

SENATE PUBLIC HEALTH AND WELFARE COMMITTEE  
PROPONENT TESTIMONY ON HB 2340  
March 20, 2023

Chair Gossage and Committee Members,

Thank you for the opportunity to speak to the Committee today. I am David Fye, Executive Director of the Behavioral Sciences Regulatory Board (BSRB), and I will be speaking as a proponent of HB 2340, a bill requested on behalf of the BSRB.

The BSRB is a composite Board that serves as the licensing agency for most of the state’s mental health professionals. Our mission is to protect the public’s health, safety, and welfare from unlawful or unprofessional practitioners who fall under the board’s jurisdiction. We oversee requirements that applicants must satisfy before being granted licensure. The BSRB licenses the following professions: Social Work, Professional Counseling, Marriage and Family Therapy, Addiction Counseling, Licensed Psychology, Master’s Level Psychology, and Behavior Analysis. Currently, our agency has 14,847 active permanent licensees in the professions we regulate. Since 2015, the Board has seen an increase in the number of permanent licensees by over 20.0 percent. For some professions, the growth in clinical practitioners has been even more pronounced. The profession of social work makes up over 55.0 percent of all licenses. Since 2015, the number of clinical social workers has increased by over 42.0 percent, from 1,966, to 2,804. Kansas has fewer clinical social workers than some other states, but most of this is attributable to the relative population differences between the states. Also, when you examine the number of master’s level practitioners that are in the pipeline to become clinical practitioners, Kansas exceeds many other states who have populations larger than Kansas. A historical table on licensee is attached.

**CURRENT NUMBER OF PERMANENT LICENSES**

Social Workers	8,104	Licensed Psychologists	1,010
Professional Counselors	2,118	Master's Level Psychologists	600
Marriage & Family Therapists	1,103	Behavior Analysts	388
Addiction Counselors	1,524		

However, even though the number of permanent licensees has been growing, the Board understands that there is still a need for additional mental health professionals. The Board of the BSRB is very excited to bring forward several new items in HB 2340 that will assist the public protection mission of the agency and address other issues, such as workforce concerns. Additionally, the Board utilizes standing Advisory Committees for each of the seven professions regulated by the Board, which assist the work of the Board discussing topics relevant to the professions and forwarding recommendations to the Board for consideration. Currently, 55 individuals volunteer to serve on these Advisory Committees, so the final recommendations on the Board before you in HB 2340 represent positions which have been discussed by many individuals associated with the Board. Below, I have included a summary of significant items included in HB 2340.

## **Lowering Years of Practice for Reciprocity Applicants**

For most professions under the Board, the statutes require certain reciprocity applicants to have obtained a license from a jurisdiction with substantially equivalent requirements for licensure or to have met other requirements. One of these requirements states the applicant must have practiced in that jurisdiction 48 of the past 54 months. However, recent changes to reciprocity requirements for certain groups of individuals and current discussions on multi-state compacts have led to a significant amount of confusion concerning this item and the Board believes it would best serve the public protect mission of the Board and address workforce concerns by lowering the required period of time from 48 months to 12 months, so this item is included in HB 2340.

## **Increasing Time Period for Temporary Licenses**

HB 2340 includes language to extend the time period for temporary licenses from 1 year to 2 years. When applicants apply for initial licensure, they must meet certain criteria to be approved to take a standardized licensing examination for their profession. When they reach this point in the licensing process, they are able to request a temporary license to be able to work while attempting to pass the licensing examination. The Board has received information that some individuals have struggled to pass the licensing examination, so the Board voted to request a change to statute to extend the time period for temporary licenses one additional year, which allows more time if the applicant is struggling to pass the licensing examination, allows the applicant greater flexibility when scheduling that examination, and provides assistance to address workforce concerns by allowing an individual to work up to 2 years with a temporary license.

## **Creating Pathway for Requesting Additional Time to Complete Continuing Education Hours, Which Will Allow More Current Licensees to Maintain Their Licensure**

HB 2340 creates a new pathway for current licensees to request additional time to complete continuing education hours, if certain conditions are met. Currently, one of the requirements to renew a permanent license under the BSRB is completion of continuing education hours. However, the BSRB has received comments from some licensees that were unable to complete their continuing education hours because of unexpected extreme conditions relating to their health, the health of someone close to them, or other factors. In some of these cases, the licensees chose to let their licenses expire. Under this new pathway, if current licensees are reaching the expiration date of their license and they have not completed the necessary continuing education hours to renew their license, they can request up to 3 months of additional time if they submit a request to the BSRB, show extenuating circumstances existed for needing the additional time, and provide a plan for attaining the necessary hours. If approved, they would be able to renew their licenses, then attain the necessary hours as approved by the BSRB.

## **Decrease Reinstatement Fee and Create New 6-Month Reinstatement Temporary License**

HB 2340 creates language allowing previous licensees whose licenses have expired to be able to reinstate their licenses more quickly and at a decreased cost. Currently, if most licensees allow their licenses to expire, to reinstate those licenses, they would need to pay a renewal fee as well as a reinstatement fee equal to the cost of the renewal fee. However, in an effort to address workforce concerns, the Board elected that for anyone whose license has been expired for over one year, who is interested in rejoining the workforce under a profession of the BSRB, the cost to reinstate the license would be cut in half. Additionally, one of the requirements to reinstate a license is attain continuing education hours for the previous time period. However, HB 2340 creates a new 6-month reinstatement temporary license for individuals who had not met this requirement, which would allow that person to work under this new 6-month reinstatement temporary license while attaining the necessary hours for their permanent license to be fully reinstated.

## **Creating New Temporary License for Graduates of Social Work Programs “in Candidacy” for Accreditation**

HB 2340 includes language creating new Temporary “in candidacy” licenses for social work applicants who received their education from programs that are “in candidacy” for accreditation by the national accrediting body for the social work profession, the Council on Social Work Education (CSWE).

