

SENATE BILL No. 254

By Committee on Ways and Means

2-19

1 AN ACT concerning the behavioral sciences regulatory board; amending
2 K.S.A. 65-5802, 65-5806, 65-5808, 65-6306, 65-6314, 65-6319, 65-
3 6402, 65-6407, 65-6408, 65-6411, 74-5302, 74-5311, 74-5318, 74-
4 5322, 74-5361, 74-5363, 74-5365 and 74-5370 and K.S.A. 2014 Supp.
5 65-5804a, 65-5807, 65-5809, 65-6309, 65-6311, 65-6313, 65-6404, 65-
6 6405, 65-6406, 65-6412, 65-6608, 65-6609, 65-6610, 65-6611, 65-
7 6613, 65-6614, 65-6615, 65-6618, 74-5310, 74-5315, 74-5316, 74-
8 5324, 74-5367, 74-5369, 74-5375, 74-7507 and 74-7508 and repealing
9 the existing sections; also repealing K.S.A. 74-5319, 74-5320, 74-5321,
10 74-5325, 74-5326, 74-5327, 74-5328, 74-5332, 74-5333, 74-5334, 74-
11 5336 and 74-5338 and K.S.A. 2014 Supp. 65-5815, 65-6619 and 74-
12 5337.

13

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

15 New Section 1. (a) As part of an original application for or
16 reinstatement of any license, registration, permit or certificate or in
17 connection with any investigation of any holder of a license, registration,
18 permit or certificate, the behavioral sciences regulatory board may require
19 a person to be fingerprinted and submit to a state and national criminal
20 history record check. The fingerprints shall be used to identify the person
21 and to determine whether the person has a record of criminal history in this
22 state or other jurisdiction. The behavioral sciences regulatory board is
23 authorized to submit the fingerprints to the Kansas bureau of investigation
24 and the federal bureau of investigation for a state and national criminal
25 history record check. The behavioral sciences regulatory board may use
26 the information obtained from fingerprinting and the criminal history for
27 purposes of verifying the identification of the person and in the official
28 determination of the qualifications and fitness of the person to be issued or
29 to maintain a license, registration, permit or certificate.

30 (b) Local and state law enforcement officers and agencies shall assist
31 the behavioral sciences regulatory board in the taking and processing of
32 fingerprints of applicants for and holders of any license, registration,
33 permit or certificate and shall release all records of adult convictions and
34 nonconvictions and adult convictions or adjudications of another state or
35 country to the behavioral sciences regulatory board.

36 (c) The behavioral sciences regulatory board may fix and collect a fee

1 as may be required by the board in an amount equal to the cost of
2 fingerprinting and the criminal history record check. Any moneys
3 collected under this subsection shall be deposited in the state treasury and
4 credited to the behavioral sciences regulatory board fee fund. The
5 behavioral sciences regulatory board shall remit all moneys received by or
6 for it from fees, charges or penalties to the state treasurer in accordance
7 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
8 receipt of each such remittance, the state treasurer shall deposit the entire
9 amount in the state treasury to the credit of the behavioral sciences
10 regulatory board fee fund.

11 Sec. 2. K.S.A. 65-5802 is hereby amended to read as follows: 65-
12 5802. As used in the professional counselors licensure act:

13 (a) "Board" means the behavioral sciences regulatory board created
14 by K.S.A. 74-7501, and amendments thereto.

15 (b) "Practice of professional counseling" means assisting an
16 individual or group for a fee, monetary or otherwise, through counseling,
17 assessment, consultation and referral and includes the diagnosis and
18 treatment of mental disorders as authorized under the professional
19 counselors licensure act.

20 (c) "Professional counseling" means to assist an individual or group
21 to develop understanding of personal strengths and weaknesses, to
22 restructure concepts and feelings, to define goals and to plan actions as
23 these are related to personal, social, educational and career development
24 and adjustment.

25 (d) "Assessment" means selecting, administering, scoring and
26 interpreting instruments designed to describe an individual's aptitudes,
27 abilities, achievements, interests and personal characteristics.

28 (e) "Consultation" means the application of principles, methods and
29 techniques of the practice of counseling to assist in solving current or
30 potential problems of individuals or groups in relation to a third party.

31 (f) "Referral" means the evaluation of information to identify
32 problems and to determine the advisability of referral to other
33 practitioners.

34 (g) "Licensed professional counselor" means a person who is licensed
35 under this act and who engages in the practice of professional counseling
36 except that on and after January 1, 2002, such person shall engage in the
37 practice of professional counseling only under the direction of a licensed
38 clinical professional counselor, a licensed psychologist, a person licensed
39 to practice medicine and surgery or a person licensed to provide mental
40 health services as an independent practitioner and whose licensure allows
41 for the diagnosis and treatment of mental disorders.

42 (h) "Licensed clinical professional counselor" means a person who
43 engages in the independent practice of professional counseling including

1 the diagnosis and treatment of mental disorders ~~specified in the edition of~~
2 ~~the diagnostic and statistical manual of mental disorders of the American~~
3 ~~psychiatric association designated by the board by rules and regulations~~
4 and who is licensed under this act.

5 Sec. 3. K.S.A. 2014 Supp. 65-5804a is hereby amended to read as
6 follows: 65-5804a. (a) Applications for licensure as a professional
7 counselor shall be made to the board on a form and in the manner
8 prescribed by the board. Each application shall be accompanied by the fee
9 fixed under K.S.A. 65-5808, and amendments thereto.

10 (b) Each applicant for licensure as a professional counselor shall
11 furnish evidence satisfactory to the board that the applicant:

12 (1) Is at least 21 years of age;

13 (2) has completed 60 graduate semester hours including a graduate
14 degree in counseling from a college or university approved by the board
15 and which includes 45 graduate semester hours distributed among each of
16 the following areas:

17 (A) Counseling theory and practice;

18 (B) the helping relationship;

19 (C) group dynamics, processing and counseling;

20 (D) human growth and development;

21 (E) life-style and career development;

22 (F) appraisal of individuals;

23 (G) social and cultural foundations;

24 (H) research and evaluation;

25 (I) professional orientation;

26 (J) supervised practicum and internship;

27 (3) has passed an examination required by the board; and

28 (4) has satisfied the board that the applicant is a person who merits
29 the public trust.

30 (c) (1) Applications for licensure as a clinical professional counselor
31 shall be made to the board on a form and in the manner prescribed by the
32 board. Each applicant shall furnish evidence satisfactory to the board that
33 the applicant:

34 (A) Is licensed by the board as a licensed professional counselor or
35 meets all requirements for licensure as a licensed professional counselor;

36 (B) has completed 15 credit hours as part of or in addition to the
37 requirements under subsection (b) supporting diagnosis or treatment of
38 mental disorders ~~with use of the American psychiatric association's~~
39 ~~diagnostic and statistical manual~~, through identifiable study of the
40 following content areas: Psychopathology, diagnostic assessment,
41 interdisciplinary referral and collaboration, treatment approaches and
42 professional ethics;

43 (C) has completed a graduate level supervised clinical practicum of

1 supervised professional experience including psychotherapy and
2 assessment with individuals, couples, families or groups, integrating
3 diagnosis and treatment of mental disorders ~~with use of the American~~
4 ~~psychiatric association's diagnostic and statistical manual~~, with not less
5 than 350 hours of direct client contact or additional postgraduate
6 supervised experience as determined by the board;

7 (D) has completed not less than two years of postgraduate supervised
8 professional experience in accordance with a clinical supervision plan
9 approved by the board of not less than 4,000 hours of supervised
10 professional experience including at least 1,500 hours of direct client
11 contact conducting psychotherapy and assessments with individuals,
12 couples, families or groups and not less than 150 hours of clinical
13 supervision, including not less than 50 hours of person-to-person
14 individual supervision, integrating diagnosis and treatment of mental
15 disorders ~~with use of the American psychiatric association's diagnostic and~~
16 ~~statistical manual~~, except that one-half of the requirement of this ~~part (D)~~
17 *subparagraph* may be waived for persons with a doctor's degree in
18 professional counseling or a related field acceptable to the board;

19 (E) for persons earning a degree under subsection (b) prior to July 1,
20 2003, in lieu of the education requirements under ~~parts subparagraphs~~ (B)
21 and (C) of this subsection, has completed the education requirements for
22 licensure as a professional counselor in effect on the day immediately
23 preceding the effective date of this act;

24 (F) for persons who apply for and are eligible for a temporary permit
25 to practice as a licensed professional counselor on the day immediately
26 preceding the effective date of this act, in lieu of the education and training
27 requirements under ~~parts subparagraphs~~ (B), (C) and (D) of this
28 subsection, has completed the education and training requirements for
29 licensure as a professional counselor in effect on the day immediately
30 preceding the effective date of this act;

31 (G) has passed an examination approved by the board; and

32 (H) has paid the application fee fixed under K.S.A. 65-5808, and
33 amendments thereto.

34 (2) A person who was licensed or registered as a professional
35 counselor in Kansas at any time prior to the effective date of this act, who
36 has been actively engaged in the practice of professional counseling as a
37 registered or licensed professional counselor within five years prior to the
38 effective date of this act and whose last license or registration in Kansas
39 prior to the effective date of this act was not suspended or revoked, upon
40 application to the board, payment of fees and completion of applicable
41 continuing education requirements, shall be licensed as a licensed clinical
42 professional counselor by providing demonstration of competence to
43 diagnose and treat mental disorders through at least two of the following

1 areas acceptable to the board:

2 (A) Either: (i) Graduate coursework; or (ii) passing a national,
3 clinical examination;

4 (B) either: (i) Three years of clinical practice in a community mental
5 health center, its contracted affiliate or a state mental hospital; or (ii) three
6 years of clinical practice in other settings with demonstrated experience in
7 diagnosing or treating mental disorders; or

8 (C) attestation from one professional licensed to diagnose and treat
9 mental disorders in independent practice or licensed to practice medicine
10 and surgery that the applicant is competent to diagnose and treat mental
11 disorders.

12 (3) A licensed clinical professional counselor may engage in the
13 independent practice of professional counseling and is authorized to
14 diagnose and treat mental disorders ~~specified in the edition of the~~
15 ~~diagnostic and statistical manual of mental disorders of the American~~
16 ~~psychiatric association designated by the board by rules and regulations.~~
17 When a client has symptoms of a mental disorder, a licensed clinical
18 professional counselor shall consult with the client's primary care
19 physician or psychiatrist to determine if there may be a medical condition
20 or medication that may be causing or contributing to the client's symptoms
21 of a mental disorder. A client may request in writing that such consultation
22 be waived and such request shall be made a part of the client's record. A
23 licensed clinical professional counselor may continue to evaluate and treat
24 the client until such time that the medical consultation is obtained or
25 waived.

26 (4) ~~On and after January 1, 2002,~~ A licensed professional counselor
27 may diagnose and treat mental disorders ~~specified in the edition of the~~
28 ~~diagnostic and statistical manual of mental disorders of the American~~
29 ~~psychiatric association designated by the board by rules and regulations~~
30 only under the direction of a licensed clinical professional counselor,
31 licensed psychologist, person licensed to practice medicine and surgery or
32 person licensed to provide mental health services as an independent
33 practitioner and whose licensure allows for the diagnosis and treatment of
34 mental disorders. When a client has symptoms of a mental disorder, a
35 licensed professional counselor shall consult with the client's primary care
36 physician or psychiatrist to determine if there may be a medical condition
37 or medication that may be causing or contributing to the client's symptoms
38 of a mental disorder. A client may request in writing that such consultation
39 be waived and such request shall be made a part of the client's record. A
40 licensed professional counselor may continue to evaluate and treat the
41 client until such time that the medical consultation is obtained or waived.

42 (d) The board shall adopt rules and regulations establishing the
43 criteria which a college or university shall satisfy in order to be approved

1 by the board. The board may send a questionnaire developed by the board
2 to any college or university for which the board does not have sufficient
3 information to determine whether the school meets the requirements for
4 approval and rules and regulations adopted under this section. The
5 questionnaire providing the necessary information shall be completed and
6 returned to the board in order for the college or university to be considered
7 for approval. The board may contract with investigative agencies,
8 commissions or consultants to assist the board in obtaining information
9 about colleges and universities. In entering such contracts the authority to
10 approve college and universities shall remain solely with the board.

