

SESSION OF 2004

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 443**

As Amended by Senate Committee on  
Public Health and Welfare

**Brief\***

SB 443 amends a number of statutes that are a part of the practice acts of professions regulated by the Behavioral Sciences Regulatory Board (doctoral level psychologists, masters level psychologists, social workers, professional counselors, and marriage and family therapists). The Board also registers some drug and alcohol counselors. Currently, the scope of the Board's authority to take disciplinary action against licensees in the several professions varies with the individual practice act. SB 443 amends several of the acts to add the authority to condition a license which has the effect of giving the Board uniform disciplinary authority, *i.e.*, authority to condition, revoke, suspend, or limit a license, and the authority to refuse to issue or renew a license under each of the practice acts.

SB 443 also grants the Behavioral Sciences Regulatory Board new authority to:

- ! assess an administrative penalty in an amount not in excess of \$1,000;
- ! charge the costs of an action to the licensee or registrant in an amount of up to \$200, when an order is adverse to the licensee or registrant;
- ! issue a cease and desist order when the Board finds an individual has practiced without a license;
- ! seek an injunction, restraining order, or other appropriate order when, in the judgement of the Board, an individual has engaged in or is about to engage in an act that constitutes a violation of a practice act or rules and regulations;

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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>

- ! revoke the license or registration of an individual who voluntarily surrenders his or her license or registration pending investigation of misconduct or while charges of misconduct against the licensee or registrant are pending or anticipated; and
- ! have the option of censuring a licensee.

The Senate Committee amendments are primarily technical and update references to the unnamed practice acts and organize and clarify new language added to the general powers and duties of the Board.

### **Background**

The introduction of SB 443 was requested by a representative of the Behavioral Sciences Regulatory Board. A member of the Board and the Executive Director of the Board appeared at the hearing on the bill to express support. No one appeared in opposition.

No fiscal note was available at the time the Senate committee considered SB 443.