

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairman Brenda Landwehr at 1:30 p.m. on February 9, 2009, in Room 784 of the Docking State Office Building.

All members were present except for Representatives Seigfried and Neighbor.

Committee staff present:

Norm Furse, Office of the Revisor of Statutes
Melissa Calderwood, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
Janet Grace, Committee Assistant

Conferees appearing before the committee:

Phyllis Gilmore, Kansas Behavioral Sciences Regulatory Board

Others attending:

See attached list.

Vice Chairman Crum called the meeting to order.

Melissa Calderwood, Legislative Research Department, provided computer and electronic bill location training for the committee since this was the first day for the committee to be electronic.

Vice Chairman Crum asked Norm Furse, Legislative Research Department, to provide an overview of **HB 2162**. Mr. Furse proceeded with **HB 2162** as presented by the Kansas Behavioral Sciences Regulatory Board. The changes in the bill include: it is an amendatory bill. Mr. Furse explained that the strike type is very important to review to know where the changes occur in the bill. The rest of the language is all current law.

Phyllis Gilmore, Kansas Behavioral Sciences Regulatory Board (KBSCR), is a proponent of **HB 2162** (Attachment 1). Ms. Gilmore provided an explanation of the requested changes to the bill. The first change in the bill is related to Marriage and Family Therapy (MFT). The amendment strikes the phrase "consistent with the state universities of Kansas." This allows applicants who do not have a 500 hour practicum completed to receive a Kansas license. KBSCR is requesting to allow the applicant to do 300-500 practicum hours to graduate. They will need to complete additional hours of direct client contact to acquire the total 500 hours needed for licensure. Currently, if they do not complete the 500 hour practicum during graduate school, the applicant is forever barred from a marriage and family therapy license in Kansas. Kansas State University is the only state university with a MFT program in Kansas. They have not lowered their practicum hour requirement. Therefore, KBSCR cannot change their regulation as it would be inconsistent with the Kansas State University requirement. Ms. Gilmore clarified the hours as clock hours not college hours. The required hours would change from graduate to postgraduate requirements. The total hours remains the same, the required completion time is the requested change.

The second change is to change the application fee (\$100) and the original license fee (\$175). The current total fee is \$275. The change to the fees would be an application fee of \$225 and original license fee of \$50 which totals to \$275.

The graph in the attachment show the number of out-of-state applicants who apply and never actually get a license. Only 20% of the 2008 out-of-state applicants requested Kansas licensure. They apply to get approval to sit for the national psychology examination prior to completing their post doctoral hours. Kansas allows this to occur while most other jurisdictions do not. The applicants are willing to pay the application fee without the intention of obtaining a Kansas license. The review of the application is time consuming. The increase in application fees will decrease the number of out of state applicants.

There was a question concerning if the bill is passed as law and the gap between the law and the rules and regulations would be published statute book. To narrow that gap, Ms. Gilmore will request emergency regulations for this law. Norm states there will not be a gap unless you want to change the law pertaining to the fees.

Ms Gilmore addressed the questions about the 500 practical hours. They will graduate, have a temporary

CONTINUATION SHEET

Minutes of the House Health And Human Services Committee at 1:30 p.m. on February 9, 2009, in Room 784 of the Docking State Office Building.

Ms Gilmore addressed the questions about the 500 practical hours. They will graduate, have a temporary license, and do a work place supervised practicum until they complete the 500 hours. An evaluation is done during and at the end of the completed hours. This would not be academic hours/evaluation but workplace.

Vice Chairman Crum closed the hearing on **HB 2162**.

Chairman Landwehr asked the committee if they had any objection to working the bill. Seeing none, the committee proceeded to work **HB 2162**.

Representative Crum made a motion on the amendment; on page 4, line 12, to remove "not in excess" and change the fee from \$200 to \$50. The motion was seconded by Representative Slattery.

Norm Furse suggested they make the application fee the same as the license fee and put it into the same motion, and to remove the 'not in excess' and make it an application fee of \$275. Representative Ward suggested to set caps that do not go higher than a certain number. If we accept this, they will have to come to legislature and get it passed to increase fees due to cost. Representative Schwab made a substitute motion to amend the same statute and not remove the 'in excess of' to allow it to work through rules and regulations and change to \$150. Representative Crum agrees and changes above motion. The motion carried.

Representative Schwab provided a motion to put it into the statute book instead of the register. The motion died due to lack of a second

Representative Neighbor provided a motion to pass **HB 2162** as amended. Representative Crum seconded the motion. The motion was passed and carried with Representative Ward the only no vote.

The next meeting is scheduled for February 10, 2009.

The meeting was adjourned at 2:15 p.m.

HOUSE TESTIMONY
HEALTH AND HUMAN SERVICES COMMITTEE
February 9, 2009

HB 2162

Madam Chair and Committee Members:

Thank you for the opportunity to testify today in support of HB 2162. I am Phyllis Gilmore the Executive Director of the Kansas Behavioral Sciences Regulatory Board (BSRB).

The BSRB is the licensing board for most of the state's mental health professionals; the doctoral level psychologists, the master level psychologists, the clinical psychotherapists, the bachelor, master and clinical level social workers, the master and clinical level professional counselors, and the master and clinical level marriage and family therapists. Additionally, some of the drug and alcohol counselors are registered with the board, although most of them are certified with SRS at the present time.

The first change in the bill is related to Marriage and Family Therapy (MFT). This amendment simply strikes the phrase "consistent with the state universities of Kansas." The marriage and family therapists are requesting this change so they may allow applicants who have not had a 500 hour practicum to receive a Kansas license after they complete some additional hours of direct client contact. Currently, if they have not had a 500 hour practicum while they were in graduate school, the applicant is forever barred from a marriage and family therapy license in Kansas. The Commission On Accreditation for Marriage and Family Therapy Education, the national accrediting body for MFT university programs, has lowered the practicum hour requirement. Thus, many universities have also lowered their hour requirement, but K-state has not. K-state is the only state university with a MFT program in Kansas. Therefore, we cannot change our regulation without the statutory change as we would be inconsistent with the K-state requirement.

