

HOUSE BILL No. 2180

By Committee on Health and Human Services

1-24

9 AN ACT concerning the behavioral sciences regulatory board; relating
10 to rules and regulations authority; amending K.S.A. 2006 Supp. 74-
11 7507 and repealing the existing section.
12

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

14 Section 1. K.S.A. 2006 Supp. 74-7507 is hereby amended to read as
15 follows: 74-7507. (a) The behavioral sciences regulatory board shall have
16 the following powers, duties and functions:

17 (1) Recommend to the appropriate district or county attorneys pros-
18 ecution for violations of this act, the licensure of psychologists act of the
19 state of Kansas, the professional counselors licensure act, K.S.A. 65-6301
20 to 65-6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-
21 5374, inclusive, and K.S.A. 2006 Supp. 74-5375, and amendments
22 thereto, the marriage and family therapists licensure act or the alcohol
23 and other drug abuse counselor registration act;

24 (2) compile and publish annually a list of the names and addresses of
25 all persons who are licensed under this act, are licensed under the licen-
26 sure of psychologists act of the state of Kansas, are licensed under the
27 professional counselors licensure act, are licensed under K.S.A. 65-6301
28 to 65-6320, inclusive, and amendments thereto, are licensed under K.S.A.
29 74-5361 to 74-5374, inclusive, and K.S.A. 2006 Supp. 74-5375, and
30 amendments thereto, are licensed under the marriage and family thera-
31 pists licensure act or are registered under the alcohol and other drug
32 abuse counselor registration act;

33 (3) prescribe the form and contents of examinations required under
34 this act, the licensure of psychologists act of the state of Kansas, the
35 professional counselors licensure act, K.S.A. 65-6301 to 65-6320, inclu-
36 sive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive, and
37 K.S.A. 2006 Supp. 74-5375, and amendments thereto, the marriage and
38 family therapists licensure act or the alcohol and other drug abuse coun-
39 selor registration act;

40 (4) enter into contracts necessary to administer this act, the licensure
41 of psychologists act of the state of Kansas, the professional counselors
42 licensure act, K.S.A. 65-6301 to 65-6320, inclusive, and amendments
43 thereto, K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2006 Supp. 74-

- 1 5375, and amendments thereto, the marriage and family therapists licen-
2 sure act or the alcohol and other drug abuse counselor registration act;
- 3 (5) adopt an official seal;
- 4 (6) adopt and enforce rules and regulations for professional conduct,
5 *including procedures for alternatives from the normal disciplinary process*
6 *addressing conduct that has resulted in the licensee being unable to prac-*
7 *tice the licensee's profession with reasonable skill and safety*, of persons
8 licensed under the licensure of psychologists act of the state of Kansas,
9 licensed under the professional counselors licensure act, licensed under
10 K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto, licensed
11 under K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2006 Supp. 74-
12 5375, and amendments thereto, licensed under the marriage and family
13 therapists licensure act or registered under the alcohol and other drug
14 abuse counselor registration act;
- 15 (7) adopt and enforce rules and regulations establishing requirements
16 for the continuing education of persons licensed under the licensure of
17 psychologists act of the state of Kansas, licensed under the professional
18 counselors licensure act, licensed under K.S.A. 65-6301 to 65-6320, in-
19 clusive, and amendments thereto, licensed under K.S.A. 74-5361 to 74-
20 5374, inclusive, and K.S.A. 2006 Supp. 74-5375, and amendments
21 thereto, licensed under the marriage and family therapists licensure act
22 or registered under the alcohol and other drug abuse counselor registra-
23 tion act;
- 24 (8) adopt rules and regulations establishing classes of social work spe-
25 cialties which will be recognized for licensure under K.S.A. 65-6301 to
26 65-6318, inclusive, and amendments thereto;
- 27 (9) adopt rules and regulations establishing procedures for examina-
28 tion of candidates for licensure under the licensure of psychologists act
29 of the state of Kansas, for licensure under the professional counselors
30 licensure act, for licensure under K.S.A. 65-6301 to 65-6320, inclusive,
31 and amendments thereto, for licensure under K.S.A. 74-5361 to 74-5374,
32 inclusive, and K.S.A. 2006 Supp. 74-5375, and amendments thereto, for
33 licensure under the marriage and family therapists licensure act, for reg-
34 istration under the alcohol and other drug abuse counselor registration
35 act and for issuance of such certificates and such licenses;
- 36 (10) adopt rules and regulations as may be necessary for the admin-
37 istration of this act, the licensure of psychologists act of the state of Kan-
38 sas, the professional counselors licensure act, K.S.A. 65-6301 to 65-6320,
39 inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive,
40 and K.S.A. 2006 Supp. 74-5375, and amendments thereto, the marriage
41 and family therapists licensure act and the alcohol and other drug abuse
42 counselor registration act and to carry out the purposes thereof;
- 43 (11) appoint an executive director and other employees as provided

1 in K.S.A. 74-7501 and amendments thereto; and
2 (12) exercise such other powers and perform such other functions
3 and duties as may be prescribed by law.

4 (b) The behavioral sciences regulatory board, in addition to any other
5 penalty, may assess an administrative penalty, after notice and an oppor-
6 tunity to be heard, against a licensee or registrant for a violation of any
7 of the provisions of the licensure of psychologists act of the state of Kan-
8 sas, the professional counselors licensure act, K.S.A. 65-6301 to 65-6320,
9 inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive,
10 and K.S.A. 2006 Supp. 74-5375, and amendments thereto, the marriage
11 and family therapists licensure act or the alcohol and other drug abuse
12 counselor registration act in an amount not to exceed \$1,000. All fines
13 assessed and collected under this section shall be remitted to the state
14 treasurer in accordance with the provisions of K.S.A. 75-4215 and amend-
15 ments thereto. Upon receipt of each such remittance, the state treasurer
16 shall deposit the entire amount in the state treasury to the credit of the
17 state general fund.

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

25 Sec. 2. K.S.A. 2006 Supp. 74-7507 is hereby repealed.

26 Sec. 3. This act shall take effect and be in force from and after its
27 publication in the statute book.