction counselor shall furnish evidence that the applicant:

1. Has attained the age of 21; and
2. (A) has completed at least a baccalaureate degree from an addiction counseling program that is part of a college or university approved by the board; or
   (B) has completed at least a baccalaureate degree from a college or university approved by the board in a related field that includes a minimum number of semester hours of coursework on substance use disorders as approved by the board; or
   (C) has completed at least a baccalaureate degree from a college or university approved by the board in a related field with additional coursework in addiction counseling from a college or university approved by the board, and such degree program and the additional coursework includes a minimum number of semester hours of coursework on substance use disorders as approved by the board; or
   (D) is currently licensed in Kansas as a licensed baccalaureate social worker and has completed a minimum number of semester hours of coursework on substance use disorders as approved by the board; or
   (E) is currently licensed in Kansas as a licensed master social worker, licensed professional counselor, licensed marriage and family therapist or licensed masters level psychologist; and
3. has passed an examination approved by the board; and
4. has satisfied the board that the applicant is a person who merits the public trust; and
5. each applicant has paid the application fee established by the board under K.S.A. 2014 Supp. 65-6618, and amendments thereto.

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

1. Has attained the age of 21; and
2. (A) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the
board;
  (B) has completed a master's degree from a college or university
approved by the board that includes a minimum number of semester hours
of coursework supporting the diagnosis and treatment of substance use
disorders as approved by the board;
  (C) has completed a master's degree from a college or university
approved by the board with additional coursework in addiction counseling
from a college or university approved by the board and such degree
program and additional coursework includes a minimum number of
semester hours of coursework supporting the diagnosis and treatment of
substance use disorders as approved by the board;
  (D) has completed a master's degree from a college or university
approved by the board that includes a minimum number of semester hours
of coursework supporting the diagnosis and treatment of substance use
disorders as approved by the board; or
  (E) is currently licensed in Kansas as a licensed master social
worker, licensed professional counselor, licensed marriage and family
therapist or licensed master's level psychologist; and
  (3) has passed an examination approved by the board;
  (4) has satisfied the board that the applicant is a person who merits
the public trust; and
  (5) has paid the application fee fixed under K.S.A. 2014 Supp. 65-
6618, and amendments thereto.

(c) Applications for licensure as a clinical addiction counselor shall
be made to the board on a form and in the manner prescribed by the board.
Each applicant shall furnish evidence satisfactory to the board that the
applicant:
  (1) Has attained the age of 21; and
  (2) (A) (i) has completed at least a master's degree from an addiction
counseling program that is part of a college or university approved by the
board; and
    (ii) has completed not less than two years of postgraduate supervised
professional experience in accordance with a clinical supervision plan
approved by the board of not less than 4,000 hours of supervised
professional experience including at least 1,500 hours of direct client
contact conducting substance abuse assessments and treatment with
individuals, couples, families or groups and not less than 150 hours of
clinical supervision, including not less than 50 hours of person-to-person
individual supervision, integrating diagnosis and treatment of substance
use disorders with use of the diagnostic and statistical manual of mental
disorders of the American psychiatric association; or has completed not
less than two years one year of postgraduate supervised professional
experience in accordance with a clinical supervision plan approved by the
board of not less than 2,000 hours of supervised professional experience
including at least 750 hours of direct client contact conducting substance
abuse assessments and treatment with individuals, couples, families or
groups and not less than 75 hours of clinical supervision, including not less
than 25 hours of person-to-person individual supervision, integrating
diagnosis and treatment of substance use disorders with use of the
diagnostic and statistical manual of mental disorders of the American
psychiatric association, and such person has a doctoral degree in addiction
counseling or a related field as approved by the board; or

(B) (i) has completed a master's degree from a college or university
approved by the board in a related field that includes a minimum number
of semester hours of coursework supporting the diagnosis and treatment of
substance use disorders as approved by the board; and

(ii) has completed not less than two years of postgraduate supervised
professional experience in accordance with a clinical supervision plan
approved by the board of not less than 4,000 hours of supervised
professional experience including at least 1,500 hours of direct client
contact conducting substance abuse assessments and treatment with
individuals, couples, families or groups and not less than 150 hours of
clinical supervision, including not less than 50 hours of person-to-person
individual supervision, integrating diagnosis and treatment of substance
use disorders with use of the diagnostic and statistical manual of mental
disorders of the American psychiatric association; or has completed not
less than two years one year of postgraduate supervised professional
experience in accordance with a clinical supervision plan approved by the
board of not less than 2,000 hours of supervised professional experience
including at least 750 hours of direct client contact conducting substance
abuse assessments and treatment with individuals, couples, families or
groups and not less than 75 hours of clinical supervision, including not less
than 25 hours of person-to-person individual supervision, integrating
diagnosis and treatment of substance use disorders with use of the
diagnostic and statistical manual of mental disorders of the American
psychiatric association, and such person has a doctoral degree in addiction
counseling or a related field as approved by the board; or

(C) (i) has completed a master's degree from a college or university
approved by the board in a related field with additional coursework in
addiction counseling from a college or university approved by the board
and such degree program and additional coursework includes a minimum
number of semester hours of coursework supporting the diagnosis and
treatment of substance use disorders as approved by the board; and

(ii) has completed not less than two years of postgraduate supervised
professional experience in accordance with a clinical supervision plan
approved by the board of not less than 4,000 hours of supervised
professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than two years one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or