The BSRB is in a time of transitions concerning the topic of online education. In the past, most education was received while students were physically present at schools and many of the BSRB program requirements for the education standards of the professions reflected this viewpoint. However, there has been a growth and improvement in online education programs and many of these programs have recently started operating in the state of Kansas. For the social work profession, the BSRB requires that students receive their education from programs that meet certain standards. The national accrediting body for the social work profession is CSWE. If applicants received their education from programs accredited by CSWE, the BSRB is able to expedite their license applications. However, if applicants did not receive their education from programs accredited by CSWE, then those applicants must have received their education from a program that meets alternative requirements in the licensing regulations for the profession. For many years, these regulations have required that applicants from non-accredited programs must have received half of their education while in face-to-face contact with core faculty at the physical location of the education institution.

The issue for new online programs is that the accreditation process with CSWE takes about 3 years to 3 and a half years to complete. Therefore, for new schools that are seeking accreditation, they will begin accepting students and those students may graduate from that program prior to the program reaching accreditation. If those applicants apply for licensure from the BSRB, since they received their education from a program that is not accredited by CSWE, they will need to have received their education from a program that met the alternate requirements for licensure. If those programs are online-only programs, then they would be unable to meet those requirements.

CSWE utilizes steps to accreditation that include (1) Pre-Candidacy, (2) Candidacy, and (3) Accreditation. Pre-Candidacy means that a program has submitted an application and other materials and is in communication with CSWE seeking to be accepted into the accreditation phase known as “Candidacy.” Once a school is accepted into “Candidacy,” CSWE performs onsite inspections and provides the program with annual reports indicating whether the program is on track to reach accreditation. If the program reaches accreditation, CSWE will backdate their accreditation date to when the program was accepted into “Candidacy.” However, for the BSRB’s licensing purposes, the issue is what should be done for these students when they graduate from a program that is in “Candidacy” for accreditation.

First, the Advisory Committees discussed whether the requirement for education to be received while the student was physically present is still necessary. The Social Work Advisory Committee, Professional Counseling Advisory Committee, Addiction Counseling Advisory Committee, and Marriage and Family Therapy Advisory Committee recommended to the Board removing the physical presence requirement and allowing for the face-to-face component to be satisfied either in person or by screen for their professions educational regulations and the Board voted to support that recommendation, so that change is working its way through the regulation change process.

Second, the BSRB researched methods used by other states to resolve the issue of students graduating from programs that are in “Candidacy” for accreditation. The Board recommended adopting a model similar to one used by the Minnesota Board of Social Work, which grants a temporary license to applicants from programs that are in “Candidacy” for accreditation. Once their program reaches accreditation, they can request a permanent license. If their program does not become accredited, then they would no longer be able to use the temporary license. This new language creating this Temporary Candidacy License is included in HB 2340.

## **Creating New Student Temporary Addiction Counseling Licenses**

HB 2340 creates a new student temporary addiction counseling license for students who are seeking to become licensed as Licensed Addiction Counselors, but are short of the coursework necessary to obtain this level of licensure. Under this new Student Temporary License, an individual would be able to provide helpful services to an employer while completing necessary requirements for a full permanent addiction counseling license.

## **Other Modifications to Behavior Analyst Statutes**

HB 2340 includes several changes to create more uniformity between the regulations for the Behavior Analyst profession, including adding language to authorize restatements of licenses and modifying disciplinary remedies to make the language more consistent with professions under the Board.

## **Statutory Cleanup**

HB 2340 includes reorganization of certain statutes and includes additional clarifying language to better assist the public and other individuals seeking to understand processes of the BSRB by reviewing the statutes.

## **Concerns with Amendments Added by House Health and Human Services Committee**

When HB 2340 was heard and worked by the House Health and Human Services Committee, six amendments were made to the bill. Three of the amendments removed items from the bill and three of the amendments added new items to the bill. While the Board is still supportive of the three items that were removed by the House Committee, the Board is not asking for those items to be restored to the bill.

However, the Board has serious concerns with different aspects of the three items added to the bill by the House Health and Human Services Committee. The concerns of the Board are listed below.

### **Item #1 – Creation of Community-Based Licenses for Employees in Community Mental Health Centers**

The House Committee added new language that would call for the BSRB to create new “Community-Based Licenses” for the professions of Licensed Psychology, Social Work, Professional Counseling, and Marriage and Family Therapy. This new type of license does not appear to be based on a model in any other states or a model used by other state agencies. These “Community-Based Licenses” appear to function the same as temporary licenses, in that they would be for individuals who have applied for licensure, but have not yet passed the licensing examination, they would last no longer than 24 months, they could not be issued or renewed again on any subsequent application for the same license level. However, these new licenses would specifically be available to applicants who worked at a Community Mental Health Center and were under supervision by a person licensed by the BSRB at the independent level. **However, the statutes further state that individuals holding these temporary licenses would be able to use the titles and initials of a permanent license holder, even though they have not passed the licensing examination and are not permanent license holders.** These means that applicants holding these temporary “Community-Based Licenses” would be able to call themselves Licensed Psychologists and use the initials LP after their name, even though they are not permanently licensed by the Board as a Licensed Psychologist and have not met all of the requirements for permanent licensure, such as passing the licensure examination and paying the license fee. The same would be true for applicants holding these “Community-Based Licenses” in the professions of Licensed Bachelor’s Social Worker (LBSW), Licensed Master’s Social Worker (LMSW), Licensed Professional Counselors (LPC), and Licensed Marriage and Family Therapists (LMFT).

The Board is very concerned that this will endanger the public, as it will mislead individuals to believe these holders of temporary licenses have permanent licenses under the Board. Additionally, the Board is concerned that utilization of these titles and initials by individuals who are not permanently licensed could cause the public to doubt whether the thousands of professionals who currently use these titles and initials truly hold the titles they have earned, or whether they are allowed to use those titles due to an exception in the law.