11 (e) A person who is waiting to take the examination required by the
12 board may apply to the board for a temporary license to practice as a
13 licensed professional counselor by: (1) Paying an application fee of no
14 more than \$150; and (2) meeting the application requirements as stated in
15 ~~subsections (b)(1), (2) and (4) of K.S.A. 65-5804a(b)(1), (2) and (4), and~~
16 ~~amendments thereto.~~

17 (f) (1) A temporary license may be issued by the board after the
18 application has been reviewed and approved by the board and the applicant
19 has paid the appropriate fee set by the board for issuance of new licenses.

20 (2) Absent extenuating circumstances approved by the board, a
21 temporary license issued by the board shall expire upon the date the board
22 issues or denies a license to practice professional counseling or six months
23 after the date of issuance of the temporary license. No temporary license
24 will be renewed or issued again on any subsequent application for the
25 same license level. The preceding provisions in no way limit the number
26 of times an applicant may take the examination.

27 (g) A person practicing professional counseling with a temporary
28 license may not use the title "licensed professional counselor" or the
29 initials "LPC" independently. The word "licensed" may be used only when
30 followed by the words "by temporary license" such as licensed
31 professional counselor by temporary license, or professional counselor
32 licensed by temporary license.

33 (h) No person may practice professional counseling under a
34 temporary license except under the supervision of a person licensed by the
35 behavioral sciences regulatory board at the independent level.

36 (i) Nothing in this section shall affect any temporary license to
37 practice issued under this section prior to the effective date of this act and
38 in effect on the effective date of this act. Such temporary license shall be
39 subject to the provisions of this section in effect at the time of its issuance
40 and shall continue to be effective until the date of expiration of the
41 temporary license provided under this section at the time of issuance of
42 such temporary license.

43 Sec. 4. K.S.A. 65-5806 is hereby amended to read as follows: 65-

1 5806. (a) An applicant who meets the requirements for licensure pursuant
2 to this act, has paid the license fee provided for by K.S.A. 65-5808, and
3 amendments thereto, and has otherwise complied with the provisions of
4 this act shall be licensed by the board.

5 (b) Licenses issued pursuant to this act shall expire 24 months from
6 the date of issuance unless revoked prior to that time. A license may be
7 renewed upon application and payment of the fee provided for by K.S.A.
8 65-5808, and amendments thereto. The application for renewal shall be
9 accompanied by evidence satisfactory to the board that the applicant has
10 completed during the previous 24 months the continuing education
11 required by rules and regulations of the board. As part of such continuing
12 education, a licensee shall complete not less than six continuing education
13 hours relating to diagnosis and treatment of mental disorders and not less
14 than three continuing education hours of professional ethics.

15 (c) A person whose license has been suspended or revoked may make
16 written application to the board requesting reinstatement of the license
17 upon termination of the period of suspension or revocation in a manner
18 prescribed by the board, which application shall be accompanied by the
19 fee provided for by K.S.A. 65-5808, and amendments thereto.

20 (d) *Within 30 days after the changing of a permanent address, a*
21 *licensee shall notify the board of such change.*

22 Sec. 5. K.S.A. 2014 Supp. 65-5807 is hereby amended to read as
23 follows: 65-5807. (a) The board may issue a license to an individual who
24 is currently registered, certified or licensed to practice professional
25 counseling in another jurisdiction if the board determines that:

26 (1) The standards for registration, certification or licensure to practice
27 professional counseling in the other jurisdiction are substantially
28 equivalent to the requirements of this state; or

29 (2) the applicant demonstrates on forms provided by the board
30 compliance with the following standards as adopted by the board:

31 (A) ~~Continuous~~—Registration, certification or licensure to practice
32 professional counseling ~~during the five years~~ for at least 60 of the last 66
33 months immediately preceding the application with at least the minimum
34 professional experience as established by rules and regulations of the
35 board;

36 (B) the absence of disciplinary actions of a serious nature brought by
37 a registration, certification or licensing board or agency; and

38 (C) a ~~masters~~ master's degree in counseling from a regionally
39 accredited university or college.

40 (b) Applicants for licensure as a clinical professional counselor shall
41 additionally demonstrate competence to diagnose and treat mental
42 disorders through meeting the requirements of either ~~paragraph (1) or (2)~~
43 ~~of subsection (a)(1) or (a)(2)~~ and at least two of the following areas

1 acceptable to the board:

2 (1) Either graduate coursework as established by rules and
3 regulations of the board or passing a national clinical examination
4 approved by the board;

5 (2) three years of clinical practice with demonstrated experience in
6 diagnosing or treating mental disorders; or

7 (3) attestation from a professional licensed to diagnose and treat
8 mental disorders in independent practice or licensed to practice medicine
9 and surgery stating that the applicant is competent to diagnose and treat
10 mental disorders.

11 (c) An applicant for a license under this section shall pay an
12 application fee established by the board under K.S.A. 65-5808, and
13 amendments thereto.

14 Sec. 6. K.S.A. 65-5808 is hereby amended to read as follows: 65-
15 5808. (a) The board ~~shall~~ may fix by rules and regulations the following
16 fees:

17 (1) For application for licensure *as a professional counselor*, not more
18 than \$100;

19 (2) for an original license *as a professional counselor*, not more than
20 \$175;

21 ~~(3) for examination a temporary license as a professional counselor,~~
22 not more than \$175;

23 ~~(4) for renewal of a license for licensure as a professional counselor,~~
24 not more than \$150;

25 ~~(5) for reinstatement of a license, not more than \$175;~~

26 ~~(6) for replacement of a license, not more than \$20;~~

27 ~~(7) for application for licensure as a clinical professional counselor,~~
28 not more than \$175;

29 ~~(8)(6) for licensure as a clinical professional counselor, not more~~
30 ~~than \$175;~~

31 (7) for renewal for licensure as a clinical professional counselor, not
32 more than \$175;

33 ~~(9)(8) for late renewal penalty, an amount equal to the fee for renewal~~
34 ~~of a license; and~~

35 ~~(10) for exchange of a license in lieu of registration pursuant to~~
36 ~~subsection (b) of K.S.A. 65-5811 and amendments thereto, not to exceed~~
37 ~~\$150~~

38 (9) *for reinstatement of a license, not more than \$175;*

39 (10) *for replacement of a license, not more than \$20; and*

40 (11) *for a wallet card license, not more than \$5.*

41 (b) Fees paid to the board are not refundable.

42 Sec. 7. K.S.A. 2014 Supp. 65-5809 is hereby amended to read as
43 follows: 65-5809. (a) The board may refuse to issue, ~~suspend, limit, refuse~~

1 to renew, condition or revoke any license granted under the professional
2 counselors licensure act for any of the following reasons:

3 (a) Use of drugs or alcohol, or both, to an extent that impairs the
4 individual's ability to engage in the practice of professional counseling;

5 (b) the individual has been convicted of a felony and, after
6 investigation, the board finds that the individual has not been sufficiently
7 rehabilitated to merit the public trust;

8 (c) use of fraud, deception, misrepresentation or bribery in securing
9 any license issued pursuant to the provisions of the professional counselors
10 licensure act or in obtaining permission to take any examination given or
11 required pursuant to the provisions of the professional counselors licensure
12 act;

13 (d) obtaining or attempting to obtain any fee, charge, tuition or other
14 compensation by fraud, deception or misrepresentation;

15 (e) incompetence, misconduct, fraud, misrepresentation or dishonesty
16 in the performance of the functions or duties of a professional counselor or
17 clinical professional counselor;

18 (f) violation of, or assisting or enabling any individual to violate, any
19 provision of the professional counselors licensure act or any rule and
20 regulation adopted under such act;

21 (g) impersonation of any individual holding a license or allowing any
22 individual to use a license or diploma from any school of a person licensed
23 under the professional counselors licensure act or a diploma from any
24 school of an applicant for licensure under the professional counselors
25 licensure act;

26 (h) revocation or suspension of a license or other authorization to
27 practice counseling granted by another state, territory, federal agency or
28 country upon grounds for which revocation or suspension is authorized by
29 the professional counselors licensure act;

30 (i) the individual is mentally ill or physically disabled to an extent
31 that impairs the individual's ability to engage in the practice of
32 professional counseling;

33 (j) assisting or enabling any person to hold oneself out to the public
34 or offer to hold oneself out to the public as a licensed professional
35 counselor or a licensed clinical professional counselor who is not licensed
36 under the provisions of the professional counselors licensure act;

37 (k) the issuance of the license was based upon a material mistake of
38 fact;

39 (l) violation of any professional trust or confidence;

40 (m) use of any advertisement or solicitation which is false,
41 misleading or deceptive to the general public or persons to whom the
42 advertisement or solicitation is primarily directed;

43 (n) unprofessional conduct as defined by rules and regulations

1 adopted by the board; or

2 ~~(c) the licensee renew or reinstate a license, may condition, limit,~~
3 ~~revoke or suspend a license or may publicly or privately censure a~~
4 ~~licensee, or may impose a fine not to exceed \$1,000 per violation upon a~~
5 ~~finding that a licensee or an applicant for license:~~

6 (1) *Is incompetent to practice professional counseling or is found to*
7 *engage in the practice of professional counseling in a manner harmful or*
8 *dangerous to a client or to the public;*

9 (2) *is convicted by a court of competent jurisdiction of a felony,*
10 *misdemeanor crimes against persons or substantiation of abuse against a*
11 *child, adult or resident of a care facility, even if not practice related, after*
12 *investigation, the board finds that the licensee has not been sufficiently*
13 *rehabilitated to merit the public trust;*

14 (3) *has violated a provision of the professional counselors licensure*
15 *act or one or more of the rules and regulations of the board;*

16 (4) *has obtained or attempted to obtain a license or license renewal*
17 *by bribery or fraudulent representation;*

18 (5) *has knowingly made a false statement on a form required by the*
19 *board for a license or license renewal;*

20 (6) *has failed to obtain continuing education credits required by rules*
21 *and regulations of the board;*

22 (7) *has been found guilty of unprofessional conduct as defined by*
23 *rules and regulations established by the board; or*

24 (8) *has had a registration, license or certificate as a professional*
25 *counselor revoked, suspended or limited, or has had other disciplinary*
26 *action taken, or an application for a registration, license or certificate*
27 *denied, by the proper regulatory authority of another state, territory,*
28 *District of Columbia, or other or another country, a certified copy of the*
29 *record of the action of the other jurisdiction being conclusive evidence*
30 *thereof.*

31 (b) *Administrative proceedings and disciplinary actions regarding*
32 *licensure under this act shall be conducted in accordance with the Kansas*
33 *administrative procedure act. Judicial review and civil enforcement of*
34 *agency actions under this act shall be in accordance with the Kansas*
35 *judicial review act.*

36 New Sec. 8. On and after July 1, 2016, all licensees providing
37 postgraduate clinical supervision for those working toward clinical
38 licensure must be board-approved clinical supervisors.

39 (a) Applications for a board-approved clinical supervisor shall be
40 made to the board on

41 a form and in the manner prescribed by the board. Each application
42 shall be accompanied by the fee fixed under K.S.A. 65-5808, and
43 amendments thereto.

1 (b) Each applicant for board-approved clinical supervisor shall
2 furnish evidence satisfactory to the board that the applicant:

3 (1) (A) Is currently licensed as a clinical professional counselor and
4 has practiced as a clinical professional counselor for two years beyond the
5 supervisor's licensure date; or

6 (B) is a person who is licensed at the graduate level to practice in one
7 of the behavioral sciences, and whose authorized scope of practice permits
8 the independent practice of counseling, therapy, or psychotherapy and has
9 practiced at least two years of clinical practice beyond the date of licensure
10 at this level;

11 (2) does not have any disciplinary action that would prohibit
12 providing clinical supervision; and

13 (3)(A) has completed the minimum number of semester hours of
14 coursework related to the enhancement of supervision skills approved by
15 the board; or

16 (B) has completed the minimum number of continuing education
17 hours related to the enhancement of supervision skills approved by the
18 board.

