

HOUSE BILL No. 2119

By Committee on Health and Human Services

1-23

1 AN ACT concerning mental health technicians; fees; amending K.S.A. 65-
2 4208 and repealing the existing section; **65-4203 and**
3 **sections**

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

5 Section 1. K.S.A. 65-4208 is hereby amended to read as follows: 65-
6 4208. (a) The board shall collect in advance the fees provided for in this
7 act, the amount of which shall be fixed by the board by rules and
8 regulations, but not to exceed:

9 (1) Mental health technician programs:

10 Annual renewal of program approval.....\$110
11 Survey of a new program.....220
12 Application for approval of continuing education providers.....200
13 Annual fee for continuing education providers.....75
14

15 (2) Mental health technicians:

16 Application for license.....\$50
17 Application for renewal of license.....60
18 Application for reinstatement.....70
19 Application for reinstatement of license with temporary permit.....75
20 Certified copy of license.....12
21 Duplicate of license.....12
22 Inactive license.....20
23 **Examination.....40**
24 **Reexamination.....40.250**
25 Verification of current Kansas license to other states.....11
26 Application for exempt license.....25
27 Application for biennial renewal of exempt license.....50
28
29

30 ~~[(b) The board shall charge and collect in advance fees for any~~
31 ~~examination or reexamination administered by the board under the mental~~
32 ~~health technician's licensure act as fixed by the board by rules and~~
33 ~~regulations in accordance with this section.] If an examination or~~
34 ~~reexamination is not administered by the board, the board shall require~~
35 ~~that fees paid for the examination not administered by the board be paid~~
36 ~~directly to the examination service by the person taking the examination or~~
~~reexamination.~~

(c) The board shall accept for payment of fees under this section personal checks, certified checks, cashier's checks, money orders or credit cards. The board may designate other methods of payment, but shall not refuse payment in the form of a personal check. The board may impose additional fees and recover any costs incurred by reason of payments made by personal checks with insufficient funds and payments made by credit cards.

Sec. 2, K.S.A. 65-4208 is hereby repealed.

Sec. 3, This act shall take effect and be in force from and after its publication in the statute book.

65-4203 and 65-4208 are

Sec. 2, K.S.A. 65-4203 is hereby amended to read as follows: 65-4203. (a) *Qualification.* An applicant for a license to practice as a mental health technician shall:

(1) Have graduated from a high school accredited by the appropriate legal accrediting agency or has obtained the equivalent of a high school education, as determined by the state department of education;

(2) have satisfactorily completed an approved course of mental health technology; and

(3) file with the board a written application for a license.

(b) The board may issue a license to an applicant to practice as a mental health technician who has:

(1) Met the qualifications set forth in subsection (a);

(2) passed a written examination in mental health technology as prescribed and conducted by the board; and

(3) no disqualifying factors under K.S.A. 65-4209, and amendments thereto.

(c) *Licensure examination within 24 months of graduation.* (1) Persons who do not take the licensure examination within 24 months after graduation shall petition the board for permission prior to taking the licensure examination. The board may require the applicant to submit and complete a plan of study prior to taking the licensure examination.

(2) Persons who are unsuccessful in passing the licensure examination within 24 months after graduation shall petition the board for permission prior to subsequent attempts. The board may require the applicant to submit and complete a plan of study prior to taking the licensure examination a subsequent time. The study plan shall contain subjects related to deficiencies identified on the failed examination profiles.

(d) An application for initial licensure will be held awaiting completion of meeting qualifications for a time period specified in rules and regulations.

(e) *Refresher course.* Notwithstanding the provisions of subsection (a), an applicant for a license to practice as a mental health technician who has not been licensed to practice as a mental health technician for five years preceding application shall be required to successfully complete a refresher course as defined by the board in rules and regulations.

(f) The board may issue a one-time temporary permit to practice as a mental health technician for a period not to exceed 120 days when a reinstatement application has been made.

(g) *Exempt license.* The board may issue an exempt license to any licensee as defined in rules and regulations who makes written application for such license on a form provided by the board, who remits a fee as established pursuant to K.S.A. 65-4208, and amendments thereto, and who is not regularly engaged in mental health technician practice in Kansas but volunteers mental health technician service or is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto. Each exempt licensee shall be subject to all provisions of the mental health technician act, except as otherwise provided in this subsection (e) (g). Each exempt license may be renewed biennially subject to the provisions of this section. The holder of the exempt license shall not be required to submit evidence of satisfactory completion of a program of continuing education for renewal. To convert an exempt license to an active license, the exempt licensee shall meet all the requirements of subsection (b) or K.S.A. 65-4205, and amendments thereto. The board shall have authority to write rules and regulations to carry out the provisions of this section.

(h) The board may adopt rules and regulations as necessary to administer the mental health technician's licensure act.