It appears that the concept of a “Community-Based License” has not been fully worked through. Aside from the public protection issues noted above, the proposed new language does not clarify if these new “Community-Based Licenses” would be needed in addition to the current temporary license; whether they would be an alternative to the current temporary license; or whether an individual could receive a temporary license, then later apply for a Community-Based License if they had not passed their licensing examination.

**Given these concerns, the Board requests an amendment (Attached Amendment #1) removing the language which would create these new “Community-Based Licenses.”** The Board is receptive to consideration of new license types when they are beneficial and do not harm the public protection mission of the Board, however the language of these license types appears harmful to the professions. If the language regarding the titles and initials is removed, it is still unclear whether there is a need for this type of new license that is different than the existing temporary licenses.

#### **Item #2 – House Amendment that Lowers Social Work Required Education and Hours of Experience in Diagnosis and Treatment Prior to Clinical Licensure**

The House Committee added language to modify statutory requirements for applicants seeking to become Licensed Clinical Social Workers who would be providing clinical services independently, to decrease from 15 hours to 3 hours educational requirements related to diagnosing and treating individuals, including elimination of required coursework in diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches, and professional ethics. Additionally, applicants seeking a clinical social work license must complete a graduate level supervised clinical practicum of supervised professional experience, including psychotherapy and assessments, and have completed 3,000 hours of supervised professional experience, including at least 1,500 hours of direct client contact conducting psychotherapy and assessments. The reason that these criteria are required is that it is vitally important that an applicant have experience diagnosing and treating individuals prior to being licensed to perform that work independently. The House Committee added the phrase “including, but not limited to,” which has the effect of reducing the required direct client contact hours conducting psychotherapy and assessment from 1,500 hours, down to one hour, because so long as some experience conducting psychotherapy and assessment is included, it would appear to meet the new standard.

This drastic reduction in experience providing diagnosis and treatment would be very harmful and would lead to a rise in complaints against practitioners who would lack the necessary experience diagnosing and treating individuals prior to becoming licensed.

**Given these concerns, the Board requests an amendment (Attached Amendment #2) with changes identified restoring the existing statutory requirement of 15 credit hours in the identified areas of diagnosis and treatment and striking the phrase “but not limited to” so that we can ensure that individuals who become Licensed Specialist Clinical Social Workers have the necessary education and experience to assist the public.**

**Item #3 – House Amendment Requiring 15-Day Review and Assessment Provided to All Applicants, Creation of a 30-day Deadline for Issuing a Decision Once a Complete File has Been Received, and Implementing an Expedited Licensing Process with a Mandatory Decision in 15 Days**

The House Committee added new language which would make three operational changes for the Behavioral Sciences Regulatory Board.

**15-Day Review and Assessment** - The first item would require the BSRB to send a message to all applicants, within 15 days of receipt of an application, providing an assessment of whether the application was considered complete or incomplete, and if the application was not complete, what else would be required to have a complete application. The BSRB lacks staffing to accomplish this type of quick review timeframe. Currently, we ask applicants to allow for 30 to 45 days, after we have received a complete application. We currently have nearly 15,000 permanent licensees, hundreds of individuals with temporary licenses, others with temporary out-of-state permits or provisional licenses, and many others who are in the process of applying for licensure. One of the strengths of the BSRB licensing system is that we allow multiple pathways for licensure, though some pathways take longer to fully evaluate all applicant materials. Additionally, we do not receive all information relevant to an application at the same time. Meeting this new requirement would require the BSRB to add additional staff members.

Since this language was added by the House Committee, we have been performing a review of our licensing timeframes, our licensee totals, and our capacity to add new staff members. Over the last several years, we have seen an increase in licensees. While we believe the future growth in licensees could be impacted by the potential for Kansas to join several multi-state compacts over the next few years, we believe it would be helpful to add more staff members to address concerns related to this increase in applicants, so that we are able to increase the timeliness in processing applications. At this time, we believe we may be able to rent additional storage space, which would allow us to utilize other office space to hire two new licensing specialists. Funding for these positions is not included in the budget that was submitted to the 2023 Legislature, but we estimate that adding 2.0 FTE Licensing Specialist positions would total \$96,352, including \$92,353 salary and fringe benefit costs and \$4,000 for equipment and other costs associated with modifying existing office space for two new employees. **We ask that the Committee remove the new 15-day requirement, to keep operational policies for the BSRB consistent with other regulatory Boards in the state of Kansas, but to support the agency’s future request at Omnibus to add funding for 2.0 FTE Licensing Specialist positions, so that we are able to provide more updates to applicants and process license applications more quickly.**

**30-Day Mandatory Decisions** - The second item would require the BSRB to issue a decision on licensure within 30 days after having a complete application. One of the issues with this provision is that it is not always in the best interest of the applicant for a decision to be issued in that timeframe. For example, if a social work applicant applied for licensure from a program “in Candidacy” for accreditation by a national accrediting body, and that program did not meet the alternate requirements for licensure in the education regulations, that applicant would not meet the requirements for licensure. Currently, we are able to offer to the applicant that we would be willing to hold their application, pending passage of legislation by the 2023 Legislature. If passed, that legislation would allow them to be approved to take the social work licensing examination. Under the new language, we would be required to issue them a denial and they would need to reapply in the future, after paying another application fee. **The Board requests an amendment allowing for an exception to this requirement at the request of the applicant.**