(D) (i) has completed a master's degree in a related field from a college or university approved by the board and is licensed by the board as a licensed addiction counselor; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association; or has completed not less than two years one year of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 2,000 hours of supervised professional experience including at least 750 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 75 hours of clinical supervision, including not less than 25 hours of person-to-person individual supervision, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, and such person has a doctoral degree in addiction counseling or a related field as approved by the board; or

(E) is currently licensed in Kansas as a licensed psychologist,
licensed specialist clinical social worker, licensed clinical professional
counselor, licensed clinical psychotherapist or licensed clinical marriage
and family therapist and provides to the board an attestation from a
professional licensed to diagnose and treat mental disorders, or substance
use disorders, or both, in independent practice or licensed to practice
medicine and surgery stating that the applicant is competent to diagnose
and treat substance use disorders; and
(3) has passed an examination approved by the board; and
(4) has satisfied the board that the applicant is a person who merits
the public trust; and
(5) has paid the application fee fixed under K.S.A. 2014 Supp. 65-
6618, and amendments thereto.
(c) A person who was registered by the behavioral sciences
regulatory board as an alcohol and other drug counselor or credentialed by
the Kansas department for aging and disability services as an alcohol and
drug credentialed counselor or credentialed by the Kansas association of
addiction professionals as an alcohol and other drug abuse counselor in
Kansas at any time prior to the effective date of this act, who was
registered in Kansas as an alcohol and other drug counselor, an alcohol and
drug credentialed counselor or a credentialed alcohol and other drug abuse
counselor within three years prior to the effective date of this act and
whose last registration or credential in Kansas prior to the effective date of
this act was not suspended or revoked, upon application to the board,
payment of fees and completion of applicable continuing education
requirements, shall be licensed as a licensed addiction counselor by
providing demonstration acceptable to the board of competence to perform
the duties of an addiction counselor.
(d) Prior to July 1, 2016, any person who was registered by the
behavioral sciences regulatory board as an alcohol and other drug
counselor or credentialed by the department of social and rehabilitation
services as an alcohol and drug credentialed counselor or credentialed by
the Kansas association of addiction professionals as an alcohol and other
drug abuse counselor in Kansas at any time prior to the effective date of
this act, and who is also licensed to practice independently as a mental
health practitioner or person licensed to practice medicine and surgery, and
who was registered or credentialed in Kansas as an alcohol and other drug
counselor within three years prior to the effective date of this act and
whose last registration or credential in Kansas prior to the effective date of
this act was not suspended or revoked, upon application to the board,
payment of fees and completion of applicable continuing education
requirements, shall be licensed as a licensed clinical addiction counselor
and may engage in the independent practice of addiction counseling and is
authorized to diagnose and treat substance use disorders specified in the
Prior to July 1, 2016, any person who was credentialed by the department of social and rehabilitation services as an alcohol and drug counselor and has been actively engaged in the practice, supervision or administration of addiction counseling in Kansas for not less than four years and holds a master's degree in a related field from a college or university approved by the board and whose last registration or credential in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a clinical addiction counselor and may engage in the independent practice of addiction counseling and is authorized to diagnose and treat substance use disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations.

(f) A licensed addiction counselor shall engage in the practice of addiction counseling only in a state licensed or certified alcohol and other drug treatment program, unless otherwise exempt from licensure under subsection (m) of K.S.A. 59-29b46, and amendments thereto.
(3) No temporary license will be renewed or issued again on any subsequent application for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

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

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

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

Sec. 30. K.S.A. 2014 Supp. 65-6613 is hereby amended to read as follows: 65-6613. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice as an addiction counseling counselor in another jurisdiction if the board determines that:

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

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

(A) Continuous Registration, certification or licensure to practice as an addiction counseling counselor during the five years counselor for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board; and

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

(C) Completion of a baccalaureate or master's degree in addiction counseling from a college or university approved by the board—or completion of a baccalaureate or master's degree in a related field that includes all required addiction coursework.

(b) (1) The board may issue a license to an individual who is
currently registered, certified or licensed to practice clinical as a master's addiction counseling counselor in another jurisdiction if the board determines that:

(1) (A) The standards for registration, certification or licensure to practice clinical as a master's addiction counseling counselor in the other jurisdiction are substantially the equivalent of the requirements of the addictions counselor licensure act and rules and regulations of the board; or

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

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

(A) Continuous Registration, certification or licensure to practice clinical addiction counseling during the five years for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board; and

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

(C) (i) completion of at least a master's degree in clinical addiction counseling from a college or university approved by the board or completion of at least a master's degree approved by the board; or

(ii) completion of at least a master's degree from a college or university approved by the board in a related field that includes a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; or

(iii) completion of at least a master's degree from a college or university approved by the board in a related field with additional coursework in addiction counseling from a college or university approved by the board and such degree program and additional coursework includes a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; and

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

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

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

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

c) An applicant for a license under this section shall pay an
application fee, if required by the board, established by the board under

Sec. 31. K.S.A. 2014 Supp. 65-6614 is hereby amended to read as
follows: 65-6614. (a) An applicant who meets the requirements for
licensure pursuant to this act, has paid the license fee provided for by
K.S.A. 2014 Supp. 65-6618, and amendments thereto, and has otherwise
complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from
the date of issuance unless revoked prior to that time. A license may be
renewed upon application and payment of the fee provided for by K.S.A.
2014 Supp. 65-6618, and amendments thereto. The application for renewal
shall be accompanied by evidence satisfactory to the board that the
applicant has completed during the previous 24 months the continuing
education, including not less than three hours in ethics, required by rules
and regulations of the board. In addition, as part of such continuing
education, the master’s addiction counselor and the clinical addiction
counselor applicant shall complete not less than six continuing education
hours relating to diagnosis and treatment of substance use disorders. Both
the clinical addiction counselor applicant and the addiction counselor
applicant shall complete not less than three continuing education hours of
professional ethics.

