

SESSION OF 2003

**CONFERENCE COMMITTEE REPORT BRIEF  
HOUSE BILL NO. 2234**

As Agreed to April 4, 2003

**Brief \***

HB 2234 enacts new law relative to the Behavioral Sciences Regulatory Board issuance of reciprocal licenses. The bill allows the Board to issue a license to an individual who is currently registered, certified, or licensed to practice one of the professions licensed by the Board, *i.e.*, psychologists at the masters level, professional counselors, marriage and family therapists, social workers at the clinical level, and doctoral level psychologists, if the Board determines that:

- ! The standards for registration, certification, or licensure to practice the profession in the other jurisdiction are substantially equivalent to the Kansas requirements; or
- ! The applicant demonstrates, on forms provided by the Board, compliance with the following standards:
  - " Continuous registration, certification, or licensure to practice the profession during the five years immediately preceding the application;
  - " Absences of disciplinary actions of a serious nature brought by a registration, certification, or licensing board or agency; and
  - " Holds the appropriate degree from a regionally accredited university or college.

---

\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org/klrd>

Applicants to practice as a clinical psychotherapist, clinical professional counselor, and clinical marriage and family therapist must:

- ! Additionally demonstrate competence to diagnose and treat mental disorders;
- ! Demonstrate that the standards for registration, certification, or licensure to practice the profession in the other jurisdiction are substantially equivalent to the Kansas requirements; or
- ! Demonstrate, on forms provided by the Board, compliance with the following standards:
  - " Continuous registration, certification, or licensure to practice the profession during the five years immediately preceding the application;
  - " Absences of disciplinary actions of a serious nature brought by a registration, certification, or licensing board or agency; and
  - " Holds the appropriate degree from a regionally accredited university or college;
- ! Meet at least two of the following areas acceptable to the Board:
  - " Either graduate course work as established by rules and regulations of the Board or passing a national clinical examination approved by the Board;
  - " Three years of clinical practice with demonstrated experience in diagnosing or treatment of mental disorders; or
  - " Attestation from a professional license 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.

Finally, the bill authorizes the Board to charge an application fee for the issuance of a license by reciprocity.

**As amended by the Senate Committee**, the bill applies to all categories of social workers – baccalaureate, masters, and licensed clinical specialist. Further, as the bill relates to social workers, the Board must issue a temporary license to persons who have met the qualifications for licensure except for passage of the required examination, who must wait for completion of the next examination, who have paid the required fee, and who have submitted the documentation required by the Board. The temporary license will expire when the Board receives and records the person's examination score if the person failed the examination, or upon the date the Board issues or denies a license to a person who has passed the examination. A temporary license issued prior to the effective date of this act remains in effect and subject to the conditions for temporary licensure in existence at the time the temporary license was issued. If an applicant for a social work license is denied, the Board must provide a written explanation of the denial within 10 days of its decision.

**As agreed to by the Conference Committee**, the bill as amended by the Senate Committee is further amended to:

- ! Reinstatement of existing statutory reciprocity provisions for baccalaureate and masters level social work;
- ! Limit the provisions relative to reciprocity for social workers to the clinical level of social work;
- ! Establish the following criteria the Board must use to issue a license to an individual who is currently licensed to practice social work at the clinical level in another jurisdiction:
  - " The standards for licensure to practice social work at the clinical level in the other jurisdiction are substantially equivalent to the requirements;
  - " The applicant demonstrates on forms provided by the Board compliance with the following standards:
    - " 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;
    - " The absence of disciplinary actions of a serious nature brought by a licensing board or agency; and

- " A masters or doctoral degree in social work from a regionally accredited university and from an accredited graduate social work program recognized and approved by the Board, pursuant to rule and regulations adopted by the Board.
- ! Applicants for licensure as a clinical specialist social worker shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the following:
  - " 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 ten years immediately preceding the application; and
  - " Three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders.

### **Background**

HB 2234 was recommended by the Behavioral Sciences Regulatory Board, whose representative explained that the bill is an attempt to remove barriers for individuals coming to Kansas to reside and practice as mental health professionals.