**Expedited Licensure** - The third new item would require the BSRB to implement a new expedited licensure process, which would require the BSRB to issue a decision on licensure within 15 days of receiving a fee for this expedited licensure process. While the Board appreciates applicant’s wishing to be licensed as quickly as possible, the reason that the licensing process sometimes takes longer than normal is due to the different ways we are able to license individuals, which sometimes requires additional information or review by an expert. If the BSRB does not have a complete application, the agency will have no choice but to deny the license application. The current language does not state the BSRB must have a complete application prior to issuing a decision. The Board is very concerns that this new policy

would lead individuals to believe they would be able to receive a license quickly, though the BSRB is unable to approve a license application if the agency has insufficient information. By law, licensure of some applicants requires a 2/3 vote of the Board, so a 15-day timeframe would mean that some individuals would not be able to be licensed, if the Board was unable to meet to approve their licensure. The Board is concerned this policy, as it is currently worded, would lead to a significant increase in denials of applicants. Additionally, by statute, fees paid to the BSRB are non-refundable, so the increase in denials would also follow payment of an extra fee, which the BSRB would not be able to provide back to the applicants. Also, a decision on licensure is a legal decision, which necessitates the drafting of a legal order. These orders take time to be drafted and sometimes the drafting of those orders is outside of the agency's control. Further, the Board is concerned that with an increase in denials, this would lead to an increase in applicants requesting appeals, which would result in a significant increase in legal fees for the agency. Given these factors, the Board would likely need to reverse recent fee decrease and would need to increase certain fees to cover this additional cost. **The Board requests an amendment that the language on an expedited license process be removed.**

**Behavioral Sciences Regulatory Board  
History of Permanent Licenses July 2015 to Current**

	July 2015	July 2016	July 2017	July 2018	Jan 2019	July 2019	Jan 2020	Mar 2020	July 2021	Sept 2021	Nov 2021	Jan 2022	Mar 2022	May 2022	July 2022	Sept 2022	Nov 2022	Jan 2023	Mar 2023
LP	897	967	926	984	928	949	996	1,006	988	1,016	1,035	1,046	1,040	1,054	952	962	987	999	1,010
LASW	22	21	21	19	18	17	15	13	9	8	9	8	7	7	5	5	5	4	4
LBSW	1,756	1,754	1,764	1,725	1,668	1,638	1,601	1,577	1,466	1,427	1,413	1,393	1,389	1,377	1,346	1,327	1,313	1,295	1,280
LMSW	3,519	3,684	3,774	3,862	3,854	3,927	3,881	3,861	3,970	4,016	4,022	4,006	4,003	3,980	4,012	4,028	4,021	4,023	4,016
LSCSW	1,966	2,009	2,033	2,088	2,115	2,172	2,260	2,274	2,474	2,509	2,553	2,566	2,593	2,634	2,680	2,720	2,752	2,769	2,804
LPC	648	733	760	813	829	847	880	882	937	953	961	956	963	957	981	1,002	1,006	1,012	1,014
LCPC	500	546	561	619	661	704	747	747	843	896	929	947	978	945	1,034	1,047	1,077	1,088	1,104
LMLP	288	304	303	302	305	295	289	291	294	296	298	304	309	309	308	310	311	315	323
LCP	291	298	294	297	287	288	294	293	282	284	284	286	286	287	289	281	278	276	277
LMFT	354	350	340	347	335	324	330	327	335	324	319	329	326	330	330	318	312	319	320
LCMFT	444	499	535	566	587	611	618	620	681	703	719	726	736	745	754	763	773	776	783
LAC	930	919	729	620	612	618	572	569	578	520	520	521	524	522	522	523	526	530	535
LMAC	-	-	262	343	352	363	376	375	427	432	433	432	434	436	431	418	414	421	415
LCAC	537	528	541	527	546	566	546	541	570	536	537	542	547	551	556	561	566	568	574
LaBA	-	-	15	18	13	14	14	14	12	11	13	13	15	16	17	15	19	21	18
LBA	-	-	129	175	176	199	224	229	263	270	288	292	304	325	333	347	354	363	370
<b>Total</b>																			
<b>Permanent Licenses</b>	<b>12,152</b>	<b>12,612</b>	<b>12,987</b>	<b>13,305</b>	<b>13,286</b>	<b>13,532</b>	<b>13,643</b>	<b>13,619</b>	<b>14,129</b>	<b>14,201</b>	<b>14,333</b>	<b>14,367</b>	<b>14,454</b>	<b>14,475</b>	<b>14,550</b>	<b>14,627</b>	<b>14,714</b>	<b>14,779</b>	<b>14,847</b>

Note : In March 2020, the state of Kansas began to experience the COVID-19 pandemic. During this time, the Governor released Executive Orders which delayed enforcement of expiration of licenses until the end of May 2021.



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Total LPs	897	967	926	984	928	949	996	1,006	988	1,016	1,035	1,046	1,040	1,054	952	962	987	999	1,010
Total SWs	7,263	7,468	7,592	7,694	7,655	7,754	7,757	7,725	7,919	7,960	7,997	7,973	7,992	7,998	8,043	8,080	8,091	8,091	8,104
Total PCs	1,148	1,279	1,321	1,432	1,490	1,551	1,627	1,629	1,780	1,849	1,890	1,903	1,941	1,902	2,015	2,049	2,083	2,100	2,118
Total LMLPs/LCPs	579	602	597	599	592	583	583	584	576	580	582	590	595	596	597	591	589	591	600
Total MFTs	798	849	875	913	922	935	948	947	1,016	1,027	1,038	1,055	1,062	1,075	1,084	1,081	1,085	1,095	1,103
Total ACs	1,467	1,447	1,532	1,490	1,510	1,547	1,494	1,485	1,575	1,488	1,490	1,495	1,505	1,509	1,509	1,502	1,506	1,519	1,524
Total BAs	-	-	144	193	189	213	238	243	275	281	301	305	319	341	350	362	373	384	388
<b>Total Permanent Licenses</b>	<b>12,152</b>	<b>12,612</b>	<b>12,987</b>	<b>13,305</b>	<b>13,286</b>	<b>13,532</b>	<b>13,643</b>	<b>13,619</b>	<b>14,129</b>	<b>14,201</b>	<b>14,333</b>	<b>14,367</b>	<b>14,454</b>	<b>14,475</b>	<b>14,550</b>	<b>14,627</b>	<b>14,714</b>	<b>14,779</b>	<b>14,847</b>

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{As Amended by House Committee of the Whole}