c) A person whose license has been suspended or revoked may make
written application to the board requesting reinstatement of the license
upon termination of the period of suspension or revocation in a manner
prescribed by the board, which application shall be accompanied by the

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

Sec. 32. K.S.A. 2014 Supp. 65-6615 is hereby amended to read as
follows: 65-6615. (a) The board may refuse to grant licensure to, or may
suspend, revoke, condition, limit, qualify or restrict the licensure issued
under this act of any individual who the board, after the opportunity for a
hearing, determines:

(a) Issue, renew or reinstate a license, may condition, limit, revoke or
suspend a license or may publicly or privately censure a licensee, or may
impose a fine not to exceed $1,000 per violation upon a finding that a
licensee or an applicant for license:

(I) Is incompetent to practice addiction counseling, or is found to
engage in the practice of addiction counseling in a manner harmful or
dangerous to a client or to the public;
(b)(2) is convicted by a court of competent jurisdiction of a felony, misdemeanor crimes against persons or substantiation of abuse against a child, adult or resident of a care facility, even if not practice related, after investigation, the board finds that the licensee has not been sufficiently rehabilitated to merit the public trust;

(e)(3) has violated a provision of the addictions counselor licensure act or one or more of the rules and regulations of the board;

(d)(4) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(e)(5) has knowingly made a false statement on a form required by the board for license or license renewal;

(f)(6) has failed to obtain continuing education credits required by rules and regulations of the board;

(g)(7) has been found guilty of unprofessional conduct as defined by rules and regulations established by the board; or

(h)(8) has had a registration, license or certificate as an addiction counselor revoked, suspended or limited, or has had other disciplinary action taken, or an application for registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) Administrative proceedings and disciplinary actions regarding licensure under this act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under this act shall be in accordance with the Kansas judicial review act.

Sec. 33. K.S.A. 2014 Supp. 65-6618 is hereby amended to read as follows: 65-6618. (a) The board shall may fix by rules and regulations and shall may collect the following fees:

(1) For application for licensure as an addiction counselor, not to exceed $150;

(2) for original licensure as an addiction counselor, not to exceed $150;

(3) for renewal of a license for licensure as an addiction counselor, not to exceed $150;

(4) for a temporary license as an addiction counselor, not to exceed $100;

(5) for application for licensure as a master's addiction counselor, not to exceed $150;

(6) for original licensure as a master's addiction counselor, not to exceed $150;

(7) for renewal for licensure as a master's addiction counselor, not to exceed $150;
(8) for application for licensure as a clinical addiction counselor, not to exceed $150;
(6)(9) for original licensure as a clinical addiction counselor, not to exceed $150;
(7)(10) for renewal for licensure as a clinical addiction counselor, not to exceed $150;
(8)(11) for a temporary permit to practice clinical addiction counseling, not to exceed $200;
(9)(12) for extension of a temporary permit to practice clinical addiction counseling, not to exceed $200;
(10)(13) for reinstatement of a license, not to exceed $150;
(11)(14) for replacement of a license, not to exceed $20; and
(12)(15) for late renewal penalty, an amount equal to the fee for renewal.

(b) The board shall require that fees paid for any examination under the addictions counselor licensure act be paid directly to the examination services by the person taking the examination.

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

Sec. 34. K.S.A. 74-5302 is hereby amended to read as follows: 74-5302. For the purpose of this act the following definitions shall apply: (a) "Practice of psychology" means the application of established principles of learning, motivation, perception, thinking and emotional relationships to problems of behavior adjustment, group relations and behavior modification, by persons trained in psychology. The application of such principles includes, but is not restricted to, counseling and the use of psychological remedial measures with persons, in groups or individually, having adjustment or emotional problems in the areas of work, family, school and personal relationships; measuring and testing personality, intelligence, aptitudes, public opinion, attitudes and skills; the teaching of such subject matter; and the conducting of research on problems relating to human behavior, except that in all cases involving the care of the sick and ill as defined by the laws of this state, the primary responsibility devolves upon those licensed under the Kansas healing arts act. The practice of psychology includes the diagnosis and treatment of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. If a licensed psychologist cannot make an independent diagnosis of a mental disorder, such psychologist shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed psychologist may continue
to evaluate and treat the client until such time that the medical consultation
is obtained or waived.
(b) "Represents oneself to be a psychologist" means that a person
engages in the practice of psychology for a fee, monetary or otherwise, or
holds oneself out to the public by any title or description of services
incorporating the word "psychologic," "psychological," "psychologist" or
"psychology" and under such title or description offers to render or renders
services to individuals, corporations or the public for a fee, monetary or
otherwise.
(c) "Board" means the behavioral sciences regulatory board created
by K.S.A. 74-7501, and amendments thereto.
(d) "License" means a license as a psychologist issued by the board.
(e) "Licensed psychologist" means a person licensed by the board
under the provisions of this act.
Sec. 35. K.S.A. 2014 Supp. 74-5310 is hereby amended to read as
follows: 74-5310. (a) The board shall issue a license as a psychologist to
any person who pays an application fee prescribed by the board, not in
excess of $225 and, if required by the board, an original license fee not in
excess of $150, which shall not be refunded, who either satisfies the board
as to such person's training and experience after a thorough review of such
person's credentials and who passes a satisfactory examination in
psychology. Any person paying the fee must also submit evidence verified
by oath and satisfactory to the board that such person: (1) Is at least 21
years of age; (2) is of good moral character; (3) has received the doctor's
degree based on a program of studies in content primarily psychological
from an educational institution having a graduate program with standards
consistent with those of the state universities of Kansas, or the substantial
equivalent of such program in both subject matter and extent of training;
and (4) has had at least two years of supervised experience, a significant
portion of which shall have been spent in rendering psychological services
satisfying the board's approved standards for the psychological service
concerned.
(b) The board shall adopt rules and regulations establishing the
criteria which an educational institution shall satisfy in meeting the
requirements established under item (3) of subsection (a)(3). The board
may send a questionnaire developed by the board to any educational
institution for which the board does not have sufficient information to
determine whether the educational institution meets the requirements of
item (3) of subsection (a)(3) and rules and regulations adopted under this
section. The questionnaire providing the necessary information shall be
completed and returned to the board in order for the educational institution
to be considered for approval. The board may contract with investigative
agencies, commissions or consultants to assist the board in obtaining
information about educational institutions. In entering such contracts the
authority to approve educational institutions shall remain solely with the
board.