19 Sec. 9. K.S.A. 65-6306 is hereby amended to read as follows: 65-
20 6306. (a) The board shall issue a license as a baccalaureate social worker
21 to an applicant who:

22 (1) Has a baccalaureate degree from an accredited college or
23 university, including completion of a social work program recognized and
24 approved by the board, pursuant to rules and regulations adopted by the
25 board;

26 (2) has passed an examination approved by the board for this
27 purpose; and

28 (3) has satisfied the board that the applicant is a person who merits
29 the public trust.

30 (b) The board shall issue a license as a master social worker to an
31 applicant who:

32 (1) Has a master's degree from an accredited college or university,
33 including completion of a social work program recognized and approved
34 by the board, pursuant to rules and regulations adopted by the board;

35 (2) has passed an examination approved by the board for this
36 purpose; and

37 (3) has satisfied the board that the applicant is a person who merits
38 the public trust.

39 (c) The board shall issue a license in one of the social work
40 specialties to an applicant who:

41 (1) Has a master's or doctor's degree from an accredited graduate
42 school of social work, including completion of a social work program
43 recognized and approved by the board, pursuant to rules and regulations

1 adopted by the board;

2 (2) has had two years of full-time post-master's or post-doctor's
3 degree experience under the supervision of a licensed social worker in the
4 area of the specialty in which such applicant seeks to be licensed;

5 (3) has passed an examination approved by the board for this
6 purpose; and

7 (4) has satisfied the board that the applicant is a person who merits
8 the public trust.

9 (d) (1) The board shall issue a license as a specialist clinical social
10 worker to an applicant who:

11 (A) Has met the requirements of subsection (c);

12 (B) has completed 15 credit hours as part of or in addition to the
13 requirements under subsection (c) supporting diagnosis or treatment of
14 mental disorders ~~with use of the American psychiatric association's~~
15 ~~diagnostic and statistical manual~~, through identifiable study of the
16 following content areas: Psychopathology, diagnostic assessment,
17 interdisciplinary referral and collaboration, treatment approaches and
18 professional ethics;

19 (C) has completed a graduate level supervised clinical practicum of
20 supervised professional experience including psychotherapy and
21 assessment, integrating diagnosis and treatment of mental disorders ~~with~~
22 ~~use of the American psychiatric association's diagnostic and statistical~~
23 ~~manual~~, with not less than 350 hours of direct client contact or additional
24 postgraduate supervised experience as determined by the board;

25 (D) has completed as part of or in addition to the requirements of
26 subsection (c) not less than two years of postgraduate supervised
27 professional experience in accordance with a clinical supervision plan
28 approved by the board of not less than 4,000 hours of supervised
29 professional experience including at least 1,500 hours of direct client
30 contact conducting psychotherapy and assessments with individuals,
31 couples, families or groups and not less than 150 hours of clinical
32 supervision, including not less than 75 hours of person-to-person
33 individual supervision, integrating diagnosis and treatment of mental
34 disorders ~~with use of the American psychiatric association's diagnostic and~~
35 ~~statistical manual~~;

36 (E) for persons earning a degree under subsection (c) prior to July 1,
37 2003, in lieu of the education and training requirements under ~~parts~~
38 ~~subparagraphs~~ (B) and (C) of this subsection, has completed the education
39 requirements for licensure as a specialist clinical social worker in effect on
40 the day immediately preceding the effective date of this act;

41 (F) for persons who apply for and are eligible for a temporary license
42 to practice as a specialist clinical social worker on the day immediately
43 preceding the effective date of this act, in lieu of the education and training

1 requirements under ~~parts~~ *subparagraphs* (B), (C) and (D) of this
2 subsection, has completed the education and training requirements for
3 licensure as a specialist clinical social worker in effect on the day
4 immediately preceding the effective date of this act;

5 (G) has passed an examination approved by the board; and

6 (H) has paid the application fee.

7 (2) A licensed specialist clinical social worker may engage in the
8 social work practice and is authorized to diagnose and treat mental
9 disorders ~~specified in the edition of the diagnostic and statistical manual of~~
10 ~~mental disorders of the American psychiatric association designated by the~~
11 ~~board by rules and regulations.~~ When a client has symptoms of a mental
12 disorder, a licensed specialist clinical social worker shall consult with the
13 client's primary care physician or psychiatrist to determine if there may be
14 a medical condition or medication that may be causing or contributing to
15 the client's symptoms of a mental disorder. A client may request in writing
16 that such consultation be waived and such request shall be made a part of
17 the client's record. A licensed specialist clinical social worker may
18 continue to evaluate and treat the client until such time that the medical
19 consultation is obtained or waived.

20 (3) Notwithstanding any other provision of this subsection, a licensed
21 master social worker who has provided to the board an acceptable clinical
22 supervision plan for licensure as a specialist clinical social worker prior to
23 the effective date of this act shall be licensed as a specialist clinical social
24 worker under this act upon completion of the requirements in effect for
25 licensure as a specialist clinical social worker at the time the acceptable
26 training plan is submitted to the board.

27 (4) A person licensed as a specialist clinical social worker on the day
28 immediately preceding the effective date of this act shall be deemed to be
29 a licensed specialist clinical social worker under this act. Such person shall
30 not be required to file an original application for licensure as a specialist
31 clinical social worker under this act.

32 (e) The board shall adopt rules and regulations establishing the
33 criteria which a social work program of a college or university shall satisfy
34 to be recognized and approved by the board under this section. The board
35 may send a questionnaire developed by the board to any college or
36 university conducting a social work program for which the board does not
37 have sufficient information to determine whether the program should be
38 recognized and approved by the board and whether the program meets the
39 rules and regulations adopted under this section. The questionnaire
40 providing the necessary information shall be completed and returned to the
41 board in order for the program to be considered for recognition and
42 approval. The board may contract with investigative agencies,
43 commissions or consultants to assist the board in obtaining information

1 about a social work program of a college or university. In entering such
2 contracts the authority to recognize and approve a social work program of
3 a college or university shall remain solely with the board.

4 Sec. 10. K.S.A. 2014 Supp. 65-6309 is hereby amended to read as
5 follows: 65-6309. (a) Except as provided in subsections (b) and (c), an
6 applicant shall be exempted from the requirement for any examination
7 provided for herein if:

8 (1) The applicant proves to the board that the applicant is licensed or
9 registered under the laws of a state or territory of the United States that
10 imposes substantially the same requirements as this act as determined by
11 the board; and

12 (2) pursuant to the laws of any such state or territory, the applicant
13 has taken and passed an examination similar to that for which exemption is
14 sought, as determined by the board.

15 (b) The board may issue a license to an individual who is currently
16 licensed to practice social work at the clinical level in another jurisdiction
17 if the board determines that:

18 (1) The standards for licensure to practice social work at the clinical
19 level in the other jurisdiction are substantially equivalent to the
20 requirements of this state for licensure at the clinical level; or

21 (2) the applicant demonstrates on forms provided by the board
22 compliance with the following standards as adopted by the board:

23 (A) ~~Continuous~~-Licensure to practice social work at the clinical level
24 ~~during the five years~~ *for at least 60 of the last 66 months* immediately
25 preceding the application with at least the minimum professional
26 experience as established by rules and regulations of the board;

27 (B) the absence of disciplinary actions of a serious nature brought by
28 a licensing board or agency; and

29 (C) a ~~masters~~ *master's* or doctoral degree in social work from a
30 regionally accredited university or college and from an accredited graduate
31 social work program recognized and approved by the board pursuant to
32 rules and regulations adopted by the board.

33 (c) Applicants for licensure as a clinical specialist social worker shall
34 additionally demonstrate competence to diagnose and treat mental
35 disorders through meeting the following requirements:

36 (1) Passing a national clinical examination approved by the board or,
37 in the absence of the national examination, continuous licensure to practice
38 as a clinical social worker during the 10 years immediately preceding the
39 application; and

40 (2) three years of clinical practice with demonstrated experience in
41 diagnosing or treating mental disorders.

42 (d) An applicant for a license under this section ~~shall~~ *may* pay an
43 application fee established by the board under K.S.A. 65-6314, and

1 amendments thereto.

2 (e) Upon application, the board shall issue temporary licenses to
3 persons who have submitted documentation and met all qualifications for
4 licensure under provisions of this act, except passage of the required
5 examination, and who have paid the required fee.

6 ~~(f) Such persons shall take the license examination within six months~~
7 ~~subsequent to the date of issuance of the temporary license unless there are~~
8 ~~extenuating circumstances approved by the board.~~

9 ~~(g)~~ Absent extenuating circumstances approved by the board, a
10 temporary license issued by the board shall expire upon the date the board
11 issues or denies a license to practice social work or six months after the
12 date of issuance of the temporary license. No temporary license will be
13 renewed or issued again on any subsequent applications for the same
14 license level. The preceding provisions in no way limit the number of
15 times an applicant may take the examination.

16 ~~(h)~~(g) No person may work under a temporary license except under
17 the supervision of a licensed social worker.

18 ~~(i)~~(h) Nothing in this section shall affect any temporary license to
19 practice issued under this section prior to the effective date of this act and
20 in effect on the effective date of this act. Such temporary license shall be
21 subject to the provisions of this section in effect at the time of its issuance
22 and shall continue to be effective until the date of expiration of the license
23 as provided under this section at the time of issuance of such temporary
24 license.

25 ~~(j)~~(i) Any individual employed by a hospital and working in the area
26 of hospital social services to patients of such hospital on July 1, 1974, is
27 exempt from the provisions of this act.

28 ~~(k) If an applicant is denied licensure, the board shall provide the~~
29 ~~applicant with a written explanation of the denial within 10 days after the~~
30 ~~decision of the board, excluding Saturdays, Sundays and legal holidays.~~

31 Sec. 11. K.S.A. 2014 Supp. 65-6311 is hereby amended to read as
32 follows: 65-6311. (a) The board may ~~suspend, limit, revoke, condition or~~
33 ~~refuse to issue or renew a license of any social worker upon proof that the~~
34 ~~social worker:~~

35 (1) ~~Has been convicted of a felony and, after investigation, the board~~
36 ~~finds that the licensee has not been sufficiently rehabilitated to merit the~~
37 ~~public trust;~~

38 (2) ~~has been found guilty of fraud or deceit in connection with~~
39 ~~services rendered as a social worker or in establishing needed~~
40 ~~qualifications under this act;~~

41 (3) ~~has knowingly aided or abetted a person, not a licensed social~~
42 ~~worker, in representing such person as a licensed social worker in this~~
43 ~~state;~~

1 ~~(4) has been found guilty of unprofessional conduct as defined by~~
 2 ~~rules established by the board;~~

3 ~~(5) has been found to have engaged in diagnosis as authorized under~~
 4 ~~K.S.A. 65-6319, and amendments thereto, even though not authorized to~~
 5 ~~engage in such diagnosis under K.S.A. 65-6319, and amendments thereto;~~

6 ~~(6) has been found guilty of negligence or wrongful actions in the~~
 7 ~~performance of duties; or~~

8 ~~(7) refuse to issue, renew or reinstate a license, may condition, limit,~~
 9 ~~revoke or suspend a license or may publicly or privately censure a~~
 10 ~~licensee, or may impose a fine not to exceed \$1,000 per violation upon a~~
 11 ~~finding that a licensee or an applicant for a license:~~

12 ~~(1) Is incompetent to practice social work or is found to engage in~~
 13 ~~the practice of social work in a manner harmful or dangerous to a client~~
 14 ~~or to the public;~~

15 ~~(2) is convicted by a court of competent jurisdiction of a felony,~~
 16 ~~misdemeanor crimes against persons or substantiation of abuse against a~~
 17 ~~child, adult or resident of a care facility, even if not practice related, after~~
 18 ~~investigation, the board finds that the licensee has not been sufficiently~~
 19 ~~rehabilitated to merit the public trust;~~

20 ~~(3) has violated a provision of the social work licensure act or one or~~
 21 ~~more of the rules and regulations of the board;~~

22 ~~(4) has obtained or attempted to obtain a license or license renewal~~
 23 ~~by bribery or fraudulent representation;~~

24 ~~(5) has knowingly made a false statement on a form required by the~~
 25 ~~board for a license or license renewal;~~

26 ~~(6) has failed to obtain continuing education credits required by rules~~
 27 ~~and regulations of the board;~~

28 ~~(7) has been found guilty of unprofessional conduct as defined by~~
 29 ~~rules and regulations established by the board; or~~

30 ~~(8) has had a license, registration or certificate to practice social~~
 31 ~~work revoked, suspended or limited, or has had other disciplinary action~~
 32 ~~taken, or an application for a license, registration or certificate denied, by~~
 33 ~~the proper licensing regulatory authority of another state, territory, District~~
 34 ~~of Columbia, or other country, a certified copy of the record of the action~~
 35 ~~of the other jurisdiction being conclusive evidence thereof.~~

36 ~~(b) Proceedings to consider the suspension, revocation or refusal to~~
 37 ~~renew a license shall be conducted in accordance with the provisions of~~
 38 ~~the Kansas administrative procedure act. Administrative proceedings and~~
 39 ~~disciplinary actions regarding licensure under this act shall be conducted~~
 40 ~~in accordance with the Kansas administrative procedure act. Judicial~~
 41 ~~review and civil enforcement of agency actions under this act shall be in~~
 42 ~~accordance with the Kansas judicial review act.~~

43 Sec. 12. K.S.A. 2014 Supp. 65-6313 is hereby amended to read as

1 follows: 65-6313. (a) All licenses issued shall be effective upon the date
2 issued and shall expire at the end of 24 months from the date of issuance.