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2340

By Committee on Health and Human Services

2-7

1 AN ACT concerning the behavioral sciences; ~~increasing the membership~~  
2 ~~of the behavioral sciences regulatory board; requiring the behavioral~~  
3 **sciences regulatory board to process applications within a certain**  
4 **time and establish an expedited application process;** relating to  
5 licensure and regulation; professional counselors, social workers,  
6 marriage and family therapists, addiction counselors, behavior analysts,  
7 psychologists and master's level psychologists; decreasing the years of  
8 practice required for reciprocity licensure; ~~requiring that clinical social~~  
9 ~~work supervisors be approved by the board;~~ providing ~~additional~~  
10 **reduced diagnosis and treatment** continuing education requirements;  
11 establishing license categories for applicants from social work  
12 programs in candidacy for accreditation and for temporary  
13 reinstatement; extending the license period of temporary licenses;  
14 ~~establishing a community-based license for professional counselors,~~  
15 ~~social workers, marriage and family therapists and psychologists;~~  
16 amending K.S.A. 65-5802, 65-5806, 65-6302, 65-6313, 65-6314, 65-  
17 6402, 65-6407, 65-6608, 65-6614, 65-6618, 65-7504, 65-7505, 74-  
18 5302, 74-5318, 74-5361, 74-5365, 74-5366, 74-5367 and 74-7501 and  
19 K.S.A. 2022 Supp. 65-5804a, 65-5807, 65-5808, 65-6306, 65-6309, 65-  
20 6322, 65-6404, 65-6405, 65-6406, 65-6411, 65-6610, 65-6611, 65-  
21 6613, 74-5310, 74-5315, 74-5316, 74-5363 and 74-5375 and repealing  
22 the existing sections; also repealing K.S.A. 74-5339.

23

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

25 ~~New Section 1. (a) On and after January 1, 2024, any licensee~~  
26 ~~providing postgraduate clinical supervision for any individual working~~  
27 ~~toward licensure as a clinical social worker shall be a board-approved~~  
28 ~~clinical supervisor.~~

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

33 ~~(c) Each applicant for board-approved clinical supervisor shall~~  
34 ~~furnish evidence satisfactory to the board that the applicant:~~

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

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

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

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

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

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

32 ~~(j) (1) An individual may apply to the board for a community-~~  
33 ~~based professional counselor license to practice professional~~  
34 ~~counseling in the scope of employment by a community mental health~~  
35 ~~center, as defined in K.S.A. 39-2002, and amendments thereto.~~

36 ~~(2) A community-based professional counselor license may be~~  
37 ~~issued by the board after the board reviews and approves the~~  
38 ~~application and the applicant has paid the fee set by the board for~~  
39 ~~issuance of a community-based professional counselor license.~~

40 ~~(3) (A) Absent extenuating circumstances approved by the board,~~  
41 ~~a community-based professional counselor license issued by the board~~  
42 ~~shall expire:~~

43 ~~(i) Upon the date the board issues or denies a license to practice~~

1 ~~professional counseling; or~~

2 ~~(ii) 24 months after the date of issuance of the community-based~~  
3 ~~professional counselor license.~~

4 ~~(B) No community-based professional counselor license shall be~~  
5 ~~renewed or issued again on any subsequent application for the same~~  
6 ~~license level. This paragraph shall not be construed to limit the~~  
7 ~~number of times an applicant may take the examination.~~

8 ~~(4) A person practicing professional counseling with a~~  
9 ~~community-based professional counselor license may use the title~~  
10 ~~"licensed professional counselor" or the initials "LPC" independently.~~

11 ~~(5) No person may practice professional counseling under a~~  
12 ~~community-based professional counselor license except under the~~  
13 ~~supervision of a person licensed by the board to practice at the~~  
14 ~~independent level.~~

15 Sec. 4. K.S.A. 65-5806 is hereby amended to read as follows: 65-  
16 5806. (a) An applicant who meets the requirements for licensure pursuant  
17 to ~~this the professional counselors licensure act~~, has paid the license fee  
18 provided for by K.S.A. 65-5808, and amendments thereto, and has  
19 otherwise complied with the provisions of this act shall be licensed by the  
20 board.

21 (b) Licenses issued pursuant to this act shall expire 24 months from  
22 the date of issuance unless revoked prior to that time. A license may be  
23 renewed upon application and payment of the fee provided for by K.S.A.  
24 65-5808, and amendments thereto. The application for renewal shall be  
25 accompanied by evidence satisfactory to the board that the applicant has  
26 completed during the previous 24 months the continuing education  
27 required by rules and regulations of the board. *Prior to July 1, 2025, as*  
28 *part of such continuing education, a licensee shall complete not less than*  
29 *six continuing education hours relating to diagnosis and treatment of*  
30 *mental disorders and not less than three continuing education hours of*  
31 *professional ethics. On and after July 1, 2025, as part of such continuing*  
32 *education, a licensee shall complete not less than three continuing*  
33 *education hours relating to diagnosis and treatment of mental disorders;*  
34 **and not less than three continuing education hours of professional ethics**  
35 ~~and not less than three continuing education hours in cultural diversity.~~  
36 ~~Acceptable continuing education hours in cultural diversity shall include;~~  
37 ~~but not be limited to, professional development regarding age, disability;~~  
38 ~~ethnicity, gender, gender identity, language, national origin, race, religion;~~  
39 ~~cultural, sexual orientation and socioeconomic status.~~

40 (c) (1) *A licensee who is unable to complete the required continuing*  
41 *education hours for renewal may request additional time to complete any*  
42 *remaining continuing education hours. Such request shall be made to the*  
43 *board not later than 30 calendar days prior to the expiration of the license*

1 *shall submit the license fee as provided by K.S.A. 65-5808, and*  
 2 *amendments thereto.*

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

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

9 (2) for an original license as a professional counselor, not more than  
 10 \$175;

11 (3) for a temporary license as a professional counselor, not more than  
 12 \$175;