Sec. 36. K.S.A. 74-5311 is hereby amended to read as follows: 74-
5311. Examinations for applicants under this act shall be held by the board
from time to time but not less than once each year. The board shall adopt
rules and regulations governing the subject, scope, and form of the
examinations or shall contract with a national testing service to provide an
examination approved by the board. The board shall prescribe an initial-
examination fee not to exceed $350. If an applicant fails the first
examination, such applicant may be admitted to any subsequent
examination upon payment of an additional fee prescribed by the board not
to exceed $350. The examination fees prescribed by the board under this
section shall be fixed by rules and regulations of the board.

Sec. 37. K.S.A. 2014 Supp. 74-5315 is hereby amended to read as
follows: 74-5315. (a) The board may grant a license to any person who, at
the time of application, is registered, certified or licensed as a psychologist
at the doctoral level in another jurisdiction if the board determines that:
(1) The requirements of such jurisdiction for such certification or
licensure are substantially the equivalent of the requirements of this state;
or
(2) the applicant demonstrates on forms provided by the board
compliance with the following standards as adopted by the board:
(A) Continuous—Registration, certification or licensure as a
psychologist at the doctoral level during the five years for at least 60 of
the last 66 months immediately preceding the application with at least the
minimum professional experience as established by rules and regulations
of the board;
(B) the absence of disciplinary actions of a serious nature brought by
a registration, certification or licensing board or agency; and
(C) a doctoral degree in psychology from a regionally accredited
university or college.
(b) An applicant for a license under this section shall pay an
application fee, if required by the board, established by the board under
K.S.A. 74-5310, and amendments thereto.

Sec. 38. K.S.A. 2014 Supp. 74-5316 is hereby amended to read as
follows: 74-5316. (a) Upon application, the board may issue temporary
licenses to persons who have met all qualifications for licensure under
provisions of the licensure of psychologists act of the state of Kansas,
except passage of the required examination, pursuant to K.S.A. 74-5310,
and amendments thereto, who must wait for completion of the next
examination, who have paid the required application, examination and
temporary license fees and who have submitted documentation as required
by the board, under the following:

1. The temporary license shall expire upon receipt and recording of
   the temporary licensee's second examination score by the board if such
   temporary licensee fails the examination after two attempts or upon the
   date the board issues or denies the temporary licensee a license to practice
   psychology if such temporary licensee passes the examination;

2. Such temporary licensee shall take the next license examination
   subsequent to the date of issuance of the temporary license unless there are
   extenuating circumstances approved by the board;

3. The board shall adopt rules and regulations prescribing
   continuing education requirements for temporary licensees, including, but
   not limited to, a requirement that temporary licensees shall complete a
   minimum of 25 contact hours of continuing education during the two-year
   period of temporary licensure, which shall include a minimum of three
   hours in psychology ethics;

4. No person may work under a temporary license except under
   the supervision of a licensed psychologist as prescribed in rules and
   regulations adopted by the board; and

5. The fee for such temporary license, if required by the board,
   shall be fixed by rules and regulations adopted by the board and shall not
   exceed $200.

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

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

2. The temporary license may be renewed for one additional two-year
   period after expiration;

3. Temporary licensees shall take the license examination pursuant to
   subsection (a)(4) of K.S.A. 74-5310(a)(4), and amendments thereto,
   subsequent to the date of issuance and prior to expiration of the temporary
   license unless there are extenuating circumstances approved by the board;

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

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

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

(7) the fee for a renewal of the temporary license, if required by the board, shall be fixed by rules and regulations adopted by the board and shall not exceed $200 per issuance.

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

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

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

Sec. 39. K.S.A. 74-5318 is hereby amended to read as follows: 74-5318. On or before the first day of April of alternate years, the board shall mail to every psychologist licensed in Kansas an application blank for renewal, which shall contain space for insertion of information as required for the application blank under K.S.A. 74-5317 and amendments thereto, addressing the same to the post office address given at the last previous renewal. In addition, (a) The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed, during the previous 24 months, the continuing education required by rules and regulations of the board. As part of such continuing education, a licensed psychologist shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(b) A licensee shall submit the application to the board, together with a renewal fee fixed by rules and regulations of the board of not to exceed $200. Upon receipt of such application and fee, the board shall issue a renewal license for the period commencing on the date on which the license is issued and expiring on June 30 of the next even-numbered year. Initial licenses shall thus be for the current biennium of registration.