3 (b) (1) Except as otherwise provided in K.S.A. 65-6311, and
4 amendments thereto, a license may be renewed by the payment of the
5 renewal fee set forth in K.S.A. 65-6314, and amendments thereto, and the
6 execution and submission of a signed statement, on a form to be provided
7 by the board, attesting that the applicant's license has been neither revoked
8 nor currently suspended and that applicant has met the requirements for
9 continuing education established by the board including not less than three
10 continuing education hours of professional ethics.

11 (2) An applicant for renewal of a license as a master social worker or
12 a specialist clinical social worker, as part of such continuing education,
13 shall complete not less than six continuing education hours relating to
14 diagnosis and treatment of mental disorders.

15 ~~On and after January 1, 2011,~~ (3) An applicant for first time licensure
16 renewal as a baccalaureate social worker, master social worker or
17 specialist clinical social worker, as part of such continuing education, shall
18 complete not less than six hours of social worker safety awareness
19 training. If the applicant for first time licensure renewal has already taken
20 such training, *as part of the applicant's social work degree program or as*
21 *part of a previous level of social work licensure renewal*, then the applicant
22 is not required to complete an additional six hours of social worker safety
23 training.

24 (c) The application for renewal shall be made on or before the date of
25 the expiration of the license or on or before the date of the termination of
26 the period of suspension.

27 (d) If the application for renewal, including payment of the required
28 renewal fee, is not made on or before the date of the expiration of the
29 license, the license is void, and no license shall be reinstated except upon
30 payment of the required renewal fee established under K.S.A. 65-6314,
31 and amendments thereto, plus a penalty equal to the renewal fee, and proof
32 satisfactory to the board of the completion of 40 hours of continuing
33 education within two years prior to application for reinstatement. Upon
34 receipt of such payment and proof, the board shall reinstate the license. A
35 license shall be reinstated under this subsection, upon receipt of such
36 payment and proof, at any time after the expiration of such license.

37 (e) In case of a lost or destroyed license, and upon satisfactory proof
38 of the loss or destruction thereof, the board may issue a duplicate license
39 and shall charge a fee as set forth in K.S.A. 65-6314, and amendments
40 thereto, for such duplicate license.

41 (f) *Within 30 days after the changing of a permanent address, a*
42 *licensee shall notify the board of such change.*

43 Sec. 13. K.S.A. 65-6314 is hereby amended to read as follows: 65-

1 6314. (a) The following fees ~~shall~~ *may* be established by the board by rules
2 and regulations in accordance with the following limitations:

3 (1) Renewal or reinstatement fee for a license as a social work
4 associate ~~shall~~ *may* be not more than \$150.

5 (2) Application, new license, reinstatement or renewal fee for a
6 license as a baccalaureate social worker shall be not more than \$150.

7 (3) Application, new license, reinstatement or renewal fee for a
8 license as master social worker shall be not more than \$150.

9 (4) Application, new license, reinstatement or renewal fee for a
10 license in a social work specialty shall be not more than \$150.

11 (5) ~~Examination fee for a license as a baccalaureate social worker, for
12 a license as a master social worker or for a license in a social work
13 specialty shall be not more than \$200. If an applicant fails an examination,
14 such applicant may be admitted to subsequent examinations upon payment
15 of an additional fee prescribed by the board of not more than \$200.~~

16 ~~(6)~~—Replacement fee for reissuance of a license certificate due to loss
17 or name change shall be not more than \$20.

18 ~~(7)~~(6) *Replacement fee for reissuance of a wallet card shall be not
19 more than \$5.*

20 (7) Temporary license fee for a baccalaureate social worker, master
21 social worker or a social work specialty shall be not more than \$50.

22 (8) Application fee for approval as board-approved continuing
23 education sponsors shall be as follows:

24 (A) Initial application fee for one year provisionally approved
25 providers shall be not more than \$125;

26 (B) three-year renewal fees for approved providers shall be not more
27 than \$350; and

28 (C) application fees for single program providers shall be not more
29 than \$50 for each separately offered continuing education activity for
30 which prior approval is sought.

31 (b) Fees paid to the board are not refundable.

32 Sec. 14. K.S.A. 65-6319 is hereby amended to read as follows: 65-
33 6319. The following licensed social workers may diagnose and treat
34 mental disorders ~~specified in the edition of the diagnostic and statistical
35 manual of mental disorders of the American psychiatric association
36 designated by the board by rules and regulations:~~ (a) A licensed specialist
37 clinical social worker; and (b) a licensed master social worker who
38 engages in the practice of social work only under the direction of a
39 licensed specialist clinical social worker, a licensed psychologist, a person
40 licensed to practice medicine and surgery or a person licensed to provide
41 mental health services as an independent practitioner and whose licensure
42 allows for the diagnosis and treatment of mental disorders. When a client
43 has symptoms of a mental disorder, a licensed master social worker shall

1 consult with the client's primary care physician or psychiatrist to determine
2 if there may be a medical condition or medication that may be causing or
3 contributing to the client's symptoms of a mental disorder. A client may
4 request in writing that such consultation be waived and such request shall
5 be made a part of the client's record. A licensed master social worker may
6 continue to evaluate and treat the client until such time that the medical
7 consultation is obtained or waived.

8 New Sec. 15. On and after July 1, 2016, all licensees providing
9 postgraduate clinical supervision for those working toward clinical
10 licensure must be board-approved clinical supervisors.

11 (a) Applications for board-approved clinical supervisor shall be made
12 to the board on a form and in the manner prescribed by the board. Each
13 application shall be accompanied by the fee fixed under K.S.A. 65-6314,
14 and amendments thereto.

15 (b) Each applicant for board-approved clinical supervisor shall
16 furnish evidence satisfactory to the board that the applicant:

17 (1) Is currently licensed as a specialist clinical social worker;

18 (2) has practiced as a specialist clinical social worker for two years
19 beyond the supervisor's licensure date;

20 (3) does not have any disciplinary action that would prohibit
21 providing clinical supervision; and

22 (4) (A) has completed the minimum number of semester hours of
23 coursework related to the enhancement of supervision skills approved by
24 the board; or

25 (B) has completed the minimum number of continuing education
26 hours related to the enhancement of supervision skills approved by the
27 board.

28 New Sec. 16. K.S.A. 65-6301 through 65-6320, section 15, and this
29 section, and amendments thereto, shall be known and may be cited as the
30 social workers licensure act.

31 Sec. 17. K.S.A. 65-6402 is hereby amended to read as follows: 65-
32 6402. As used in the marriage and family therapists licensure act:

33 (a) "Board" means the behavioral sciences regulatory board created
34 under K.S.A. 74-7501, and amendments thereto.

35 (b) "Marriage and family therapy" means the assessment and
36 treatment of cognitive, affective or behavioral problems within the context
37 of marital and family systems and includes the diagnosis and treatment of
38 mental disorders as authorized under the marriage and family therapists
39 licensure act.

40 (c) "Licensed marriage and family therapist" means a person who
41 engages in the practice of marriage and family therapy and who is licensed
42 under this act except that on and after January 1, 2002, such person shall
43 engage in the practice of marriage and family therapy only under the

1 direction of a licensed clinical marriage and family therapist, a licensed
2 psychologist, a person licensed to practice medicine and surgery or a
3 person licensed to provide mental health services as an independent
4 practitioner and whose licensure allows for the diagnosis and treatment of
5 mental disorders.

6 (d) "Licensed clinical marriage and family therapist" means a person
7 who engages in the independent practice of marriage and family therapy
8 including the diagnosis and treatment of mental disorders ~~specified in the~~
9 ~~edition of the diagnostic and statistical manual of mental disorders of the~~
10 ~~American psychiatric association designated by the board by rules and~~
11 ~~regulations~~ and is licensed under this act.

12 Sec. 18. K.S.A. 2014 Supp. 65-6404 is hereby amended to read as
13 follows: 65-6404. (a) An applicant for licensure as a marriage and family
14 therapist shall furnish evidence that the applicant:

15 (1) Has attained the age of 21;

16 (2) (A) has completed a master's or doctoral degree from a marriage
17 and family therapy program, in an educational institution with standards
18 approved by the board; or (B) has completed a master's or doctoral degree
19 from an educational institution in a related field for which the course work
20 is considered by the board to be equivalent to that provided in ~~clause (2)~~
21 ~~(A) of this paragraph subsection (a)(2)(A)~~ and consists of a minimum of
22 nine semester hours in human development, nine semester hours in
23 theories of marriage and family functioning, nine semester hours of marital
24 and family assessment and therapy, three semester hours in professional
25 studies and three semester hours in research; or (C) completed a master's
26 or doctoral degree from an educational institution in a related field with
27 additional work from an educational program in marriage and family
28 therapy approved by the board and such degree program and additional
29 work includes the course work requirements provided in ~~clause (2)(B) of~~
30 ~~this paragraph subsection (a)(2)(B)~~;

31 (3) has passed an examination approved by the board;

32 (4) has satisfied the board that the applicant is a person who merits
33 the public trust; and

34 (5) Each applicant has paid the application fee established by the
35 board under K.S.A. 65-6411, and amendments thereto.

36 (b) (1) Applications for licensure as a clinical marriage and family
37 therapist shall be made to the board on a form and in the manner
38 prescribed by the board. Each applicant shall furnish evidence satisfactory
39 to the board that the applicant:

40 (A) Is licensed by the board as a licensed marriage and family
41 therapist or meets all requirements for licensure as a marriage and family
42 therapist;

43 (B) has completed 15 credit hours as part of or in addition to the

1 requirements under subsection (a) supporting diagnosis or treatment of
2 mental disorders ~~with use of the American psychiatric association's~~
3 ~~diagnostic and statistical manual~~, through identifiable study of the
4 following content areas: Psychopathology, diagnostic assessment,
5 interdisciplinary referral and collaboration, treatment approaches and
6 professional ethics;

7 (C) has completed a graduate level supervised clinical practicum of
8 supervised professional experience including psychotherapy and
9 assessment with individuals, couples, families or groups, integrating
10 diagnosis and treatment of mental disorders ~~with use of the American~~
11 ~~psychiatric association's diagnostic and statistical manual~~, with not less
12 than 350 hours of direct client contact or additional postgraduate
13 supervised experience as determined by the board;

14 (D) has completed not less than two years of postgraduate supervised
15 professional experience in accordance with a clinical supervision plan
16 approved by the board of not less than 4,000 hours of supervised
17 professional experience including at least 1,500 hours of direct client
18 contact conducting psychotherapy and assessments with individuals,
19 couples, families or groups and not less than 150 hours of clinical
20 supervision, including not less than 50 hours of person-to-person
21 individual supervision, integrating diagnosis and treatment of mental
22 disorders ~~with use of the American psychiatric association's diagnostic and~~
23 ~~statistical manual~~, except that one-half of the requirement of this ~~part~~
24 *subparagraph* (D) may be waived for persons with a doctor's degree in
25 marriage and family therapy or a related field acceptable to the board;

26 (E) for persons earning a degree under subsection (a) prior to July 1,
27 2003, in lieu of the education and training requirements under ~~parts~~
28 *subparagraphs* (B) and (C) of this subsection, has completed the education
29 requirements for licensure as a marriage and family therapist in effect on
30 the day immediately preceding the effective date of this act;

31 (F) for persons who apply for and are eligible for a temporary permit
32 to practice as a licensed marriage and family therapist on the day
33 immediately preceding the effective date of this act, in lieu of the
34 education and training requirements under ~~parts~~ *subparagraphs* (B), (C)
35 and (D) of this subsection, has completed the education and training
36 requirements for licensure as a marriage and family therapist in effect on
37 the day immediately preceding the effective date of this act;

38 (G) has passed an examination approved by the board; and

39 (H) has paid the application fee fixed under K.S.A. 65-6411, and
40 amendments thereto.

