

Approved: 2-16-95
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE.

The meeting was called to order by Chair Sandy Praeger at 10:00 a.m. on February 7, 1995 in Room 526-S of the Capitol.

All members were present except:

Committee staff present:

Bill Wolff, Legislative Research Department
Norman Furse, Revisor of Statutes
Jo Ann Bunten, Committee Secretary

Conferees appearing before the committee:

Mike Meacham, National Cosmetology Association of Kansas
Helen Stephens, Kansas Academy of Physician Assistants
Cheryl Kinderknecht, Kansas Behavioral Sciences Regulatory Board

Others attending: See attached list

Introduction of bills

Mike Meacham, representing the National Cosmetology Association of Kansas, appeared before the Committee requesting introduction of legislation that would permit actively practicing cosmetologists in Kansas to obtain 20 hours of continuing education biennially. Senator Ramirez made a motion the Committee recommend introduction of the proposed legislation, seconded by Senator Hardenburger. The motion carried.

Helen Stephens, Kansas Academy of Physician Assistants, requested introduction of a bill that would allow physician assistants to prescribe controlled substances under protocol and their responsible physician. Senator Ramirez made a motion the Committee recommend introduction of the proposed legislation, seconded by Senator Langworthy. The motion carried.

Hearing on SB 119 - Social work regulation and establishment of emeritus social worker licensure category

Cheryl Kinderknecht, Credentialing Specialist of the BSRB, testified before the Committee in support of **SB 119** which creates the licensure category of emeritus social worker as outlined in her written testimony. (Attachment 1) Ms. Kinderknecht requested the inserting of "or applicant" in Section 6, page 6, line 29 of the bill in order for the language to be consistent in that section.

During Committee discussion Ms. Kinderknecht clarified the title of "emeritus" as a retired social worker qualified for social work licensure but not engaged in the practice of social work. Such an individual's title would be protected and under the authority of the Board with a one time fee of \$100. She noted that they could also be reinstated and return to active practice. Staff commented that such legislation would also allow the individual's license to be renewed without going back through the education and testing requirements. In response to member's questions, Ms. Kinderknecht noted that the advisory committee gives recommendations to the Board regarding such issues as addressed in the proposed legislation. It was noted that current language in the statutes would prohibit volunteer social workers, and that a master's or doctor's degree would fill the requirements of a graduate degree. The Committee expressed concern about the lack of proponents for the bill.

Action on SB 119

Senator Hardenburger made a motion to amend SB 119 by reinserting "master's or doctor's" in lieu of "graduate" degree where applicable on page 2, line 38, and page 3, line 5, seconded by Senator Walker. The motion carried.

Senator Jones made a motion to amend SB 119 by inserting "or applicant" on page 6, line 29, after the word "licensee", seconded by Senator Papay. The motion carried.

Senator Walker made a motion to amend SB 119 by striking all reference to "emeritus" status in the bill, seconded by Senator Hardenburger. The motion carried.

Senator Walker made a motion the Committee recommend SB 119 as amended favorably for passage, seconded by Senator Papay. The motion carried.

Approval of Minutes

Senator Papay made a motion to approve the minutes of January 30, 31, February 1 and 2, 1995, seconded by Senator Ramirez. The motion carried.

The meeting was adjourned at 10:45 a.m.

The next meeting is scheduled for February 8, 1995.

BOARD MEMBERS:
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RONALD D. REINERT
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Social Work Representatives
THELMA JOHNSON SIMMONS, LMSW
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TESTIMONY BEFORE THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

SB 119

TUESDAY, FEBRUARY 7, 1995

CHAIRPERSON SENATOR SANDY PRAEGER AND COMMITTEE MEMBERS:

I am Cheryl Kinderknecht, Credentialing Specialist of the Behavioral Sciences Regulatory Board. I am appearing before you today on behalf of the board and in support of SB 119.

This bill amends the social work licensure act by:

- 1) specifically including supervision into the definition of social work practice;
- 2) establishing a licensure category of emeritus social worker;
- 3) establishing mandatory display of the licensure certificate in the social workers' primary site of social work practice;
- 4) specifically identifying social work applicants within the board's scope of authority related to the grounds for disciplinary action;
- 5) introduces wording changes or additions for purposes of clarification, specificity, or internal consistency.

The amendment (Section 1) to include supervision within the definition of social work practice is for purposes of increasing definition comprehensiveness. This does not expand the scope of practice since supervision as provided elsewhere in statutes (K.S.A. 65-6303) and regulations (K.A.R. 102-2-1a[g]; 102-2-8) specifies licensure as a condition for social work supervision.

The amendment (Section 2) precludes social work practice for individuals licensed as emeritus social workers. The proposed emeritus level of licensure is intended to authorize title usage, but specifically prohibits practice. Such amendment is proposed on behalf of and at the request of retiring social workers who have voiced the wish to retain title usage and licensure status although retired from practice.

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The amendment (Section 3 [b] and [c]) changes the wording to signify that the required social work degree shall have been conferred at the graduate level. When the original licensure act was written a master's degree was generally considered the terminal degree: doctoral level social work degrees are now more common. Moreover, the present wording in K.S.A. 65-6306(b)(1) is not articulated with the wording/requirements in K.S.A. 65-6306(c)(1): at present a doctoral level social worker whose master's and baccalaureate degree had been conferred in a field other than social work could not accrue clinical experience hours in Kansas toward LSCSW eligibility since he or she would be definitionally excluded from licensure (and hence, practice) at any other level in Kansas.

The amendment (Section 3 [f]) also authorizes and establishes qualifications for the social work emeritus level of licensure for retired social workers which would authorize title usage (an inactive licensure status) while prohibiting practice. Such provisions parallel those enacted in the social work credentialing laws in 10 other states. Analogues in Kansas would be the inactive status granted under Articles 14 (Dentists and Dental Hygienists); 17 (Embalmers and Funeral Directors); 20 (Podiatrists); and 28 (Healing Arts).

The amendment (Section 3 [g]) introduces the requirement for mandatory display of the social work licensure certificate for purposes of public information and protection.

The amendment (Section 4) differentiates and accommodates the practice prohibition associated with the emeritus license.

The amendment (Section 5) provides clarification that a temporary license may be granted once per application, rather than once per one's entire lifetime. Since Kansas has a tiered licensure system, it is plausible that an individual would qualify for temporary licensure at each of the three hierarchical and discrete levels.

The amendment (Section 6) extends the wording in K.S.A. 65-6311(a) to specifically include applicants: although applicants are included by implication throughout K.S.A. 65-6311 [page 6, lines 24 through 43; page 7, lines 1 through 7], it is not specified. NOTE: For the sake of congruence, the board had on January 12, 1995 also requested in its proposed statutory amendments the addition of the wording or applicant in K.S.A. 65-6311(a)(1) [page 6, line 29]. The board respectfully requests the reinsertion of this addition which may have been inadvertently overlooked.

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The amendments (Section 7 [a] and [f]) exempt emeritus social workers from licensure renewal requirements, while Section 7 [d] statutorily authorizes the requirement of an attestation of compliance for licensure reinstatement. Such requirement is currently specifically set forth by regulation in K.A.R. 102-2-11(c): statutory wording is requested for sake of authorization and congruence.

I thank you for your time and favorable consideration of this bill and welcome any questions you may have.

[950206/A:TESTIMONY/SB119/#2]