(c) Applications for renewal of a license must be made biennially on or before the first day of July and if not so made an additional fee equal to the renewal fee shall be added to the regular renewal fee.
(d) Should any psychologist who has failed to renew a license continue to represent oneself as a psychologist beyond July 1, thereafter such psychologist shall be in violation of this act and the psychologist’s license may be suspended or revoked by the board in accordance with the provisions of K.S.A. 74-5324, and amendments thereto.

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

Sec. 40. K.S.A. 74-5322 is hereby amended to read as follows: 74-5322. Upon November 1 of each year, or within 20 days thereafter, the board shall publish and cause to be mailed to each psychologist licensed under this act in Kansas, a list of duly licensed psychologists in this state. The annual listing will be contingent upon the payment of all fees due, including the renewal fee.

Sec. 41. K.S.A. 2014 Supp. 74-5324 is hereby amended to read as follows: 74-5324. (a) The board may suspend, limit, revoke, condition or refuse to issue or renew a license of any psychologist upon proof that the psychologist: (a) Has been convicted of a felony involving moral turpitude; or (b) has been guilty of fraud or deceit in connection with services rendered as a psychologist or in establishing qualifications under this act; or (c) has aided or abetted a person, not a licensed psychologist, in representing such person as a psychologist in this state; or (d) has been guilty of unprofessional conduct as defined by rules and regulations established by the board; or (e) has been guilty of negligence or wrongful actions in the performance of duties; or (f) has knowingly submitted a misleading, deceptive, untrue or fraudulent misrepresentation on a claim form, bill or statement or (g) refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license or may publicly or privately censure a licensee, or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for a license:

(1) Is incompetent to practice psychology or is found to engage in the practice of psychology in a manner harmful or dangerous to a client or to the public;

(2) is convicted by a court of competent jurisdiction of a felony, misdemeanor crimes against persons or substantiation of abuse against a child, adult or resident of a care facility, even if not practice related, after investigation by the board, the board finds that the licensee has not been sufficiently rehabilitated to merit the public trust;

(3) has violated a provision of the psychologists act of the state of Kansas or one or more of the rules and regulations of the board;

(4) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;

(5) has knowingly made a false statement on a form required by the board for a license or license renewal;
(6) has failed to obtain continuing education credits required by rules and regulations of the board;

(7) has been found guilty of unprofessional conduct as defined by rules and regulations established by the board; or

(8) has had a registration, license or certificate as a psychologist revoked, suspended or limited, or has had other disciplinary action taken, or an application for registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) Administrative proceedings and disciplinary actions regarding licensure under this act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under this act shall be in accordance with the Kansas judicial review act.

Sec. 42. K.S.A. 74-5361 is hereby amended to read as follows: 74-5361. As used in this act:

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

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

(c) "Licensed master's level psychologist" means a person licensed by the board under the provisions of this act.

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

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

Sec. 43. K.S.A. 74-5363 is hereby amended to read as follows: 74-5363. (a) Any person who desires to be licensed under this act shall apply to the board in writing, on forms prepared and furnished by the board. Each application shall contain appropriate documentation of the particular qualifications required by the board and shall be accompanied by the required fee.

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

(1) Is at least 21 years of age;
(2) has satisfied the board that the applicant is a person who merits
public trust;
(3) has received at least 60 graduate hours including a master's degree
in psychology based on a program of studies in psychology from an
educational institution having a graduate program in psychology consistent
with state universities of Kansas; or until July 1, 2003, has received at least
a master's degree in psychology and during such master's or post-master's
coursework completed a minimum of 12 semester hours or its equivalent
in psychological foundation courses such as, but not limited to, philosophy
of psychology, psychology of perception, learning theory, history of
psychology, motivation, and statistics and 24 semester hours or its
equivalent in professional core courses such as, but not limited to, two
courses in psychological testing, psychopathology, two courses in
psychotherapy, personality theories, developmental psychology, research
methods, social psychology; or has passed comprehensive examinations or
equivalent final examinations in a doctoral program in psychology and
during such graduate program completed a minimum of 12 semester hours
or its equivalent in psychological foundation courses such as, but not
limited to, philosophy of psychology, psychology of perception, learning
theory, history of psychology, motivation, and statistics and 24 semester
hours or its equivalent in professional core courses such as, but not limited
to, two courses in psychological testing, psychopathology, two courses in
psychotherapy, personality theories, developmental psychology, research
methods, social psychology;
(4) has completed 750 clock hours of academically supervised
practicum in the master's degree program or 1,500 clock hours of
postgraduate supervised work experience;
(5) has passed an examination approved by the board with a
minimum score set by the board by rules and regulations at 10 percentage
points below the score set by the board for licensed psychologists.