41 (2) A person who was licensed or registered as a marriage and family
42 therapist in Kansas at any time prior to the effective date of this act, who
43 has been actively engaged in the practice of marriage and family therapy

1 as a registered or licensed marriage and family therapist within five years
2 prior to the effective date of this act and whose last license or registration
3 in Kansas prior to the effective date of this act was not suspended or
4 revoked, upon application to the board, payment of fees and completion of
5 applicable continuing education requirements, shall be licensed as a
6 licensed clinical marriage and family therapist by providing demonstration
7 of competence to diagnose and treat mental disorders through at least two
8 of the following areas acceptable to the board:

9 (A) Either: (i) Graduate coursework; or (ii) passing a national,
10 clinical examination;

11 (B) either: (i) Three years of clinical practice in a community mental
12 health center, its contracted affiliate or a state mental hospital; or (ii) three
13 years of clinical practice in other settings with demonstrated experience in
14 diagnosing or treating mental disorders; or

15 (C) attestation from one professional licensed to diagnose and treat
16 mental disorders in independent practice or licensed to practice medicine
17 and surgery that the applicant is competent to diagnose and treat mental
18 disorders.

19 (3) A licensed clinical marriage and family therapist may engage in
20 the independent practice of marriage and family therapy and is authorized
21 to diagnose and treat mental disorders ~~specified in the edition of the~~
22 ~~diagnostic and statistical manual of mental disorders of the American~~
23 ~~psychiatric association designated by the board by rules and regulations.~~
24 When a client has symptoms of a mental disorder, a licensed clinical
25 marriage and family therapist shall consult with the client's primary care
26 physician or psychiatrist to determine if there may be a medical condition
27 or medication that may be causing or contributing to the client's symptoms
28 of a mental disorder. A client may request in writing that such consultation
29 be waived and such request shall be made a part of the client's record. A
30 licensed clinical marriage and family therapist may continue to evaluate
31 and treat the client until such time that the medical consultation is obtained
32 or waived.

33 (4) ~~On and after January 1, 2002,~~ A licensed marriage and family
34 therapist may diagnose and treat mental disorders ~~specified in the edition~~
35 ~~of the diagnostic and statistical manual of mental disorders specified in the~~
36 ~~edition of the diagnostic and statistical manual of mental disorders of the~~
37 ~~American psychiatric association designated by the board by rules and~~
38 ~~regulations~~ only under the direction of a licensed clinical marriage and
39 family therapist, licensed psychologist, person licensed to practice
40 medicine and surgery or person licensed to provide mental health services
41 as an independent practitioner and whose licensure allows for the
42 diagnosis and treatment of mental disorders. When a client has symptoms
43 of a mental disorder, a licensed marriage and family therapist shall consult

1 with the client's primary care physician or psychiatrist to determine if there
2 may be a medical condition or medication that may be causing or
3 contributing to the client's symptoms of a mental disorder. A client may
4 request in writing that such consultation be waived and such request shall
5 be made a part of the client's record. A licensed marriage and family
6 therapist may continue to evaluate and treat the client until such time that
7 the medical consultation is obtained or waived.

8 Sec. 19. K.S.A. 2014 Supp. 65-6405 is hereby amended to read as
9 follows: 65-6405. (a) A person who is waiting to take the examination
10 required by the board may apply to the board for a temporary license to
11 practice as a licensed marriage and family therapist by: (1) Paying an
12 application fee of no more than \$150, as established by the board in K.S.A.
13 65-6411, and amendments thereto, and (2) meeting the application
14 requirements as stated in subsections (a)(1), (2) and (4) of K.S.A. 65-6404
15 (a)(1), (a)(2) and (a)(4), and amendments thereto.

16 (b) (1) A temporary license may be issued by the board after the
17 application has been reviewed and approved by the board and the applicant
18 has paid the appropriate fee set by the board for issuance of new licenses.

19 (2) Absent extenuating circumstances approved by the board, a
20 temporary license issued by the board shall expire upon the date the board
21 issues or denies the person a license to practice marriage and family
22 therapy or 12 months after the date of issuance of the temporary license.

23 ~~(3) A temporary licensee shall take the license examination within six~~
24 ~~months subsequent to the date of issuance of the temporary license unless~~
25 ~~there are extenuating circumstances approved by the board or if the~~
26 ~~temporary licensee does not take the license examination within six~~
27 ~~months subsequent to the date of issuance of the temporary license and no~~
28 ~~extenuating circumstances have been approved by the board, the~~
29 ~~temporary license will expire after the first six months.~~

30 ~~(4)~~—No temporary license will be renewed or issued again on any
31 subsequent application for the same license level. The preceding provision
32 in no way limits the number of times an applicant may take the
33 examination.

34 (c) A person practicing marriage and family therapy with a temporary
35 license may not use the title "licensed marriage and family therapist" or the
36 initials "LMFT" independently. The word "licensed" may be used only
37 when followed by the words "by temporary license" such as licensed
38 marriage and family therapist by temporary license, or marriage and
39 family therapist, temporarily licensed.

40 (d) No person may practice marriage and family therapy under a
41 temporary license except under the supervision of a person licensed by the
42 behavioral sciences regulatory board at the independent level.

43 (e) Nothing in this section shall affect any temporary license to

1 practice issued under this section prior to the effective date of this act and
2 in effect on the effective date of this act. Such temporary license shall be
3 subject to the provisions of this section in effect at the time of its issuance
4 and shall continue to be effective until the date of expiration of the license
5 as provided under this section at the time of issuance of such temporary
6 license.

7 Sec. 20. K.S.A. 2014 Supp. 65-6406 is hereby amended to read as
8 follows: 65-6406. (a) The board may issue a license to an individual who
9 is currently registered, certified or licensed to practice marriage and family
10 therapy in another jurisdiction if the board determines that:

11 (1) The standards for registration, certification or licensure to practice
12 marriage and family therapy in the other jurisdiction are substantially the
13 equivalent of the requirements of the marriage and family therapists
14 licensure act and rules and regulations of the board;

15 (2) the applicant demonstrates on forms provided by the board
16 compliance with the following standards as adopted by the board:

17 (A) ~~Continuous~~ Registration, certification or licensure to practice
18 marriage and family therapy ~~during the five years for at least 60 of the last~~
19 ~~66 months~~ immediately preceding the application with at least the
20 minimum professional experience as established by rules and regulations
21 of the board;

22 (B) the absence of disciplinary actions of a serious nature brought by
23 a registration, certification or licensing board or agency; and

24 (C) completion of a master's degree in marriage and family therapy
25 from a regionally accredited university.

26 (b) Applicants for licensure as a clinical marriage and family therapist
27 shall additionally demonstrate competence to diagnose and treat mental
28 disorders through meeting the requirements of either ~~paragraph (1) or (2)~~
29 ~~of~~ subsection (a)(1) or (a)(2) and at least two of the following areas
30 acceptable to the board:

31 (1) Either graduate coursework as established by rules and
32 regulations of the board or passing a national clinical examination
33 approved by the board;

34 (2) three years of clinical practice with demonstrated experience in
35 diagnosing or treating mental disorders; or

36 (3) attestation from a professional licensed to diagnose and treat
37 mental disorders in independent practice or licensed to practice medicine
38 and surgery stating that the applicant is competent to diagnose and treat
39 mental disorders.

40 (c) An applicant for a license under this section shall pay an
41 application fee established by the board under K.S.A. 65-6411, and
42 amendments thereto.

43 Sec. 21. K.S.A. 65-6407 is hereby amended to read as follows: 65-

1 6407. (a) An applicant who meets the requirements for licensure pursuant
2 to this act, has paid the license fee provided for by K.S.A. 65-6411, and
3 amendments thereto, and has otherwise complied with the provisions of
4 this act shall be licensed by the board.

5 (b) Licenses issued pursuant to this act shall expire 24 months from
6 the date of issuance unless revoked prior to that time. A license may be
7 renewed upon application and payment of the fee provided for by K.S.A.
8 65-6411, and amendments thereto. The application for renewal shall be
9 accompanied by evidence satisfactory to the board that the applicant has
10 completed during the previous 24 months the continuing education
11 required by rules and regulations of the board. As part of such continuing
12 education, the applicant shall complete not less than six continuing
13 education hours relating to diagnosis and treatment of mental disorders
14 and not less than three continuing education hours of professional ethics.

15 (c) A person whose license has been suspended or revoked may make
16 written application to the board requesting reinstatement of the license
17 upon termination of the period of suspension or revocation in a manner
18 prescribed by the board, which application shall be accompanied by the
19 fee provided for by K.S.A. 65-6411, and amendments thereto.

20 (d) *Within 30 days after the changing of a permanent address, a*
21 *licensee shall notify the board of such change.*

22 Sec. 22. K.S.A. 65-6408 is hereby amended to read as follows: 65-
23 6408. (a) ~~The board may refuse to grant licensure to, or may suspend,~~
24 ~~revoke, condition, limit, qualify or restrict the licensure of any individual~~
25 ~~who the board, after a hearing, determines issue, renew or reinstate a~~
26 *license, may condition, limit, revoke or suspend a license or may publicly*
27 *or privately censure a licensee, or may impose a fine not to exceed \$1,000*
28 *per violation upon a finding that a licensee or an applicant for license:*

29 (1) Is incompetent to practice marriage and family therapy, or is
30 found to engage in the practice of marriage and family therapy in a manner
31 harmful or dangerous to a client or to the public;

32 (2) ~~is convicted by a court of competent jurisdiction of a crime that~~
33 ~~the board determines is of a nature to render the convicted person unfit to~~
34 ~~practice marriage and family therapy felony, misdemeanor crimes against~~
35 ~~persons or substantiation of abuse against a child, adult or resident of a~~
36 ~~care facility, even if not practice-related, after investigation, the board~~
37 ~~finds that the licensee has not been sufficiently rehabilitated to merit the~~
38 *public trust;*

39 (3) has violated a provision of the marriage and family therapists
40 licensure act or one or more of the rules and regulations of the board;

41 (4) has obtained or attempted to obtain a license or license renewal by
42 bribery or fraudulent representation;

43 (5) has knowingly made a false statement on a form required by the

1 board for license or license renewal;

2 (6) has failed to obtain continuing education credits required by rules
3 and regulations of the board;

4 (7) has been found guilty of unprofessional conduct as defined by
5 rules and regulations established by the board; or

6 (8) has had a registration, license or certificate as a marriage and
7 family therapist revoked, suspended or limited, or has had other
8 disciplinary action taken, or an application for registration, license or
9 certificate denied, by the proper regulatory authority of another state,
10 territory, District of Columbia or another country, a certified copy of the
11 record of the action of the other jurisdiction being conclusive evidence
12 thereof.