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

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

17 ~~(5)~~(6) for application for licensure as a clinical professional  
 18 counselor, not more than \$175;

19 ~~(6)~~(7) for licensure as a clinical professional counselor, not more than  
 20 \$175;

21 ~~(7)~~(8) for renewal for licensure as a clinical professional counselor,  
 22 not more than \$175;

23 (9) *for a six-month reinstatement temporary license as a clinical*  
 24 *professional counselor; not more than \$50;*

25 ~~(8)~~(10) ~~for a community-based professional counselor license, not~~  
 26 ~~more than \$175;~~

27 ~~(11)~~ for late renewal penalty, an amount equal to the fee for renewal  
 28 of a license;

29 ~~(9)~~(11)~~(12)~~ (11) for reinstatement of a license, not more than \$175;

30 ~~(10)~~(12)~~(13)~~(12) for replacement of a license, not more than \$20;

31 ~~(11)~~(13)~~(14)~~(13) for a wallet card license, not more than \$5; and

32 ~~(12)~~(14)~~(15)~~(14) for application as a board-approved clinical supervisor,  
 33 not more than \$50.

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

35 Sec. 7. K.S.A. 65-6302 is hereby amended to read as follows: 65-  
 36 6302. As used in ~~this~~ *the social workers licensure act*, unless the context  
 37 clearly requires otherwise, ~~the following words and phrases shall have the~~  
 38 ~~meaning ascribed to them in this section:~~

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

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

1 the client's record. A licensed specialist clinical social worker may  
2 continue to evaluate and treat the client until such time that the medical  
3 consultation is obtained or waived.

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

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

16 ~~(e)~~(g) The board shall adopt rules and regulations establishing the  
17 criteria that a social work program of a college or university shall satisfy to  
18 be recognized and approved by the board under this section. The board  
19 may send a questionnaire developed by the board to any college or  
20 university conducting a social work program for which the board does not  
21 have sufficient information to determine whether the program should be  
22 recognized and approved by the board and whether the program meets the  
23 rules and regulations adopted under this section. The questionnaire  
24 providing the necessary information shall be completed and returned to the  
25 board in order for the program to be considered for recognition and  
26 approval. The board may contract with investigative agencies,  
27 commissions or consultants to assist the board in obtaining information  
28 about a social work program of a college or university. In entering such  
29 contracts the authority to recognize and approve a social work program of  
30 a college or university shall remain solely with the board.

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

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

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

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

42 ~~(i) (1) An individual may apply to the board for a community-~~  
43 ~~based social work license to practice social work in the scope of~~

1 ~~employment by a community mental health center, as defined in~~  
2 ~~K.S.A. 39-2002, and amendments thereto.~~

3 ~~(2) A community-based social work license may be issued by the~~  
4 ~~board after the board reviews and approves the application and the~~  
5 ~~applicant has paid the fee set by the board for issuance of a~~  
6 ~~community-based social work license.~~

7 ~~(3) (A) Absent extenuating circumstances approved by the board,~~  
8 ~~a community-based social work license issued by the board shall~~  
9 ~~expire:~~

10 ~~(i) Upon the date the board issues or denies a license to practice~~  
11 ~~social work; or~~

12 ~~(ii) 24 months after the date of issuance of the community-based~~  
13 ~~social work license.~~

14 ~~(B) No community-based social work license shall be renewed or~~  
15 ~~issued again on any subsequent application for the same license level.~~  
16 ~~This paragraph shall not be construed to limit the number of times an~~  
17 ~~applicant may take the examination.~~

18 ~~(4) A person practicing social work with a community-based~~  
19 ~~social work license may use the title "licensed baccalaureate social~~  
20 ~~worker" or "licensed master social worker" or the initials "LBSW" or~~  
21 ~~"LMSW" independently.~~

22 ~~(5) No person may practice social work under a community-~~  
23 ~~based social work license except under the supervision of a person~~  
24 ~~licensed by the board to practice at the independent level.~~

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

30 (b) Upon application, the board shall issue *a temporary licenses-*  
31 *bachelor's social work license or a temporary master's social work license*  
32 to persons who have submitted documentation and met all qualifications  
33 for licensure under provisions of this act, except passage of the required  
34 examination, and who have paid the required fee.

35 (c) Absent extenuating circumstances approved by the board, a  
36 temporary *bachelor's social work license or a temporary master's social*  
37 *work license* issued by the board shall expire upon the date the board  
38 issues or denies a license to practice social work ~~or 24 months after the~~  
39 ~~date of issuance of the temporary license.~~ No temporary *bachelor's social*  
40 *work license or temporary master's social work license* will be renewed or  
41 issued again on any subsequent applications for the same license level. The  
42 preceding provisions in no way limit the number of times an applicant may  
43 take the examination.

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

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

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

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

10 (9) *Six-month reinstatement temporary license fee for a*  
11 *baccalaureate social worker, master social worker or a social work*  
12 *specialty shall be not more than \$50.*

13 (10) ~~Community-based license fee for a baccalaureate social~~  
14 ~~worker, master social worker or social work specialty shall be not~~  
15 ~~more than \$175.~~

16 (11) Application fee for approval as board-approved continuing  
17 education sponsors shall be as follows:

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

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

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

25 (H) ~~Application for approval as a board-approved clinical~~  
26 ~~supervisor shall be not more than \$50.~~

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

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

32 (1) The standards for registration, certification or licensure to practice  
33 social work at the baccalaureate level in another jurisdiction are  
34 substantially the equivalent of the requirements in the social workers  
35 licensure act and rules and regulations of the board for licensure as a  
36 baccalaureate social worker; or

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

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



1 of the following areas acceptable to the board:

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

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

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

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

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

43 ~~(e) (1) An individual may apply to the board for a community-~~

~~1 based marriage and family therapist license to practice marriage and  
2 family therapy in the scope of employment by a community mental  
3 health center, as defined in K.S.A. 39-2002, and amendments thereto.~~