(c) (1) Applications for licensure as a clinical psychotherapist shall be
made to the board on a form and in the manner prescribed by the board.
Each applicant shall furnish evidence satisfactory to the board that the
applicant:
(A) Is licensed by the board as a licensed master's level
psychologist or meets all requirements for licensure as a master's level psychologist;
(B) has completed 15 credit hours as part of or in addition to the
requirements under subsection (b) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of the following content areas: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;
(C) has completed a graduate level supervised clinical practicum of supervised professional experience including psychotherapy and assessment with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 350 hours of direct client contact or additional postgraduate supervised experience as determined by the board;
(D) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 4,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 150 hours of clinical supervision, including not less than 50 hours of person-to-person individual supervision, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual;
(E) for persons earning a degree under subsection (b) prior to July 1, 2003, in lieu of the education requirements under parts subparagraphs (B) and (C) of this subsection, has completed the education requirements for licensure as a licensed master's level psychologist in effect on the day immediately preceding the effective date of this act;
(F) for persons who apply for and are eligible for a temporary license to practice as a licensed master's level psychologist on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under parts subparagraphs (B), (C) and (D) of this subsection, has completed the education and training requirements for licensure as a master's level psychologist in effect on the day immediately preceding the effective date of this act;
(G) has passed an examination approved by the board with the same minimum passing score as that set by the board for licensed psychologists; and
(H) has paid the application fee, if required by the board.
(2) A person who was licensed or registered as a master's level psychologist in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of master's level psychology as a registered or licensed master's level
psychologist within five years prior to the effective date of this act and
whose last license or registration in Kansas prior to the effective date of
this act was not suspended or revoked, upon application to the board,
payment of fees and completion of applicable continuing education
requirements, shall be licensed as a licensed clinical psychotherapist by
providing demonstration of competence to diagnose and treat mental
disorders through at least two of the following areas acceptable to the
board:

(A) Either: (i) Graduate coursework; or (ii) passing a national,
clinical examination;
(B) either: (i) Three years of clinical practice in a community mental
health center, its contracted affiliate or a state mental hospital; or (ii) three
years of clinical practice in other settings with demonstrated experience in
diagnosing or treating mental disorders; or
(C) attestation from one professional licensed to diagnose and treat
mental disorders in independent practice or licensed to practice medicine
and surgery that the applicant is competent to diagnose and treat mental
disorders.

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

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

Sec. 44. K.S.A. 74-5365 is hereby amended to read as follows: 74-5365. (a) The application, issuance of a new license and renewal fee for licensure under this act shall may be fixed by the board by rules and regulations in an amount not to exceed $200.

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

(c) The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed, during the previous 24 months, the continuing education required by rules and regulations of the board. As part of such continuing education, a licensed master's level psychologist and a licensed clinical psychotherapist shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

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

Sec. 45. K.S.A. 2014 Supp. 74-5367 is hereby amended to read as follows: 74-5367. (a) The board may issue a temporary license to practice as a licensed master's level psychologist to any person who pays a fee prescribed by the board under this section, which shall not be refunded, and who meets all the requirements for licensure under K.S.A. 74-5361 et seq., and amendments thereto, as a licensed master's level psychologist except the requirement of postgraduate supervised work experience or passing the licensing examination, or both.

(b) Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the date the board issues or denies a license to practice master's level psychology or 24 months after the date of issuance of the temporary license. No temporary license issued by the board will be renewed or issued again on any subsequent applications for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

(2) A temporary licensee shall take the examination within the first 12 months subsequent to the issuance of the temporary license unless there are extenuating circumstances approved by the board or if the temporary licensee does not take the examination within the first 12 months subsequent to the issuance of the temporary license and no extenuating circumstances have been approved by the board, the temporary license will expire after the first 12 months.

(c) The board may fix by rules and regulations a fee for the application of the temporary license. The application fee shall not exceed $100.
(d) A person practicing master's level psychology with a temporary license may not use the title "licensed master's level psychologist" or the initials "LMLP" independently. The word "licensed" may be used only when followed by the words "by temporary license" such as licensed master's level psychologist by temporary license, or master's level psychologist licensed by temporary license.

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

(f) The application for a temporary license may be denied or a temporary license which has been issued may be suspended or revoked on the same grounds as provided for suspension or revocation of a license under K.S.A. 74-5369, and amendments thereto.

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

Sec. 46. K.S.A. 2014 Supp. 74-5369 is hereby amended to read as follows: 74-5369. An application for licensure under K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto, may be denied or a license granted under this act may be suspended, limited, revoked, have a condition placed on it or not renewed by the board upon proof that the applicant or licensee:

(a) Has been convicted of a felony involving moral turpitude;

(b) has been found guilty of fraud or deceit in connection with the rendering of professional services or in establishing such person's qualifications under this act;

(c) has aided or abetted a person not licensed as a psychologist or an uncertified assistant, to hold oneself out as a psychologist in this state;

(d) has been guilty of unprofessional conduct as defined by rules and regulations of the board;

(e) has been guilty of neglect or wrongful duties in the performance of duties; or

(f)(a) The board may refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license or may publicly or privately censure a licensee, or may impose a fine not to exceed $1,000 per violation upon a finding that a licensee or an applicant for a license:

(1) Is incompetent to practice psychology or is found to engage in the practice of psychology in a manner harmful or dangerous to a client or to
the public;
(2) is convicted by a court of competent jurisdiction of a felony, misdemeanor crimes against persons or substantiation of abuse against a child, adult or resident of a care facility, even if not practice related, after investigation, the board finds that the licensee has not been sufficiently rehabilitated to merit the public trust;
(3) has violated a provision of the licensure of psychologists act of the state of Kansas or one or more of the rules and regulations of the board;
(4) has obtained or attempted to obtain a license or license renewal by bribery or fraudulent representation;
(5) has knowingly made a false statement on a form required by the board for a license or license renewal;
(6) has failed to obtain continuing education credits required by rules and regulations of the board;
(7) has been found guilty of unprofessional conduct as defined by rules and regulations established by the board; or
(8) has had a registration, license or certificate as a master's level psychologist revoked, suspended or limited, or has had other disciplinary action taken, or an application for a registration, license or certificate denied, by the proper regulatory authority of another state, territory, District of Columbia or another country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof.

(b) Administrative proceedings under K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto, and disciplinary actions regarding licensure under this act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under K.S.A. 74-5361 to 74-5371, inclusive, and amendments thereto this act, shall be in accordance with the Kansas judicial review act.