13 *(b) Administrative proceedings and disciplinary actions regarding*
14 *licensure under this act shall be conducted in accordance with the Kansas*
15 *administrative procedure act. Judicial review and civil enforcement of*
16 *agency actions under this act shall be in accordance with the Kansas*
17 *judicial review act.*

18 Sec. 23. K.S.A. 65-6411 is hereby amended to read as follows: 65-
19 6411. (a) The board ~~shall~~ may fix by rules and regulations and ~~shall~~ may
20 collect the following fees:

21 (1) For application for licensure *as a marriage and family therapist,*
22 not to exceed \$150;

23 (2) for original licensure *as a marriage and family therapist,* not to
24 exceed \$175;

25 (3) ~~for examination, not to exceed \$275;~~

26 ~~(4) for renewal of a license for licensure as a marriage and family~~
27 *therapist,* not to exceed \$175;

28 ~~(5)(4) for application for licensure as a clinical marriage and family~~
29 *therapist,* not to exceed \$175;

30 *(5) for original licensure as a clinical marriage and family therapist,*
31 *not to exceed \$175;*

32 (6) for renewal for licensure as a clinical marriage and family
33 therapist, not to exceed \$175;

34 (7) for reinstatement of a license, not to exceed \$175;

35 (8) for replacement of a license, not to exceed \$20; ~~and~~

36 (9) ~~for late charges, not to exceed \$5 for each 30 days of delay~~
37 *beyond the date the renewal application was to be made renewal penalty,*
38 *an amount equal to the renewal of license; and*

39 *(10) for a wallet card license, not to exceed \$5.*

40 (b) Fees paid to the board are not refundable.

41 Sec. 24. K.S.A. 2014 Supp. 65-6412 is hereby amended to read as
42 follows: 65-6412. Proceedings *regarding licensure* under the marriage and
43 family therapists licensure act shall be conducted in accordance with the

1 Kansas administrative procedure act. Judicial review and civil enforcement
2 of agency actions under the marriage and family therapists licensure act
3 shall be in accordance with the Kansas judicial review act.

4 New Sec. 25. On and after July 1, 2016, all licensees providing
5 postgraduate clinical supervision for those working toward clinical
6 licensure must be board-approved clinical supervisors.

7 (a) Applications for board-approved clinical supervisor shall be made
8 to the board on a form and in the manner prescribed by the board. Each
9 application shall be accompanied by the fee fixed under K.S.A. 65-6411,
10 and amendments thereto.

11 (b) Each applicant for board-approved clinical supervisor shall
12 furnish evidence satisfactory to the board that the applicant:

13 (1) (A) Is currently licensed as a clinical marriage and family
14 therapist and has practiced as a clinical marriage and family therapist for
15 two years beyond the supervisor's licensure date; or

16 (B) be a person who is licensed at the graduate level to practice in one
17 of the behavioral sciences, and whose authorized scope of practice permits
18 the diagnosis and treatment of mental disorders and shall have at least two
19 years of professional experience in the independent practice of clinical
20 marriage and family therapy beyond the date of licensure at this level;

21 (2) does not have any disciplinary action that would prohibit
22 providing clinical supervision; and

23 (3) (A) has completed the minimum number of semester hours of
24 coursework related to the enhancement of supervision skills approved by
25 the board; or

26 (B) has completed the minimum number of continuing education
27 hours related to the enhancement of supervision skills approved by the
28 board.

29 Sec. 26. K.S.A. 2014 Supp. 65-6608 is hereby amended to read as
30 follows: 65-6608. As used in the addictions counselor licensure act:

31 (a) "Board" means the behavioral sciences regulatory board created
32 under K.S.A. 74-7501, and amendments thereto.

33 (b) "Addiction counseling" means the utilization of special skills to
34 assist persons with addictions, and to assist such persons' families and
35 friends to achieve resolution of addiction through the exploration of the
36 disease and its ramifications, the examination of attitudes and feelings, the
37 consideration of alternative solutions and decision making, as these relate
38 specifically to addiction. Evaluation and assessment, treatment including
39 treatment plan development, crisis intervention, referral, record keeping
40 and clinical consultation specifically related to addiction are within the
41 scope of addiction counseling. Additionally, at the clinical level of
42 licensure, addiction counseling includes independent practice and the
43 diagnosis and treatment of substance use disorders.

1 (c) "Licensed addiction counselor" means a person who engages in
2 the practice of addiction counseling limited to substance use disorders and
3 who is licensed under this act. Such person shall engage in the practice of
4 addiction counseling in a state-licensed or certified alcohol and other drug
5 treatment program or in completing a Kansas domestic violence offender
6 assessment for participants in a certified batterer intervention program
7 pursuant to K.S.A. 2014 Supp. 75-7d01 through 75-7d13, and amendments
8 thereto, unless otherwise exempt for licensure under ~~subsection (m) of~~
9 K.S.A. 59-29b46(m), and amendments thereto.

10 (d) *"Licensed master's addiction counselor" means any person who*
11 *engages in the practice of addiction counseling limited to substance use*
12 *disorders and who is licensed under this act. Such person may diagnose*
13 *substance use disorders only under the supervision of a licensed clinical*
14 *addiction counselor, a licensed psychologist, a person licensed to practice*
15 *medicine and surgery or a person licensed to provide mental health*
16 *services as an independent practitioner and whose licensure allows for the*
17 *diagnosis and treatment of substance abuse disorders or mental disorders.*
18 *Such person shall engage in the practice of addiction counseling only in a*
19 *state-licensed or certified alcohol and other drug treatment program or in*
20 *completing a Kansas domestic violence offender assessment for*
21 *participants in a certified batterer intervention program pursuant to*
22 *K.S.A. 2014 Supp. 75-7d01 through 75-7d13, and amendments thereto,*
23 *unless otherwise exempt for licensure under K.S.A. 59-29b46(m), and*
24 *amendments thereto.*

25 (e) "Licensed clinical addiction counselor" means a person who
26 engages in the independent practice of addiction counseling and diagnosis
27 and treatment of substance use disorders ~~specified in the edition of the~~
28 ~~American psychiatric association's diagnostic and statistical manual of~~
29 ~~mental disorders (DSM) designated by the board by rules and regulations~~
30 and is licensed under this act.

31 Sec. 27. K.S.A. 2014 Supp. 65-6609 is hereby amended to read as
32 follows: 65-6609. (a) ~~On and after September 1, 2011,~~ No person shall
33 engage in the practice of addiction counseling or represent that such
34 person is a licensed addiction counselor or is an addiction counselor or a
35 substance abuse counselor or an alcohol and drug counselor without
36 having first obtained a license as an addiction counselor under the
37 addictions counselor licensure act.

38 (b) *On and after September 1, 2015, no person shall engage in the*
39 *practice of addiction counseling or represent that such person is a*
40 *licensed master's addiction counselor or is a master's addiction counselor*
41 *or a master's substance abuse counselor or a master's alcohol and drug*
42 *counselor without having first obtained a license as a master's addiction*
43 *counselor under the addictions counselor licensure act.*

1 (c) ~~On and after September 1, 2011,~~ No person shall engage in the
2 practice of addiction counseling as a clinical addiction counselor or
3 represent that such person is a licensed clinical addiction counselor or is a
4 clinical addiction counselor or a clinical substance abuse counselor or a
5 clinical alcohol and drug counselor without having first obtained a license
6 as a clinical addiction counselor under the addiction counselor licensure
7 act.

8 ~~(e)~~(d) Violation of this section is a class B misdemeanor.

9 Sec. 28. K.S.A. 2014 Supp. 65-6610 is hereby amended to read as
10 follows: 65-6610. (a) An applicant for licensure as an addiction counselor
11 shall furnish evidence that the applicant:

12 (1) Has attained the age of 21; and

13 (2) (A) has completed at least a baccalaureate degree from an
14 addiction counseling program that is part of a college or university
15 approved by the board; or

16 (B) has completed at least a baccalaureate degree from a college or
17 university approved by the board ~~in a related field~~ that includes a
18 minimum number of semester hours of coursework on substance use
19 disorders as approved by the board; or

20 (C) has completed at least a baccalaureate degree from a college or
21 university approved by the board ~~in a related field~~ with additional
22 coursework in addiction counseling from a college or university approved
23 by the board, and such degree program and the additional coursework
24 includes a minimum number of semester hours of coursework on
25 substance use disorders as approved by the board; or

26 (D) is currently licensed in Kansas as a licensed baccalaureate social
27 worker and has completed a minimum number of semester hours of
28 coursework on substance use disorders as approved by the board; ~~or and~~

29 ~~(E) is currently licensed in Kansas as a licensed master social worker,
30 licensed professional counselor, licensed marriage and family therapist or
31 licensed masters level psychologist; and~~

32 (3) has passed an examination approved by the board; and

33 (4) has satisfied the board that the applicant is a person who merits
34 the public trust; and

35 (5) each applicant has paid the application fee established by the
36 board under K.S.A. 2014 Supp. 65-6618, and amendments thereto.

37 (b) *Applications for licensure as a master's addiction counselor shall*
38 *be made to the board on a form and in the manner prescribed by the*
39 *board. Each applicant shall furnish evidence satisfactory to the board that*
40 *the applicant:*

41 (1) *Has attained the age of 21; and*

42 (2) *(A) has completed at least a master's degree from an addiction*
43 *counseling program that is part of a college or university approved by the*

1 board;

2 (B) has completed a master's degree from a college or university
3 approved by the board that includes a minimum number of semester hours
4 of coursework supporting the diagnosis and treatment of substance use
5 disorders as approved by the board;

6 (C) has completed a master's degree from a college or university
7 approved by the board with additional coursework in addiction counseling
8 from a college or university approved by the board and such degree
9 program and additional coursework includes a minimum number of
10 semester hours of coursework supporting the diagnosis and treatment of
11 substance use disorders as approved by the board;

12 (D) has completed a master's degree from a college or university
13 approved by the board that includes a minimum number of semester hours
14 of coursework supporting the diagnosis and treatment of substance use
15 disorders as approved by the board; or

16 (E) is currently licensed in Kansas as a licensed master social
17 worker, licensed professional counselor, licensed marriage and family
18 therapist or licensed master's level psychologist; and

19 (3) has passed an examination approved by the board;

20 (4) has satisfied the board that the applicant is a person who merits
21 the public trust; and

22 (5) has paid the application fee fixed under K.S.A. 2014 Supp. 65-
23 6618, and amendments thereto.

24 (c) Applications for licensure as a clinical addiction counselor shall
25 be made to the board on a form and in the manner prescribed by the board.
26 Each applicant shall furnish evidence satisfactory to the board that the
27 applicant:

28 (1) Has attained the age of 21; and

29 (2) (A) (i) has completed at least a master's degree from an addiction
30 counseling program that is part of a college or university approved by the
31 board; and

32 (ii) has completed not less than two years of postgraduate supervised
33 professional experience in accordance with a clinical supervision plan
34 approved by the board of not less than 4,000 hours of supervised
35 professional experience including at least 1,500 hours of direct client
36 contact conducting substance abuse assessments and treatment with
37 individuals, couples, families or groups and not less than 150 hours of
38 clinical supervision, including not less than 50 hours of person-to-person
39 individual supervision, integrating diagnosis and treatment of substance
40 use disorders ~~with use of the diagnostic and statistical manual of mental~~
41 ~~disorders of the American psychiatric association~~; or has completed not
42 less than ~~two years~~ one year of postgraduate supervised professional
43 experience in accordance with a clinical supervision plan approved by the

1 board of not less than 2,000 hours of supervised professional experience
2 including at least 750 hours of direct client contact conducting substance
3 abuse assessments and treatment with individuals, couples, families or
4 groups and not less than 75 hours of clinical supervision, including not less
5 than 25 hours of person-to-person individual supervision, integrating
6 diagnosis and treatment of substance use disorders ~~with use of the~~
7 ~~diagnostic and statistical manual of mental disorders of the American~~
8 ~~psychiatric association~~, and such person has a doctoral degree in addiction
9 counseling or a related field as approved by the board; or

10 (B) (i) has completed a master's degree from a college or university
11 approved by the board in a related field that includes a minimum number
12 of semester hours of coursework supporting the diagnosis and treatment of
13 substance use disorders as approved by the board; and

