

Approved: 2-22-95  
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 16, 1995 in Room 526-S of the Capitol.

All members were present except:

Committee staff present: Emalene Correll, Legislative Research Department  
Bill Wolff, Legislative Research Department  
Jo Ann Buntun, Committee Secretary

Conferees appearing before the committee:

Mary Ann Gabel, Executive Director, Behavioral Sciences Regulatory Board  
Ron Hein on behalf of Kansas Association for Marriage and Family Therapy  
Susan J. Kraus, KU School of Social Welfare and social worker, Lawrence

Others attending: See attached list

**Approval of Minutes**

Senator Papay made a motion to approve the minutes of February 7, 8 and 9, 1995, seconded by Senator Harrington. The motion carried.

**Hearing on: SB 216 - Marriage and family therapist registration without examination**

Mary Ann Gabel, BSRB, testified in support of **SB 216** which amends the marriage and family therapy registration act (RMFT) by extending the grandfather registration deadline to January 1, 1996. The grandfather provision waives the examination requirement. (Attachment 1)

Ron Hein, representing KAMFT, expressed his support for **SB 216** and noted that when the act providing for registration of Marriage and Family Therapists was enacted, the grandfather clause provided for applications to be filed on or before January 1, 1993. Due to the tremendous burden that was placed on the Board of Behavioral Sciences and their staff, it was not possible to process all applications or properly notify all the affected individuals, therefore, the bill would rectify the situation and enable those professionals to register pursuant to that clause. (Attachment 2)

Susan J. Kraus, Lawrence social worker and KU faculty member, testified in support of **SB 216** to extend the grandfather clause. Ms. Kraus noted during committee discussion that there needed to be a better way of notification in regard to such changes, and even though the Kansas Register fulfilled the legal notification requirement, not everyone reads the Kansas Register. It was also suggested by staff that it would be beneficial to have an Attorney General's opinion or further clarification of whether someone who wants to hold himself out as a social worker with a specialty in marriage and family therapy can do so without being registered as a marriage and family therapist. (Attachment 3)

**Action on SB 216**

Senator Langworthy made a motion the Committee recommend **SB 216** favorably for passage, seconded by Senator Lee. The motion carried.

The meeting was adjourned at 10:30 a.m.

The next meeting is scheduled for February 17, 1995.



MA. MARY ANN GABEL, MPA, Executive Director

STATE OF KANSAS

BOARD MEMBERS:

Public Members

JOHN S. HOMLISH, Ph.D.  
RONALD D. REINERT  
EDWARD F. WIEGERS, JD

Psychology Representatives

JOHN C. RANDOLPH, Ph.D.  
GERALD K. GENTRY, Ph.D.

Social Work Representatives

THELMA JOHNSON SIMMONS, LMSW  
KATHLEEN W. WADDELL, LCSW



LICENSED PROFESSIONALS:

Psychologists  
Social Workers

REGISTERED PROFESSIONALS:

Masters Level Psychologists  
Professional Counselors  
Marriage and Family  
Therapists  
Alcohol and Other Drug  
Abuse Counselors

BEHAVIORAL SCIENCES REGULATORY BOARD

712 S Kansas Avenue  
Topeka, KS 66603-3817  
913/296-3240 — FAX 913/296-3112

TESTIMONY BEFORE THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

SB 216

FEBRUARY 16, 1995

CHAIRPERSON SENATOR SANDY PRAEGER AND COMMITTEE MEMBERS:

I am Mary Ann Gabel, Executive Director of the Behavioral Sciences Regulatory Board. I am appearing before you today on behalf of the board to request your support of SB 216.

This legislation amends the marriage and family therapy registration act (RMFT) by extending the grandparenting registration deadline to January 1, 1996. The grandparenting provision waives the examination requirement.

Prior to and during the time when the board began to implement this credentialing act, the board satisfied the legal notification requirement by publishing notice in the Kansas Register and notified each of the individuals on the board's mailing list who had indicated to the board that they intended to seek this new registration. In addition to the legal requirement, the board also requested that professional associations publish information concerning the new credentialing act, including application filing deadlines, in their respective newsletters. The following professional associations published articles: Kansas Chapter-NASW (National Association of Social Workers); KPA (Kansas Psychological Association); KAMFT (Kansas Association of Marriage and Family Therapists); and KAPP (Kansas Association of Professional

Senate Public Health and Welfare  
Date: 2-16-95  
Attachment No. 1

Psychologists). The board attempted to identify and notify all known groups that may have an interest in this credential and more than exceeded the legal requirement for notice.

Regardless of the efforts the board expended in attempting to notify known interested professional groups and individuals, the board has continued to receive both requests and arguments from persons who failed to meet the grandparenting filing deadline. A portion of the board's agenda at each of its meetings (subsequent to the deadline for filing applications) has been spent on dealing with these requests and arguments.

Rather than continuing to deal with individual requests on a case-by-case basis, which subjects the board to the possibility of acting or being viewed as acting in a capricious manner, the board requests that the legislature extend the statutory grandparenting deadline to January 1, 1996. This amendment will permit one final opportunity for persons to apply for registration with waiver of the examination, which represents a one-time \$260 cost savings to the applicant.