Sec. 47. K.S.A. 74-5370 is hereby amended to read as follows: 74-5370. The board may adopt rules and regulations to administer the provisions of K.S.A. 74-5361 to 74-5375, inclusive, and amendments thereto.

Sec. 48. K.S.A. 2014 Supp. 74-5375 is hereby amended to read as follows: 74-5375. (a) The behavioral sciences regulatory board may issue a license to an individual who is currently registered, certified or licensed to practice psychology at the master's level in another jurisdiction if the board determines that:
(1) The standards for registration, certification or licensure to practice psychology at the master's level in the other jurisdiction are substantially equivalent to the requirements of this state; or
(2) the applicant demonstrates, on forms provided by the board, compliance with the following standards adopted by the board:

(A) Continuous Registration, certification or licensure to practice psychology at the master’s level during the five years for at least 60 of the last 66 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

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

(C) a master’s degree in psychology from a regionally accredited university or college.

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

1. Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;
2. three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or
3. attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

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

Sec. 49. K.S.A. 2014 Supp. 74-7507 is hereby amended to read as follows: 74-7507. (a) The behavioral sciences regulatory board shall have the following powers, duties and functions:

1. Recommend to the appropriate district or county attorneys prosecution for violations of this act, the licensure of psychologists act of the state of Kansas, the professional counselors licensure act, K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, K.S.A 74-5361 to 74-5374, inclusive, and K.S.A. 2014 Supp. 74-5375, and amendments thereto, the marriage and family therapists licensure act or the addictions counselor licensure act;
2. compile and publish annually a list of the names and addresses of all persons who are licensed under this act, are licensed under the licensure of psychologists act of the state of Kansas, are licensed under the professional counselors licensure act, are licensed under K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, are licensed under K.S.A. 74-
5361 to 74-5374, inclusive, and K.S.A. 2014 Supp. 74-5375, and
amendments thereto, are licensed under the marriage and family therapists
licensure act or are licensed under the addictions counselor licensure act;
(3) prescribe the form and contents of examinations required under
this act, the licensure of psychologists act of the state of Kansas, the
professional counselors licensure act, K.S.A. 65-6301 to 65-6320,
inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive,
and K.S.A. 2014 Supp. 74-5375, and amendments thereto, the marriage
and family therapists licensure act or the addictions counselor licensure act;
(4) enter into contracts necessary to administer this act, the licensure
of psychologists act of the state of Kansas, the professional counselors
licensure act, K.S.A. 65-6301 to 65-6320, inclusive, and amendments
thereto, K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2014 Supp. 74-
5375, and amendments thereto, the marriage and family therapists
licensure act or the addictions counselor licensure act;
(5) adopt an official seal;
(6) adopt and enforce rules and regulations for professional conduct
of persons licensed under the licensure of psychologists act of the state of
Kansas, licensed under the professional counselors licensure act, licensed
under K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto,
74-5375, and amendments thereto, licensed under the marriage and
family therapists licensure act or licensed under the addictions counselor
licensure act;
(7) adopt and enforce rules and regulations establishing requirements
for the continuing education of persons licensed under the licensure of
psychologists act of the state of Kansas, licensed under the professional
counselors licensure act, licensed under K.S.A. 65-6301 to 65-6320,
inclusive, and amendments thereto, licensed under K.S.A. 74-5361 to 74-
5374, inclusive, and K.S.A. 2014 Supp. 74-5375, and amendments thereto,
licensed under the marriage and family therapists licensure act or licensed
under the addictions counselor licensure act;
(8) adopt rules and regulations establishing classes of social work
specialties which will be recognized for licensure under K.S.A. 65-6301 to
65-6318, inclusive, and amendments thereto;
(9) adopt rules and regulations establishing procedures for
examination of candidates for licensure under the licensure of
psychologists act of the state of Kansas, for licensure under the
professional counselors licensure act, for licensure under K.S.A. 65-6301
to 65-6320, inclusive, and amendments thereto, for licensure under K.S.A.
74-5361 to 74-5374, inclusive, and K.S.A. 2014 Supp. 74-5375, and
amendments thereto, for licensure under the marriage and family therapists
licensure act, for licensure under the addictions counselor licensure act and
for issuance of such certificates and such licenses;

(10) adopt rules and regulations as may be necessary for the
administration of this act, the licensure of psychologists act of the state of
Kansas, the professional counselors licensure act, K.S.A. 65-6301 to 65-
6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374,
inclusive, and K.S.A. 2014 Supp. 74-5375, and amendments thereto, the
marriage and family therapists licensure act and the addictions counselor
licensure act and to carry out the purposes thereof;

(11) appoint an executive director and other employees as provided in
K.S.A. 74-7501, and amendments thereto; and

(12) exercise such other powers and perform such other functions and
duties as may be prescribed by law.

(b) The behavioral sciences regulatory board, in addition to any other
penalty, may assess an administrative penalty, after notice and an
opportunity to be heard, against a licensee or registrant for a violation of
any of the provisions of the licensure of psychologists act of the state of
Kansas, the professional counselors licensure act, K.S.A. 65-6301 to 65-
6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374,
inclusive, and K.S.A. 2014 Supp. 74-5375, and amendments thereto, the
marriage and family therapists licensure act or the addictions counselor
licensure act in an amount not to exceed $1,000. All fines assessed and
collected under this section shall be remitted to the state treasurer in
accordance with the provisions of K.S.A. 75-4215, and amendments
thereto. Upon receipt of each such remittance, the state treasurer shall
deposit the entire amount in the state treasury to the credit of the state
general fund.