14 (ii) has completed not less than two years of postgraduate supervised
15 professional experience in accordance with a clinical supervision plan
16 approved by the board of not less than 4,000 hours of supervised
17 professional experience including at least 1,500 hours of direct client
18 contact conducting substance abuse assessments and treatment with
19 individuals, couples, families or groups and not less than 150 hours of
20 clinical supervision, including not less than 50 hours of person-to-person
21 individual supervision, integrating diagnosis and treatment of substance
22 use disorders ~~with use of the diagnostic and statistical manual of mental~~
23 ~~disorders of the American psychiatric association~~; or has completed not
24 less than ~~two years~~ *one year* of postgraduate supervised professional
25 experience in accordance with a clinical supervision plan approved by the
26 board of not less than 2,000 hours of supervised professional experience
27 including at least 750 hours of direct client contact conducting substance
28 abuse assessments and treatment with individuals, couples, families or
29 groups and not less than 75 hours of clinical supervision, including not less
30 than 25 hours of person-to-person individual supervision, integrating
31 diagnosis and treatment of substance use disorders ~~with use of the~~
32 ~~diagnostic and statistical manual of mental disorders of the American~~
33 ~~psychiatric association~~, and such person has a doctoral degree in addiction
34 counseling or a related field as approved by the board; or

35 (C) (i) has completed a master's degree from a college or university
36 approved by the board in a related field with additional coursework in
37 addiction counseling from a college or university approved by the board
38 and such degree program and additional coursework includes a minimum
39 number of semester hours of coursework supporting the diagnosis and
40 treatment of substance use disorders as approved by the board; and

41 (ii) has completed not less than two years of postgraduate supervised
42 professional experience in accordance with a clinical supervision plan
43 approved by the board of not less than 4,000 hours of supervised

1 professional experience including at least 1,500 hours of direct client
2 contact conducting substance abuse assessments and treatment with
3 individuals, couples, families or groups and not less than 150 hours of
4 clinical supervision, including not less than 50 hours of person-to-person
5 individual supervision, integrating diagnosis and treatment of substance
6 use disorders ~~with use of the diagnostic and statistical manual of mental~~
7 ~~disorders of the American psychiatric association~~; or has completed not
8 less than ~~two years~~ *one year* of postgraduate supervised professional
9 experience in accordance with a clinical supervision plan approved by the
10 board of not less than 2,000 hours of supervised professional experience
11 including at least 750 hours of direct client contact conducting substance
12 abuse assessments and treatment with individuals, couples, families or
13 groups and not less than 75 hours of clinical supervision, including not less
14 than 25 hours of person-to-person individual supervision, integrating
15 diagnosis and treatment of substance use disorders ~~with use of the~~
16 ~~diagnostic and statistical manual of mental disorders of the American~~
17 ~~psychiatric association~~, and such person has a doctoral degree in addiction
18 counseling or a related field as approved by the board; or

19 (D) (i) has completed a master's degree ~~in a related field~~ from a
20 college or university approved by the board and is licensed by the board as
21 a licensed addiction counselor; and

22 (ii) has completed not less than two years of postgraduate supervised
23 professional experience in accordance with a clinical supervision plan
24 approved by the board of not less than 4,000 hours of supervised
25 professional experience including at least 1,500 hours of direct client
26 contact conducting substance abuse assessments and treatment with
27 individuals, couples, families or groups and not less than 150 hours of
28 clinical supervision, including not less than 50 hours of person-to-person
29 individual supervision, integrating diagnosis and treatment of substance
30 use disorders ~~with use of the diagnostic and statistical manual of mental~~
31 ~~disorders of the American psychiatric association~~; or has completed not
32 less than ~~two years~~ *one year* of postgraduate supervised professional
33 experience in accordance with a clinical supervision plan approved by the
34 board of not less than 2,000 hours of supervised professional experience
35 including at least 750 hours of direct client contact conducting substance
36 abuse assessments and treatment with individuals, couples, families or
37 groups and not less than 75 hours of clinical supervision, including not less
38 than 25 hours of person-to-person individual supervision, integrating
39 diagnosis and treatment of substance use disorders ~~with use of the~~
40 ~~diagnostic and statistical manual of mental disorders of the American~~
41 ~~psychiatric association~~, and such person has a doctoral degree in addiction
42 counseling or a related field as approved by the board; or

43 (E) is currently licensed in Kansas as a licensed psychologist,

1 licensed specialist clinical social worker, licensed clinical professional
2 counselor, licensed clinical psychotherapist or licensed clinical marriage
3 and family therapist and provides to the board an attestation from a
4 professional licensed to diagnose and treat mental disorders, or substance
5 use disorders, or both, in independent practice or licensed to practice
6 medicine and surgery stating that the applicant is competent to diagnose
7 and treat substance use disorders; and

8 (3) has passed an examination approved by the board; and

9 (4) has satisfied the board that the applicant is a person who merits
10 the public trust; and

11 (5) has paid the application fee fixed under K.S.A. 2014 Supp. 65-
12 6618, and amendments thereto.

13 ~~(e)~~(d) A person who was registered by the behavioral sciences
14 regulatory board as an alcohol and other drug counselor or credentialed by
15 the Kansas department for aging and disability services as an alcohol and
16 drug credentialed counselor or credentialed by the Kansas association of
17 addiction professionals as an alcohol and other drug abuse counselor in
18 Kansas at any time prior to the effective date of this act, who was
19 registered in Kansas as an alcohol and other drug counselor, an alcohol and
20 drug credentialed counselor or a credentialed alcohol and other drug abuse
21 counselor within three years prior to the effective date of this act and
22 whose last registration or credential in Kansas prior to the effective date of
23 this act was not suspended or revoked, upon application to the board,
24 payment of fees and completion of applicable continuing education
25 requirements, shall be licensed as a licensed addiction counselor by
26 providing demonstration acceptable to the board of competence to perform
27 the duties of an addiction counselor.

28 ~~(d)~~(e) *Prior to July 1, 2016*, any person who was registered by the
29 behavioral sciences regulatory board as an alcohol and other drug
30 counselor or credentialed by the department of social and rehabilitation
31 services as an alcohol and drug credentialed counselor or credentialed by
32 the Kansas association of addiction professionals as an alcohol and other
33 drug abuse counselor in Kansas at any time prior to the effective date of
34 this act, and who is also licensed to practice independently as a mental
35 health practitioner or person licensed to practice medicine and surgery, and
36 who was registered or credentialed in Kansas as an alcohol and other drug
37 counselor within three years prior to the effective date of this act and
38 whose last registration or credential in Kansas prior to the effective date of
39 this act was not suspended or revoked, upon application to the board,
40 payment of fees and completion of applicable continuing education
41 requirements, shall be licensed as a licensed clinical addiction counselor
42 and may engage in the independent practice of addiction counseling and is
43 authorized to diagnose and treat substance use disorders ~~specified in the~~

1 ~~edition of the diagnostic and statistical manual of mental disorders of the~~
2 ~~American psychiatric association designated by the board by rules and~~
3 ~~regulations.~~

4 ~~(e)(f) Prior to July 1, 2016, any person who was credentialed by the~~
5 ~~department of social and rehabilitation services as an alcohol and drug~~
6 ~~counselor and has been actively engaged in the practice, supervision or~~
7 ~~administration of addiction counseling in Kansas for not less than four~~
8 ~~years and holds a master's degree in a related field from a college or~~
9 ~~university approved by the board and whose last registration or credential~~
10 ~~in Kansas prior to the effective date of this act was not suspended or~~
11 ~~revoked, upon application to the board, payment of fees and completion of~~
12 ~~applicable continuing education requirements, shall be licensed as a~~
13 ~~clinical addiction counselor and may engage in the independent practice of~~
14 ~~addiction counseling and is authorized to diagnose and treat substance use~~
15 ~~disorders specified in the edition of the diagnostic and statistical manual of~~
16 ~~mental disorders of the American psychiatric association designated by the~~
17 ~~board by rules and regulations.~~

18 ~~(f) A licensed addiction counselor shall engage in the practice of~~
19 ~~addiction counseling only in a state licensed or certified alcohol and other~~
20 ~~drug treatment program, unless otherwise exempt from licensure under~~
21 ~~subsection (m) of K.S.A. 59-29b46, and amendments thereto.~~

22 Sec. 29. K.S.A. 2014 Supp. 65-6611 is hereby amended to read as
23 follows: 65-6611. (a) A person who is waiting to take the examination for
24 licensure as an addiction counselor may apply to the board for a temporary
25 license to practice as a licensed addiction counselor by: (1) Paying an
26 application fee for a temporary license fixed under K.S.A. 2014 Supp. 65-
27 6618, and amendments thereto; and (2) meeting the application
28 requirements as stated in ~~subsections (a)(1), (2) and (4) of K.S.A. 2014~~
29 ~~Supp. 65-6610(a)(1), (2) and (4), and amendments thereto.~~

30 (b) *A person who is waiting to take the examination for licensure as a*
31 *master's addiction counselor may apply to the board for a temporary*
32 *license to practice as a licensed master's addiction counselor by: (1)*
33 *Paying an application fee for a temporary license fixed under K.S.A. 2014*
34 *Supp. 65-6618, and amendments thereto; and (2) meeting the application*
35 *requirements as stated in K.S.A. 2014 Supp. 65-6610(b)(1), (2) and (4),*
36 *and amendments thereto.*

37 (c) (1) A temporary license may be issued by the board after the
38 application has been reviewed and approved by the board and the applicant
39 has paid the appropriate fee set by the board for issuance of new licenses.

40 (2) Absent extenuating circumstances approved by the board, a
41 temporary license issued by the board shall expire upon the date the board
42 issues or denies the person a license to practice addiction counseling or 12
43 months after the date of issuance of the temporary license.

1 (3) No temporary license will be renewed or issued again on any
 2 subsequent application for the same license level. The preceding provision
 3 in no way limits the number of times an applicant may take the
 4 examination.

5 ~~(e)~~(d) A person practicing addiction counseling with a temporary
 6 license may not use the title "licensed addiction counselor" or "*licensed*
 7 *master's addiction counselor*" or use the initials "LAC" or "LMAC"
 8 independently. The word "licensed" may be used only when followed by
 9 the words "by temporary license" such as licensed addiction counselor by
 10 temporary license, or addiction counselor, temporarily licensed.

11 ~~(d)~~(e) No person may practice addiction counseling under a
 12 temporary license except in a licensed or certified alcohol and other drug
 13 abuse program, under the direction of a person licensed by the behavioral
 14 sciences regulatory board at the clinical level or a person licensed to
 15 practice medicine and surgery.

16 ~~(e)~~(f) Nothing in this section shall affect any temporary license to
 17 practice issued under this section prior to the effective date of this act and
 18 in effect on the effective date of this act. Such temporary license shall be
 19 subject to the provisions of this section in effect at the time of its issuance
 20 and shall continue to be effective until the date of expiration of the license
 21 as provided under this section at the time of issuance of such license.

