

SENATE BILL No. 387

By Committee on Public Health and Welfare

1-25

1 AN ACT concerning the behavioral sciences regulatory board; relating to
2 licensure of health professions and practices; allowing board-approved
3 postgraduate supervised experience to count toward graduate level
4 supervised clinical practicum of supervised professional experience;
5 permitting current master's and clinical level licensees to take the
6 addiction counselor test; requiring psychologists to have continuing
7 education relating to diversity, equity and inclusion; amending K.S.A.
8 74-5318 and K.S.A. 2021 Supp. 65-6306 and 65-6610 and repealing
9 the existing sections.

10
11 *Be it enacted by the Legislature of the State of Kansas:*

12 Section 1. K.S.A. 2021 Supp. 65-6306 is hereby amended to read as
13 follows: 65-6306. (a) The board shall issue a license as a baccalaureate
14 social worker to an applicant who has:

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

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

20 (3) satisfied the board that the applicant is a person who merits the
21 public trust.

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

24 (1) A master's degree from an accredited college or university,
25 including completion of a social work program recognized and approved
26 by the board, pursuant to rules and regulations adopted by the board;

27 (2) passed an examination approved by the board for this purpose;
28 and

29 (3) satisfied the board that the applicant is a person who merits the
30 public trust.

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

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

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

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

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

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

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

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

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

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

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

42 (F) for persons who apply for and are eligible for a temporary license
43 to practice as a specialist clinical social worker on the day immediately

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

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

7 (H) has paid the application fee.

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

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

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

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

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

5 Sec. 2. K.S.A. 2021 Supp. 65-6610 is hereby amended to read as
6 follows: 65-6610. (a) An applicant for licensure as an addiction counselor
7 shall furnish evidence that the applicant:

8 (1) Has attained 21 years of age;

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

12 (B) has completed at least a baccalaureate degree from a college or
13 university approved by the board. As part of, or in addition to, the
14 baccalaureate degree coursework, such applicant shall also complete a
15 minimum number of semester hours of coursework on substance use
16 disorders as approved by the board; ~~or~~

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

20 (D) *is currently licensed in Kansas by the board as a master social*
21 *worker, specialist clinical social worker, professional counselor, clinical*
22 *professional counselor, marriage and family therapist, clinical marriage*
23 *and family therapist, master's level psychologist, clinical psychotherapist*
24 *or psychologist. Such licensees shall be eligible to take the examination as*
25 *required by paragraph (3);*

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

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

29 (5) has paid the application fee established by the board under K.S.A.
30 65-6618, and amendments thereto.

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

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

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

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

- 1 (iii) is currently licensed in Kansas as a licensed master social
2 worker, licensed professional counselor, licensed marriage and family
3 therapist or licensed master's level psychologist;
- 4 (C) has passed an examination approved by the board;
- 5 (D) has satisfied the board that the applicant is a person who merits
6 the public trust; and
- 7 (E) has paid the application fee fixed under K.S.A. 65-6618, and
8 amendments thereto; or
- 9 (2) (A) has met the following requirements on or before July 1, 2016:
- 10 (i) Holds an active license by the board as an addiction counselor; and
- 11 (ii) has completed at least a master's degree in a related field from a
12 college or university approved by the board; and
- 13 (B) has completed six hours of continuing education in the diagnosis
14 and treatment of substance use disorders during the three years
15 immediately preceding the application date.
- 16 (c) Applications for licensure as a clinical addiction counselor shall
17 be made to the board on a form and in the manner prescribed by the board.
18 Each applicant shall furnish evidence satisfactory to the board that the
19 applicant:
- 20 (1) Has attained 21 years of age;
- 21 (2) (A) (i) has completed at least a master's degree from an addiction
22 counseling program that is part of a college or university approved by the
23 board; and
- 24 (ii) has completed not less than two years of postgraduate supervised
25 professional experience in accordance with a clinical supervision plan
26 approved by the board of not less than 3,000 hours of supervised
27 professional experience, including at least 1,500 hours of direct client
28 contact conducting substance abuse assessments and treatment with
29 individuals, couples, families or groups and not less than 100 hours of
30 face-to-face clinical supervision, as defined by the board in rules and
31 regulations, including not less than 50 hours of individual supervision,
32 except that the board may waive the requirement that such supervision be
33 face-to-face upon a finding of extenuating circumstances, integrating
34 diagnosis and treatment of substance use disorders with use of the
35 diagnostic and statistical manual of mental disorders of the American
36 psychiatric association, except that the board may waive $\frac{1}{2}$ of the hours
37 required by this clause for an individual who has a doctoral degree in
38 addiction counseling or a related field approved by the board and who
39 completes the required $\frac{1}{2}$ of the hours in not less than one year of
40 supervised professional experience; or
- 41 (B) (i) has completed at least a master's degree from a college or
42 university approved by the board. As part of or in addition to the master's
43 degree coursework, such applicant shall also complete a minimum number

1 of semester hours of coursework supporting the diagnosis and treatment of
2 substance use disorders as approved by the board; and

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

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

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

40 (D) is currently licensed in Kansas as a licensed psychologist,
41 licensed specialist clinical social worker, licensed clinical professional
42 counselor, licensed clinical psychotherapist or licensed clinical marriage
43 and family therapist and provides to the board an attestation from a

1 professional licensed to diagnose and treat mental disorders, or substance
2 use disorders, or both, in independent practice or licensed to practice
3 medicine and surgery stating that the applicant is competent to diagnose
4 and treat substance use disorders;

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

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

8 (5) has paid the application fee fixed under K.S.A. 65-6618, and
9 amendments thereto.

10 Sec. 3. K.S.A. 74-5318 is hereby amended to read as follows: 74-
11 5318. (a) (1) An application for renewal shall be accompanied by evidence
12 satisfactory to the board that the applicant has completed, during the
13 previous 24 months, the continuing education required by rules and
14 regulations of the board. As part of such continuing education, a licensed
15 psychologist shall complete not less than:

16 (A) Six continuing education hours relating to diagnosis and
17 treatment of mental disorders ~~and not less than~~;

18 (B) three continuing education hours of professional ethics; and

19 (C) *three continuing education hours relating to diversity, equity and
20 inclusion.*

21 (2) *If a continuing education hour fulfilling the requirements of
22 subparagraph (A) or (B) also relates to diversity, equity and inclusion,
23 then such continuing education may also be counted toward fulfilling the
24 continuing education requirements of subparagraph (C).*

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

31 (c) Applications for renewal of a license shall be made biennially on
32 or before July 1 and, if not so made, an additional fee equal to the renewal
33 fee shall be added to the regular renewal fee.

34 (d) Any psychologist who has failed to renew a license and continues
35 to represent oneself as a psychologist after July 1 shall be in violation of
36 the licensure of psychologists act of the state of Kansas. The board may
37 suspend or revoke such psychologist's license under the provisions of
38 K.S.A. 74-5324, and amendments thereto.

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

41 Sec. 4. K.S.A. 74-5318 and K.S.A. 2021 Supp. 65-6306 and 65-6610
42 are hereby repealed.

43 Sec. 5. This act shall take effect and be in force from and after its

- 1 publication in the statute book.