(c) If an order of the behavioral sciences regulatory board is adverse
to a licensee or registrant of the board, the actual costs shall be charged to
such person as in ordinary civil actions in the district court in an amount
not to exceed $200. The board shall pay any additional costs and, if the
board is the unsuccessful party, the costs shall be paid by the board.
Witness fees and costs may be taxed in accordance with statutes governing
taxation of witness fees and costs in the district court.

Sec. 50. K.S.A. 2014 Supp. 74-7508 is hereby amended to read as
follows: 74-7508. (a) In connection with any investigation, based upon a
written complaint or other reasonably reliable written information, by the
behavioral sciences regulatory board, the board or its duly authorized
agents or employees shall at all reasonable times have access to, for the
purpose of examination, and the right to copy any document, report, record
or other physical evidence of any person being investigated, or any
document, report, record or other evidence maintained by and in
possession of any clinic or office of a practitioner of the behavioral
sciences, or other public or private agency if such document, report, record
or other physical evidence relates to practices which may be grounds for
disciplinary action.

(b) In all matters pending before the behavioral sciences regulatory
board, the board shall have the power to administer oaths and take
testimony. For the purpose of all investigations and proceedings conducted
by the behavioral sciences regulatory board:

(1) The board may issue subpoenas compelling the attendance and
testimony of witnesses or the production for examination or copying of
documents, reports, records or any other physical evidence if such
documents, reports, records or other physical evidence relates to practices
which may be grounds for disciplinary action. Within five days after the
service of the subpoena on any person requiring the production of any
documents, reports, records or other physical evidence in the person's
possession or under the person's control, such person may petition the
board to revoke, limit or modify the subpoena. The board shall revoke,
limit or modify such subpoena if in its opinion the documents, reports,
records or other physical evidence required does not relate to practices
which may be grounds for disciplinary action, is not relevant to the
allegation which is the subject matter of the proceeding or investigation, or
does not describe with sufficient particularity the documents, reports,
records or other physical evidence which is required to be produced. Any
member of the board, or any agent designated by the board, may
administer oaths or affirmations, examine witnesses and receive such
documents, reports, records or other physical evidence.

(2) The district court, upon application by the board or by the person
subpoenaed, shall have jurisdiction to issue an order:

(A) Requiring such person to appear before the board or the board's
duly authorized agent to produce documents, reports, records or other
physical evidence relating to the matter under investigation; or

(B) revoking, limiting or modifying the subpoena if in the court's
opinion the evidence demanded does not relate to practices which may be
grounds for disciplinary action, is not relevant to the allegation which is
the subject matter of the hearing or investigation or does not describe with
sufficient particularity the documents, reports, records or other physical
evidence which is required to be produced.

(3) (A) If the board determines that an individual has practiced
without a valid license a profession regulated by the board for which the
practitioners of the profession are required by law to be licensed in order
to practice the profession, in addition to any other penalties imposed by
law, the board, in accordance with the Kansas administrative procedure
act, may issue a cease and desist order against such individual.

(B) Whenever in the judgment of the behavioral sciences regulatory
board any person has engaged, or is about to engage, in any acts or practices which constitute, or will constitute, a violation of K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, 74-5361 to 74-5374, inclusive, and K.S.A. 2014 Supp. 74-5375, and amendments thereto, the licensure of psychologists act, the marriage and family therapists licensure act or the alcohol and other drug abuse counselor registration act, or any valid rule or regulation of the board, the board may make application to any court of competent jurisdiction for an order enjoining such acts or practices, and upon a showing by the board that such person has engaged, or is about to engage in any such acts or practices, an injunction, restraining order, or such other order as may be appropriate shall be granted by such court without bond.

(c) Any complaint or report, record or other information relating to a complaint which is received, obtained or maintained by the behavioral sciences regulatory board shall be confidential and shall not be disclosed by the board or its employees in a manner which identifies or enables identification of the person who is the subject or source of the information except the information may be disclosed:

(1) In any proceeding conducted by the board under the law or in an appeal of an order of the board entered in a proceeding, or to any party to a proceeding or appeal or the party's attorney;

(2) to the person who is the subject of the information or to any person or entity when requested by the person who is the subject of the information, but the board may require disclosure in such a manner that will prevent identification of any other person who is the subject or source of the information; or

(3) to a state or federal licensing, regulatory or enforcement agency with jurisdiction over the subject of the information or to an agency with jurisdiction over acts or conduct similar to acts or conduct which would constitute grounds for action under this act. Any confidential complaint or report, record or other information disclosed by the board as authorized by this section shall not be redisclosed by the receiving agency except as otherwise authorized by law.

(d) Nothing in this section or any other provision of law making communications between a practitioner of one of the behavioral sciences and the practitioner's client or patient a privileged or confidential communication shall apply to investigations or proceedings conducted pursuant to this section. The behavioral sciences regulatory board and its employees, agents and representatives shall keep in confidence the content and the names of any clients or patients whose records are reviewed during the course of investigations and proceedings pursuant to this section.

(e) In all matters pending before the behavioral sciences regulatory board, the board shall have the power to revoke the license or registration
of any licensee or registrant who voluntarily surrenders such person's license or registration pending investigation of misconduct or while charges of misconduct against the licensee are pending or anticipated.

(f) In all matters pending before the behavioral sciences regulatory board, the board shall have the option to censure the licensee or registrant in lieu of other disciplinary action.


Sec. 52. This act shall take effect and be in force from and after its publication in the statute book.