~~4 (2) A community-based marriage and family therapist license  
5 may be issued by the board after the board reviews and approves the  
6 application and the applicant has paid the fee set by the board for  
7 issuance of a community-based marriage and family therapist license.~~

~~8 (3) (A) Absent extenuating circumstances approved by the board,  
9 a community-based marriage and family therapist license issued by  
10 the board shall expire:~~

~~11 (i) Upon the date the board issues or denies a license to practice  
12 marriage and family therapy; or~~

~~13 (ii) 24 months after the date of issuance of the community-based  
14 marriage and family therapist license.~~

~~15 (B) No community-based marriage and family therapist license  
16 shall be renewed or issued again on any subsequent application for the  
17 same license level. This paragraph shall not be construed to limit the  
18 number of times an applicant may take the examination.~~

~~19 (4) A person practicing marriage and family therapy with a  
20 community-based marriage and family therapist license may use the  
21 title "licensed marriage and family therapist" or the initials "LMFT"  
22 independently.~~

~~23 (5) No person may practice marriage and family therapy under a  
24 community-based marriage and family therapist license except under  
25 the supervision of a person licensed by the board to practice at the  
26 independent level.~~

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

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

34 (2) meeting the application requirements as stated in K.S.A. 65-  
35 6404(a)(1), (a)(2) ~~and~~, (a)(4) *and* (a)(5), and amendments thereto.

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

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

1       (9) for a six-month reinstatement temporary license as a clinical  
2 marriage and family therapist, not more than \$50;

3       ~~(8)(10) for community based licensure as a marriage and family~~  
4 ~~therapist, not to exceed \$175;~~

5       ~~(11)~~ for reinstatement of a license, not to exceed \$175;

6       ~~(9)(11)~~(12) for replacement of a license, not to exceed \$20;

7       ~~(10)(12)~~(13) for renewal penalty, an amount equal to the renewal of  
8 license;

9       ~~(11)(13)~~(14) for a wallet card license, not to exceed \$5; and

10       ~~(12)(14)~~(15) for application for approval as a board-approved clinical  
11 supervisor, not to exceed \$50.

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

13       Sec. 19. K.S.A. 65-6608 is hereby amended to read as follows: 65-  
14 6608. As used in the addiction counselor licensure act:

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

17       ~~(b)~~ "Addiction counseling" means the utilization of special skills to  
18 assist persons with addictions, and to assist such persons' families and  
19 friends to achieve resolution of addiction through the exploration of the  
20 disease and its ramifications, the examination of attitudes and feelings, the  
21 consideration of alternative solutions and decision making, as these relate  
22 specifically to addiction. Evaluation and assessment, treatment including  
23 treatment plan development, crisis intervention, referral, record keeping  
24 and clinical consultation specifically related to addiction are within the  
25 scope of addiction counseling. Additionally, at the clinical level of  
26 licensure, addiction counseling includes independent practice and the  
27 diagnosis and treatment of substance use disorders.

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

30       (c) "Extenuating circumstances" means any condition or situation  
31 caused by events beyond an individual's control that is sufficiently extreme  
32 in nature to result in the:

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

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

36       (d) "Licensed addiction counselor" means a person who engages in  
37 the practice of addiction counseling limited to substance use disorders and  
38 who is licensed under this act. Such person shall engage in the practice of  
39 addiction counseling in a state-licensed or certified alcohol and other drug  
40 treatment program or in completing a Kansas domestic violence offender  
41 assessment for participants in a certified batterer intervention program  
42 pursuant to K.S.A. 75-7d01 through 75-7d13, and amendments thereto,  
43 unless otherwise exempt from licensure under K.S.A. 59-29b46(n), and

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

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

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

21 ~~(e) (1) An individual may apply to the board for a community-~~  
22 ~~based psychologist license to practice psychology in the scope of~~  
23 ~~employment by a community mental health center, as defined in~~  
24 ~~K.S.A. 39-2002, and amendments thereto.~~

25 ~~(2) A community-based psychologist license may be issued by the~~  
26 ~~board after the board reviews and approves the application and the~~  
27 ~~applicant has paid the fee set by the board for issuance of a~~  
28 ~~community-based psychologist license.~~

29 ~~(3) (A) Absent extenuating circumstances approved by the board,~~  
30 ~~a community-based psychologist license issued by the board shall~~  
31 ~~expire:~~

32 ~~(i) Upon the date the board issues or denies a license to practice~~  
33 ~~psychology; or~~

34 ~~(ii) 24 months after the date of issuance of the community-based~~  
35 ~~psychologist license.~~

36 ~~(B) No community-based psychologist license shall be renewed or~~  
37 ~~issued again on any subsequent application for the same license level.~~  
38 ~~This paragraph shall not be construed to limit the number of times an~~  
39 ~~applicant may take the examination.~~

40 ~~(4) A person practicing psychology with a community-based~~  
41 ~~psychologist license may use the title "licensed psychologist" or the~~  
42 ~~initials "LP" independently.~~

43 ~~(5) No person may practice psychology under a community-based~~

1 ~~psychologist license except under the supervision of a person licensed~~  
2 ~~by the board to practice at the independent level.~~

3 ~~(6) The board shall adopt rules and regulations to set the fee, if~~  
4 ~~required by the board, for the issuance of a community-based~~  
5 ~~psychologist license in an amount not to exceed \$225.~~

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

10 (1) The requirements of such jurisdiction for such certification or  
11 licensure are substantially the equivalent of the requirements of this state;  
12 or

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

15 (A) Registration, certification or licensure as a psychologist at the  
16 doctoral level *with a similar scope of practice* for at least 48 of the last 54  
17 12 months immediately preceding the application ~~with at least the~~  
18 ~~minimum professional experience as established by rules and regulations~~  
19 ~~of the board;~~

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

22 (C) a doctoral degree in psychology from a regionally accredited  
23 university or college.