I thank you for your time and I welcome any questions you may have.

**HEIN, EBERT AND WEIR, CHTD.**

*ATTORNEYS AT LAW*

5845 S.W. 29th Street, Topeka, KS 66614-2462

Telephone: (913) 273-1441

Telefax: (913) 273-9243

*Ronald R. Hein  
William F. Ebert  
Stephen P. Weir  
Stacey R. Empson*

**SENATE PUBLIC HEALTH AND WELFARE**

**TESTIMONY RE: SB 216**

**Presented by Ronald R. Hein**

**on behalf of**

**Kansas Association for Marriage and Family Therapy**

**February 16, 1995**

Madam Chairman, Members of the Committee:

My name is Ron Hein, and I am legislative counsel for the Kansas Association for Marriage and Family Therapy. KAMFT is the state chapter of the American Association for Marriage and Family Therapy (AAMFT). KAMFT's membership is comprised of persons who have met the educational and professional criteria for membership to the AAMFT, and includes Registered Marriage and Family Therapists, Licensed Social Workers, Licensed and Registered Psychologists, and Psychiatrists.

The Kansas Association for Marriage and Family Therapy supports SB 216, which extends the period of time that Marriage and Family Therapists may register pursuant to the grandfather clause set out in the Registration Act.

When the act providing for registration of Marriage and Family Therapist was enacted, the grandfather clause provided for applications to be filed on or before January 1, 1993. Due to the tremendous burden that was placed on the Board of Behavioral Sciences and their staff, it was not possible to process all the applications, or even to properly notify all the affected individuals. Inadvertently, some individuals who desired to register were precluded from doing so within the time frame provided.

SB 216 would rectify that situation, and enable these professionals to register pursuant to that clause.

The Kansas Association for Marriage and Family Therapy strongly urges the committee to approve SB 216.

Thank you very much for permitting me to testify, and I will be happy to yield to questions.

Senate Public Health & Welfare  
Date: 2-16-95  
Attachment No. 2



Susan J. Kraus, M.S.W., L.S.C.S.W.  
2603 Orchard Lane  
Lawrence, Kansas 66049  
(912) 843-8321

TESTIMONY: SENATE PUBLIC HEALTH AND WELFARE COMMITTEE  
SENATE BILL #216  
THURSDAY, FEBRUARY 16TH, 1995

I am Susan J. Kraus. I have practiced as a Licensed Specialist Clinical Social Worker for the past 15 years, primarily in the areas of individual, marital and family therapy. In addition to my clinical practice, I am an adjunct faculty member, the University of Kansas School of Social Welfare, teaching at the graduate level (Advanced Clinical Practice Skills); Co-Director of "The Family Center," a non-profit social service agency located in Topeka; and free-lance writer.

I completed the two-year post graduate training program in Marriage and Family Therapy at Menninger in 1981, and the specifics of my C.E.U.s for licensure renewal consistently reflect my commitment to continued training in the field of marital and family therapy.

The clinical license of L.S.C.S.W., which I have continually maintained for the past 15 years, has entitled me to autonomous practice without restriction with regard to individuals, couples or families. It has also entitled me to describe the specific nature of the services I provide. With the creation of a new classification, of Marriage and Family Therapist, the Behavioral Sciences Regulatory Board substantively altered the parameters of my social work license.

The B.S.R.B. undoubtedly fulfilled the legal notification requirement by publishing notice of anticipated changes in licensure in the Kansas Register. However, while this may have fulfilled the letter of the law, it is clear by the action the B.S.R.B. now seeks as remedy that it did not provide for adequate notification. As an example, I am an experienced licensed clinician, in private practice, who knew nothing about the impending changes in licensure until past the deadline for grandfathering. (While fairly well read, I do not subscribe to the Kansas Register.)

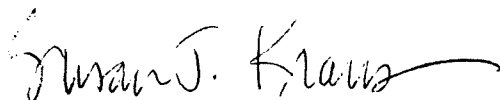
Statutory change requires, or should require, direct notification of all licensed professionals impacted. Given the limitations of the B.S.R.B. operating budget, I will allow that such expense could be prohibitive. But if my state licensing board planned to substantively alter the parameters of my license, to restrict my ability to describe my practice in a manner that accurately reflects the real nature of my work, I contend that they were obligated to notify me in a manner that has some degree of common-sense, i.e. a letter, or a notice placed in all license renewal packets.

And that, I am delighted to note, is exactly what the Behavioral Sciences Regulatory Board now wishes to do: to extend the grandfathering clause, and to allow opportunity for direct notification of all licensed clinical professionals in the state of Kansas. (Indeed, it is what they are currently doing with the impending licensure of alcohol and drug counselors: I just found notification on the top page of my license renewal packet.)

To reiterate, I support the extension of the grandparenting deadline for marriage and family therapists as requested by the Behavioral Sciences Regulatory Board, and I thank the Board for their efforts in this matter.

In addition, I bring with me a letter from Ann Weick, Dean of the School of Social Welfare, University of Kansas, supporting the extension of the grandparenting provision.

Thank you for your time and consideration of this matter. I welcome any questions that you may have.



Susan J. Kraus, M.S.W., L.S.C.S.W.