

SESSION OF 2011

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 90**

As Amended by Senate Committee on  
Public Health and Welfare

**Brief\***

SB 90, as amended, would add language allowing the Behavioral Sciences Regulatory Board (Board) to deny, eliminate, or otherwise restrict the license of an applicant or licensee when a determination of substantiated abuse, neglect or exploitation becomes final.

The bill would authorize the Board to determine the status of a license or application, after providing notice and an opportunity to be heard, when allegations of abuse, neglect or exploitation against a child, adult or resident of a care facility have been:

- Substantiated by the Secretary of Social and Rehabilitation Services, the Secretary of Aging or the Secretary of Health and Environment;
- The administrative appeals process has been exhausted; and
- The determination of substantiation becomes final.

**Background**

The bill was introduced by the Committee on Public Health and Welfare at the request of the Behavioral Sciences Regulatory Board. A representative of the Board stated the bill would allow the Board to license, limit, suspend or revoke

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

a license if the licensee had been substantiated of abusing a child, adult, or resident of a facility, even if the action was not practice-related. There were no opponents to the bill at the Committee hearing.

The Senate Committee on Public Health and Welfare amended the bill to also allow the Secretary of Aging and the Secretary of Health and Environment to substantiate allegations of abuse, neglect and exploitation, and to clarify when the determination of substantiation would become final.

The fiscal note prepared by the Division of the Budget on the original bill states that the Behavioral Sciences Regulatory Board indicated the bill would have no fiscal effect on state revenues or expenditures.