

HOUSE BILL No. 2234

AN ACT relating to the behavioral sciences; licensure reciprocity; amending K.S.A. 65-5807, 65-6309, 65-6406 and 74-5315 and repealing the existing sections.

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

New Section 1. (a) The behavioral sciences regulatory board may issue a license to an individual who is currently registered, certified or licensed to practice psychology at the masters level in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice psychology at the masters level in the other jurisdiction are substantially equivalent to the requirements of this state; or

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

(A) Continuous registration, certification or licensure to practice psychology at the masters level during the five years immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

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

(C) a masters degree in psychology from a regionally accredited university or college.

(b) Applicants for licensure as a clinical psychotherapist shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either paragraph (1) or (2) of subsection (a) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 74-5365 and amendments thereto.

Sec. 2. K.S.A. 65-5807 is hereby amended to read as follows: 65-5807. ~~The board may at its discretion waive the statutory requirements of an applicant for licensure as a licensed professional counselor or clinical professional counselor if such applicant is licensed, registered, certified or otherwise authorized to practice professional counseling or clinical professional counseling by a similar board in another state and if the standards and qualifications required for the practice of professional counseling or clinical professional counseling in the state in which the applicant is so authorized are substantially the same as those required under the professional counselors licensure act.~~

(a) The board may issue a license to an individual who is currently registered, certified or licensed to practice professional counseling in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice professional counseling in the other jurisdiction are substantially equivalent to the requirements of this state; or

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

(A) Continuous registration, certification or licensure to practice professional counseling during the five years immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

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

(C) a masters degree in counseling from a regionally accredited university or college.

(b) Applicants for licensure as a clinical professional counselor shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either paragraph (1) or (2) of subsection (a) and at least two of the following areas acceptable to the board:

(1) *Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;*

(2) *three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or*

(3) *attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.*

(c) *An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-5808 and amendments thereto.*

Sec. 3. K.S.A. 65-6309 is hereby amended to read as follows: 65-6309. (a) *Except as provided in subsections (b) and (c), an applicant shall be exempted from the requirement for any examination provided for herein if:*

(1) *The applicant proves to the board that the applicant is licensed or registered under the laws of a state or territory of the United States that imposes substantially the same requirements as this act as determined by the board; and*

(2) *pursuant to the laws of any such state or territory, the applicant has taken and passed an examination similar to that for which exemption is sought, as determined by the board.*

(b) *The board may issue a license to an individual who is currently licensed to practice social work at the clinical level in another jurisdiction if the board determines that:*

(1) *The standards for licensure to practice social work at the clinical level in the other jurisdiction are substantially equivalent to the requirements of this state for licensure at the clinical level; or*

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

(A) *Continuous licensure to practice social work at the clinical level during the five years immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;*

(B) *the absence of disciplinary actions of a serious nature brought by a licensing board or agency; and*

(C) *a masters or doctoral degree in social work from a regionally accredited university or college and from an accredited graduate social work program recognized and approved by the board pursuant to rules and regulations adopted by the board.*

(c) *Applicants for licensure as a clinical specialist social worker shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the following requirements:*

(1) *Passing a national clinical examination approved by the board or, in the absence of the national examination, continuous licensure to practice as a clinical social worker during the 10 years immediately preceding the application; and*

(2) *three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders.*

(d) *An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6314 and amendments thereto.*

~~(b) An applicant for a license as a baccalaureate social worker who is, on the effective date of this act, employed as a social worker, social work supervisor or a social work administrator and who applied for such license on or before July 1, 1975, shall be exempted from academic and examination requirements imposed under the provisions of this act. An applicant for a license as a baccalaureate social worker who is a social worker, otherwise qualified for licensure as a baccalaureate social worker, and who applied for such license on or before July 1, 1975, shall be exempt from the examination requirements imposed under the provisions of this act.~~

~~(c) An applicant for a license as a master social worker who applied for such license on or before July 1, 1975, and who presents proof to the board that such applicant is engaging in the private practice of social work~~

may be exempt from the two years' supervised experience otherwise required by this act.