The second change in the bill is also simple. The current Licensed Psychology (LP) fees are: application fee - \$100 and original license fee - \$175. Total - \$275. We want to change these fees to an application fee of \$225 and original license fee of \$50. Total - \$275. There would be no net increase in the total amount paid for an application fee and original license fee, only a shift. However, we cannot do this in regulation without the statutory change in the application fee which moves the ceiling from \$150 to \$225.

The attached graph shows the number of out of state applicants who apply and never actually get a license. Only 20% of the 2008 out of state applicants requested Kansas licensure. They apply to get approval to sit for the national psychology examination prior to completing their post doctoral hours. Kansas allows this and most other jurisdictions do not. The applicants are willing to pay our application fee even when they do not intend to get a Kansas license, so they can go ahead and take the examination early. The review of the application is time consuming, especially with out of state applicants. Obviously, by increasing the application fee, we hope to slow down the number of out of state applicants who are not planning to practice in Kansas. This would not penalize Kansas applicants because there will be no net change in the cost of a license.

Thank you. I will be happy to stand for questions.

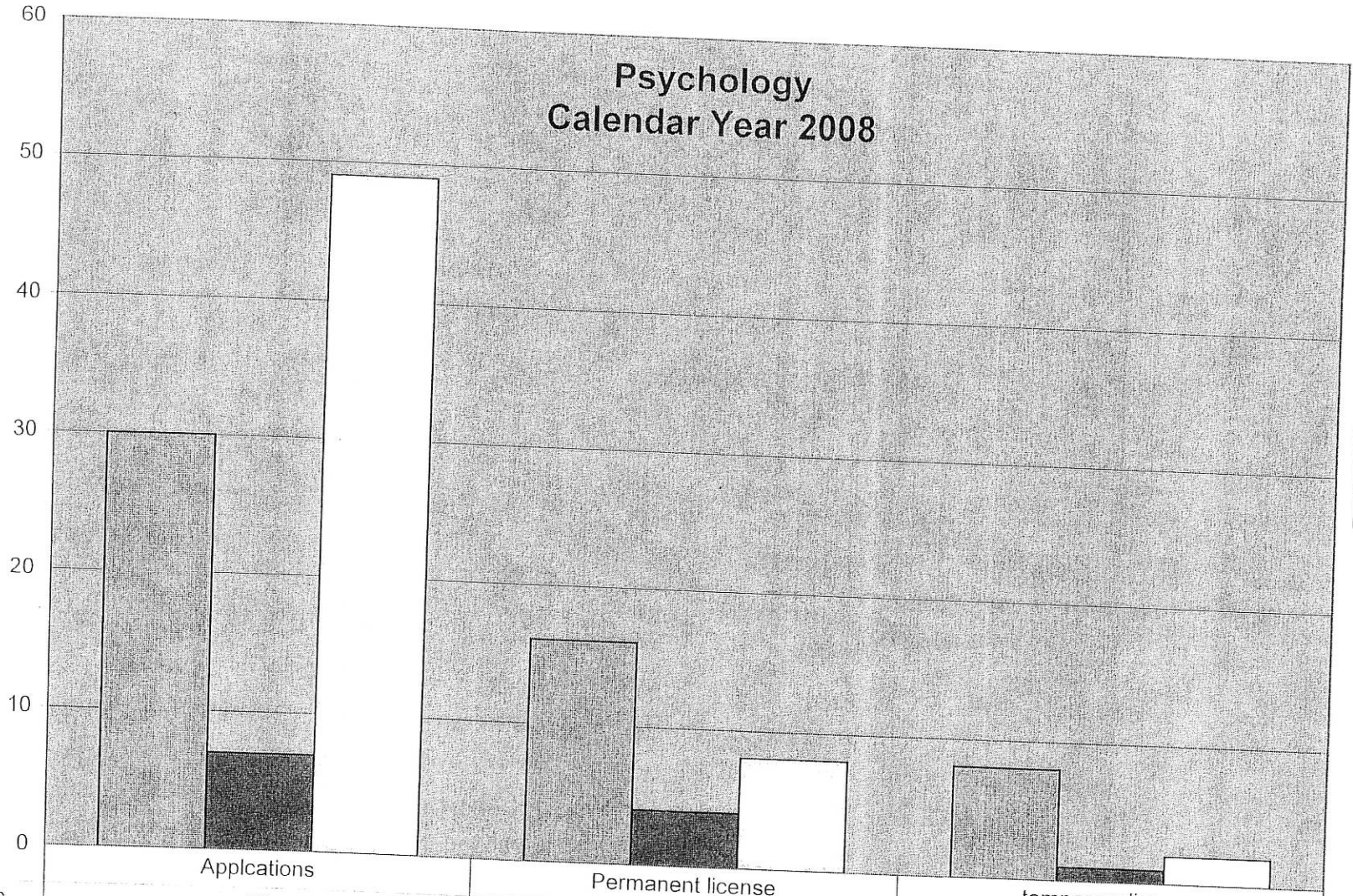
Respectfully submitted,



Phyllis Gilmore
Executive Director
Kansas Behavioral
Sciences Regulatory Board

HEALTH AND HUMAN SERVICES
DATE: 02/09/09
ATTACHMENT: 1

Psychology Calendar Year 2008



KS
 MO
 Other

KS
 MO
 Other

	Applications	Permanent license	temporary license
KS	30	16	8
MO	7	4	1
Other	49	8	2