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

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

38 (1) Absent extenuating circumstances approved by the board, a  
39 temporary license issued by the board shall expire upon the earlier of the  
40 date the board issues or denies a license to practice psychology or two  
41 years after the date of issuance of the temporary license. No temporary  
42 license shall be renewed or issued again on any subsequent application for  
43 licensure under the provisions of the licensure of psychologists act of the

**Amendment Removing House Committee Amendment that Lowers  
Diagnosis and Treatment Requirement for Clinical Social Workers**

**{As Amended by House Committee of the Whole}**

**As Amended by House Committee**

*Session of 2023*

**HOUSE BILL No. 2340**

By Committee on Health and Human Services

2-7

1 AN ACT concerning the behavioral sciences; ~~increasing the membership~~  
2 ~~of the behavioral sciences regulatory board; requiring the behavioral~~  
3 **sciences regulatory board to process applications within a certain**  
4 **time and establish an expedited application process;** relating to  
5 licensure and regulation; professional counselors, social workers,  
6 marriage and family therapists, addiction counselors, behavior analysts,  
7 psychologists and master's level psychologists; decreasing the years of  
8 practice required for reciprocity licensure; ~~requiring that clinical social~~  
9 ~~work supervisors be approved by the board; providing additional~~  
10 **reduced diagnosis and treatment** continuing education requirements;  
11 establishing license categories for applicants from social work  
12 programs in candidacy for accreditation and for temporary  
13 reinstatement; extending the license period of temporary licenses;  
14 **establishing a community-based license for professional counselors,**  
15 **social workers, marriage and family therapists and psychologists;**  
16 amending K.S.A. 65-5802, 65-5806, 65-6302, 65-6313, 65-6314, 65-  
17 6402, 65-6407, 65-6608, 65-6614, 65-6618, 65-7504, 65-7505, 74-  
18 5302, 74-5318, 74-5361, 74-5365, 74-5366, 74-5367 and 74-7501 and  
19 K.S.A. 2022 Supp. 65-5804a, 65-5807, 65-5808, 65-6306, 65-6309, 65-  
20 6322, 65-6404, 65-6405, 65-6406, 65-6411, 65-6610, 65-6611, 65-  
21 6613, 74-5310, 74-5315, 74-5316, 74-5363 and 74-5375 and repealing  
22 the existing sections; also repealing K.S.A. 74-5339.

23

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

25 ~~New Section 1. (a) On and after January 1, 2024, any licensee~~  
26 ~~providing postgraduate clinical supervision for any individual working~~  
27 ~~toward licensure as a clinical social worker shall be a board-approved~~  
28 ~~clinical supervisor.~~

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

33 ~~(c) Each applicant for board-approved clinical supervisor shall~~  
34 ~~furnish evidence satisfactory to the board that the applicant:~~

1 *social worker's name, an individual with a temporary candidacy master*  
 2 *social work license shall represent themselves as a temporary candidacy*  
 3 *master social worker. An individual with such license shall not use the*  
 4 *credentials "LMSW." The word "licensed" may be used only when followed*  
 5 *by the words "by temporary candidacy license." An individual issued a*  
 6 *temporary candidacy master social work license shall practice under*  
 7 *supervision and shall not be required to complete continuing education. If*  
 8 *the accrediting body recognized by the board grants accreditation to the*  
 9 *program in candidacy status, the holder of the temporary candidacy*  
 10 *master social work license shall receive a permanent license upon*  
 11 *payment of the appropriate fee. If the accrediting body recognized by the*  
 12 *board does not grant accreditation to the program in candidacy status, the*  
 13 *board shall immediately revoke the temporary license and notify the*  
 14 *licensee of the revocation of such license.*

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

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

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

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

**remove strikethroughs** and that the applicant is a person who merits the  
 27 public trust; and

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

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

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

34 (B) has completed ~~15~~ **3 15** credit hours as part of or in addition to the  
 35 requirements under subsection ~~(e)~~ (e) supporting diagnosis or treatment of  
 36 mental disorders with use of the American psychiatric association's  
 37 diagnostic and statistical manual, through identifiable study of ~~the~~  
 38 ~~following content areas:~~ psychopathology, ~~diagnostic assessment,~~  
 39 ~~interdisciplinary referral and collaboration, treatment approaches and~~  
 40 ~~professional ethics;~~

41 (C) has completed a graduate level supervised clinical practicum of  
 42 supervised professional experience, including, ~~but not limited to,~~  
 43 psychotherapy and assessment, integrating diagnosis or diagnostic



1 **impressions** and treatment of mental disorders with use of the American  
2 psychiatric association's diagnostic and statistical manual or additional  
3 postgraduate supervised experience as determined by the board;

4 (D) has completed as part of or in addition to the requirements of  
5 subsection ~~(e)~~ (e) not less than two years of postgraduate supervised  
6 professional experience, in accordance with a clinical supervision plan  
7 approved by the board of not less than 3,000 hours of supervised  
8 professional experience including at least 1,500 hours of direct client  
9 contact, ~~including, but not limited to,~~ conducting psychotherapy and  
10 assessments with individuals, couples, families or groups **integrating**  
11 **diagnosis or diagnostic impressions and treatment of mental disorders**  
12 **with use of the American psychiatric association's diagnostic and**  
13 **statistical manual** and not less than 100 hours of face-to-face clinical  
14 supervision, as defined by the board in rules and regulations, including not  
15 less than 50 hours of individual supervision, except that the board may  
16 waive the requirement that such supervision be face-to-face upon a finding  
17 of extenuating circumstances, integrating diagnosis and treatment of  
18 mental disorders with use of the American psychiatric association's  
19 diagnostic and statistical manual;

20 (E) for persons earning a degree under subsection (c) prior to July 1,  
21 2003, in lieu of the education and training requirements under  
22 subparagraphs (B) and (C), has completed the education requirements for  
23 licensure as a specialist clinical social worker in effect on the day  
24 immediately preceding the effective date of this act;

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

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

33 (H) has paid the application fee.

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