~~—(d) An applicant for a license as a master social worker who has satisfactorily completed a master's program in social work and was awarded a certificate, and who is employed in a position for which the master's degree is normally required and who applied for such license on or before July 1, 1975, shall be exempt from academic and examination requirements for licensing under the provisions of this act. An applicant for a license as a master social worker who is otherwise qualified for such licensure on the effective date of this act and who applied for such license on or before July 1, 1975, shall be exempt from the examination requirements for licensing under the provisions of this act.~~

~~—(e) An applicant for a license in a social work specialty who has satisfactorily completed two years of graduate social work training and was awarded a certificate, and who is employed in a position for which the master's degree is normally required and who applied for such license on or before July 1, 1975, shall be exempt from academic requirements for licensing under the provisions of this act.~~

~~—(f) An applicant for a license in a social work specialty who is otherwise qualified for such license on the effective date of this act and who applied for such license on or before July 1, 1975, shall be exempt from the examination requirements for licensing under the provisions of this act.~~

~~—(g) An applicant for licensing in a social work specialty who was engaged in the practice of a specialty approved by the board on the effective date of this act and who meets the academic requirements for licensing as a master social worker or qualifies for an exemption therefrom under the provisions of this section shall be exempt from the requirement for two years of supervised experience required for licensing under the provisions of this act.~~

~~(h)~~ (e) Upon application, the board shall issue temporary licenses to persons who have met all qualifications for licensure under provisions of this act, except passage of the required examination, who must wait for completion of the next examination, who have paid the required fee and who have submitted documentation as required by the board under the following provisions: (1) The temporary license shall expire upon receipt and recording of the person's examination score by the board if such person fails the examination or upon the date the board issues or denies the person a license to practice social work if such person passes the examination; (2) such persons shall take the next license examination subsequent to the date of issuance of the temporary license unless there are extenuating circumstances approved by the board; (3) no person may be granted a temporary license more than once; and (4) no person may work under a temporary license except under the supervision of a licensed social worker. Nothing in this subsection shall affect any temporary permit to practice issued under this subsection prior to the effective date of this act and in effect on the effective date of this act. Such temporary permit shall be subject to the provisions of this subsection in effect at the time of its issuance and shall continue to be effective until the date of expiration of the permit as provided under this subsection at the time of issuance of such temporary permit.

~~(i)~~ (f) Any individual employed by a hospital and working in the area of hospital social services to patients of such hospital on July 1, 1974, is exempt from the provisions of this act.

~~(j)~~ (g) If an applicant is denied licensure, the board shall provide the applicant with a written explanation of the denial within 10 days after the decision of the board, excluding Saturdays, Sundays and legal holidays.

Sec. 4. K.S.A. 65-6406 is hereby amended to read as follows: 65-6406. (a) The board shall may issue a license to an individual who is currently registered, certified or licensed to practice marriage and family therapy in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice marriage and family therapy in the other jurisdiction are substantially the equivalent of the requirements of the marriage and family therapists licensure act and rules and regulations of the board. ~~An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6411 and amendments thereto.~~

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

(A) *Continuous registration, certification or licensure to practice marriage and family therapy during the five years immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;*

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

(C) *completion of a masters degree in marriage and family therapy from a regionally accredited university.*

(b) *Applicants for licensure as a clinical marriage and family therapist shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either paragraph (1) or (2) of subsection (a) and at least two of the following areas acceptable to the board:*

(1) *Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;*

(2) *three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or*

(3) *attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.*

(c) *An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6411, and amendments thereto.*

Sec. 5. K.S.A. 74-5315 is hereby amended to read as follows: 74-5315. (a) ~~The board may grant a license without examination to any person who, at the time of application, is registered, certified or licensed or certified by a board of psychology examiners of~~ *as a psychologist at the doctoral level in another state if jurisdiction if the board determines that:*

(1) ~~The requirements of such state jurisdiction for such certification or licensure are substantially the equivalent of the requirements of this act.~~ *state; or*

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

(A) *Continuous registration, certification or licensure as a psychologist at the doctoral level during the five years immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;*

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

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

(b) *An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-5310 and amendments thereto.*

Sec. 6. K.S.A. 65-5807, 65-6309, 65-6406 and 74-5315 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.