22 Sec. 30. K.S.A. 2014 Supp. 65-6613 is hereby amended to read as
 23 follows: 65-6613. (a) The board may issue a license to an individual who
 24 is currently registered, certified or licensed to practice *as an addiction*
 25 ~~counseling~~ *counselor* in another jurisdiction if the board determines that:

26 (1) The standards for registration, certification or licensure to practice
 27 *as an addiction—counseling counselor* in the other jurisdiction are
 28 substantially the equivalent of the requirements of the addictions counselor
 29 licensure act and rules and regulations of the board; or

30 (2) the applicant demonstrates on forms provided by the board
 31 compliance with the following standards as adopted by the board:

32 (A) ~~Continuous~~ Registration, certification or licensure to practice *as*
 33 *an addiction counseling during the five years counselor for at least 60 of*
 34 *the last 66 months* immediately preceding the application with at least the
 35 minimum professional experience as established by rules and regulations
 36 of the board; and

37 (B) the absence of disciplinary actions of a serious nature brought by
 38 a registration, certification or licensing board or agency; and

39 (C) completion of a baccalaureate or master's degree ~~in addiction~~
 40 ~~counseling~~ from a college or university approved by the board ~~or~~
 41 ~~completion of a baccalaureate or master's degree in a related field that~~
 42 ~~includes all required addiction coursework.~~

43 (b) (1) The board may issue a license to an individual who is

1 currently registered, certified or licensed to practice ~~clinical~~ *as a master's*
2 ~~addiction-counseling~~ *counselor* in another jurisdiction if the board
3 determines that:

4 ~~(+)(A)~~ The standards for registration, certification or licensure to
5 practice ~~clinical~~ *as a master's* ~~addiction-counseling~~ *counselor* in the other
6 jurisdiction are substantially the equivalent of the requirements of the
7 addictions counselor licensure act and rules and regulations of the board;
8 ~~or and~~

9 ~~(B)~~ *the applicant demonstrates completion of at least a master's*
10 *degree in addiction counseling from a college or university approved by*
11 *the board or completion of at least a master's degree approved by the*
12 *board; or*

13 (2) the applicant demonstrates on forms provided by the board
14 compliance with the following standards as adopted by the board:

15 ~~(A)~~ ~~Continuous~~ Registration, certification or licensure to practice
16 clinical addiction counseling ~~during the five years for at least 60 of the~~
17 *last 66 months* immediately preceding the application with at least the
18 minimum professional experience as established by rules and regulations
19 of the board; ~~and~~

20 ~~(B)~~ the absence of disciplinary actions of a serious nature brought by
21 a registration, certification or licensing board or agency; ~~and~~

22 ~~(C)-(i)~~ completion of at least a master's degree in ~~clinical~~ addiction
23 counseling from a college or university approved by the board *or*
24 *completion of at least a master's degree approved by the board; or*

25 ~~(ii)~~ ~~completion of at least a master's degree from a college or~~
26 ~~university approved by the board in a related field that includes a~~
27 ~~minimum number of semester hours of coursework supporting the~~
28 ~~diagnosis and treatment of substance use disorders as approved by the~~
29 ~~board; or~~

30 ~~(iii)~~ ~~completion of at least a master's degree from a college or~~
31 ~~university approved by the board in a related field with additional~~
32 ~~coursework in addiction counseling from a college or university approved~~
33 ~~by the board and such degree program and additional coursework includes~~
34 ~~a minimum number of semester hours of coursework supporting the~~
35 ~~diagnosis and treatment of substance use disorders as approved by the~~
36 ~~board; and~~

37 (D) at least two of the following areas acceptable to the board:

38 (i) Either coursework as established by rules and regulations of the
39 board or passing a national clinical examination approved by the board; or

40 (ii) three years of clinical practice with demonstrated experience
41 supporting diagnosing or treating substance use disorders; or

42 (iii) attestation from a professional licensed to diagnose and treat
43 mental disorders, or substance use disorders, or both, in independent

1 practice or licensed to practice medicine and surgery stating that the
2 applicant is competent to diagnose and treat substance use disorders.

3 (c) An applicant for a license under this section shall pay an
4 application fee, *if required by the board*, established by the board under
5 K.S.A. 2014 Supp. 65-6618, and amendments thereto.

6 Sec. 31. K.S.A. 2014 Supp. 65-6614 is hereby amended to read as
7 follows: 65-6614. (a) An applicant who meets the requirements for
8 licensure pursuant to this act, has paid the license fee provided for by
9 K.S.A. 2014 Supp. 65-6618, and amendments thereto, and has otherwise
10 complied with the provisions of this act shall be licensed by the board.

11 (b) Licenses issued pursuant to this act shall expire 24 months from
12 the date of issuance unless revoked prior to that time. A license may be
13 renewed upon application and payment of the fee provided for by K.S.A.
14 2014 Supp. 65-6618, and amendments thereto. The application for renewal
15 shall be accompanied by evidence satisfactory to the board that the
16 applicant has completed during the previous 24 months the continuing
17 education, *including not less than three hours in ethics*, required by rules
18 and regulations of the board. *In addition*, as part of such continuing
19 education, the *master's addiction counselor and the clinical addiction*
20 *counselor applicant shall complete not less than six continuing education*
21 *hours relating to diagnosis and treatment of substance use disorders.* ~~Both~~
22 ~~the clinical addiction counselor applicant and the addiction counselor~~
23 ~~applicant shall complete not less than three continuing education hours of~~
24 ~~professional ethics.~~

25 (c) A person whose license has been suspended or revoked may make
26 written application to the board requesting reinstatement of the license
27 upon termination of the period of suspension or revocation in a manner
28 prescribed by the board, which application shall be accompanied by the
29 fee provided for by K.S.A. 2014 Supp. 65-6618, and amendments thereto.

30 (d) *Within 30 days after the changing of a permanent address, a*
31 *licensee shall notify the board of such change.*

32 Sec. 32. K.S.A. 2014 Supp. 65-6615 is hereby amended to read as
33 follows: 65-6615. (a) The board may refuse to ~~grant licensure to, or may~~
34 ~~suspend, revoke, condition, limit, qualify or restrict the licensure issued~~
35 ~~under this act of any individual who the board, after the opportunity for a~~
36 ~~hearing, determines:~~

37 (a) *issue, renew or reinstate a license, may condition, limit, revoke or*
38 *suspend a license or may publicly or privately censure a licensee, or may*
39 *impose a fine not to exceed \$1,000 per violation upon a finding that a*
40 *licensee or an applicant for license:*

41 (1) *Is incompetent to practice addiction counseling, or is found to*
42 *engage in the practice of addiction counseling in a manner harmful or*
43 *dangerous to a client or to the public;*

1 ~~(b)~~(2) is convicted by a court of competent jurisdiction of a felony,
 2 misdemeanor crimes against persons or substantiation of abuse against a
 3 child, adult or resident of a care facility, even if not practice related, *after*
 4 *investigation, the board finds that the licensee has not been sufficiently*
 5 *rehabilitated to merit the public trust;*

6 ~~(e)~~(3) has violated a provision of the addictions counselor licensure
 7 act or one or more of the rules and regulations of the board;

8 ~~(d)~~(4) has obtained or attempted to obtain a license or license renewal
 9 by bribery or fraudulent representation;

10 ~~(e)~~(5) has knowingly made a false statement on a form required by
 11 the board for license or license renewal;

12 ~~(f)~~(6) has failed to obtain continuing education credits required by
 13 rules and regulations of the board;

14 ~~(g)~~(7) has been found guilty of unprofessional conduct as defined by
 15 rules and regulations established by the board; or

16 ~~(h)~~(8) has had a registration, license or certificate as an addiction
 17 counselor revoked, suspended or limited, or has had other disciplinary
 18 action taken, or an application for registration, license or certificate denied,
 19 by the proper regulatory authority of another state, territory, District of
 20 Columbia or another country, a certified copy of the record of the action of
 21 the other jurisdiction being conclusive evidence thereof.

22 *(b) Administrative proceedings and disciplinary actions regarding*
 23 *licensure under this act shall be conducted in accordance with the Kansas*
 24 *administrative procedure act. Judicial review and civil enforcement of*
 25 *agency actions under this act shall be in accordance with the Kansas*
 26 *judicial review act.*

27 Sec. 33. K.S.A. 2014 Supp. 65-6618 is hereby amended to read as
 28 follows: 65-6618. (a) The board ~~shall~~ *may* fix by rules and regulations and
 29 ~~shall~~ *may* collect the following fees:

30 (1) For application for licensure as an addiction counselor, not to
 31 exceed \$150;

32 (2) for original licensure as an addiction counselor, not to exceed
 33 \$150;

34 (3) for renewal ~~of a license for licensure~~ as an addiction counselor,
 35 not to exceed \$150;

36 (4) for a temporary license ~~as an addiction counselor~~, not to exceed
 37 \$100;

38 (5) *for application for licensure as a master's addiction counselor,*
 39 *not to exceed \$150;*

40 (6) *for original licensure as a master's addiction counselor, not to*
 41 *exceed \$150;*

42 (7) *for renewal for licensure as a master's addiction counselor, not to*
 43 *exceed \$150;*

1 (8) for application for licensure as a clinical addiction counselor, not
2 to exceed \$150;

3 ~~(6)~~(9) for original licensure as a clinical addiction counselor, not to
4 exceed \$150;

5 ~~(7)~~(10) for renewal for licensure as a clinical addiction counselor, not
6 to exceed \$150;

7 (8)(11) for a temporary permit to practice clinical addiction
8 counseling, not to exceed \$200;

9 ~~(9)~~(12) for extension of a temporary permit to practice clinical
10 addiction counseling, not to exceed \$200;

11 ~~(10)~~(13) for reinstatement of a license, not to exceed \$150;

12 ~~(11)~~(14) for replacement of a license, not to exceed \$20; and

13 ~~(12)~~(15) for late renewal penalty, an amount equal to the fee for
14 renewal.

15 (b) The board shall require that fees paid for any examination under
16 the addictions counselor licensure act be paid directly to the examination
17 services by the person taking the examination.

18 (c) Fees paid to the board are not refundable.

19 Sec. 34. K.S.A. 74-5302 is hereby amended to read as follows: 74-
20 5302. For the purpose of this act the following definitions shall apply: (a)
21 "Practice of psychology" means the application of established principles of
22 learning, motivation, perception, thinking and emotional relationships to
23 problems of behavior adjustment, group relations and behavior
24 modification, by persons trained in psychology. The application of such
25 principles includes, but is not restricted to, counseling and the use of
26 psychological remedial measures with persons, in groups or individually,
27 having adjustment or emotional problems in the areas of work, family,
28 school and personal relationships; measuring and testing personality,
29 intelligence, aptitudes, public opinion, attitudes and skills; the teaching of
30 such subject matter; and the conducting of research on problems relating to
31 human behavior, except that in all cases involving the care of the sick and
32 ill as defined by the laws of this state, the primary responsibility devolves
33 upon those licensed under the Kansas healing arts act. The practice of
34 psychology includes the diagnosis and treatment of mental disorders
35 ~~specified in the edition of the diagnostic and statistical manual of mental~~
36 ~~disorders of the American psychiatric association designated by the board~~
37 ~~by rules and regulations.~~ If a licensed psychologist cannot make an
38 independent diagnosis of a mental disorder, such psychologist shall consult
39 with the client's primary care physician or psychiatrist to determine if there
40 may be a medical condition or medication that may be causing or
41 contributing to the client's symptoms of a mental disorder. A client may
42 request in writing that such consultation be waived and such request shall
43 be made a part of the client's record. A licensed psychologist may continue

1 to evaluate and treat the client until such time that the medical consultation
2 is obtained or waived.

3 (b) "Represents oneself to be a psychologist" means that a person
4 engages in the practice of psychology for a fee, monetary or otherwise, or
5 holds oneself out to the public by any title or description of services
6 incorporating the word "psychologic," "psychological," "psychologist" or
7 "psychology" and under such title or description offers to render or renders
8 services to individuals, corporations or the public for a fee, monetary or
9 otherwise.

10 (c) "Board" means the behavioral sciences regulatory board created
11 by K.S.A. 74-7501, and amendments thereto.

12 (d) "License" means a license as a psychologist issued by the board.

13 (e) "Licensed psychologist" means a person licensed by the board
14 under the provisions of this act.

15 Sec. 35. K.S.A. 2014 Supp. 74-5310 is hereby amended to read as
16 follows: 74-5310. (a) The board shall issue a license as a psychologist to
17 any person who pays an application fee prescribed by the board, not in
18 excess of \$225 and, *if required by the board*, an original license fee not in
19 excess of \$150, which shall not be refunded, who either satisfies the board
20 as to such person's training and experience after a thorough review of such
21 person's credentials and who passes a satisfactory examination in
22 psychology. Any person paying the fee must also submit evidence verified
23 by oath and satisfactory to the board that such person: (1) Is at least 21
24 years of age; (2) is of good moral character; (3) has received the doctor's
25 degree based on a program of studies in content primarily psychological
26 from an educational institution having a graduate program with standards
27 consistent with those of the state universities of Kansas, or the substantial
28 equivalent of such program in both subject matter and extent of training;
29 and (4) has had at least two years of supervised experience, a significant
30 portion of which shall have been spent in rendering psychological services
31 satisfying the board's approved standards for the psychological service
32 concerned.

33 (b) The board shall adopt rules and regulations establishing the
34 criteria which an educational institution shall satisfy in meeting the
35 requirements established under ~~item (3) of subsection (a)(3)~~. The board
36 may send a questionnaire developed by the board to any educational
37 institution for which the board does not have sufficient information to
38 determine whether the educational institution meets the requirements of
39 ~~item (3) of subsection (a)(3)~~ and rules and regulations adopted under this
40 section. The questionnaire providing the necessary information shall be
41 completed and returned to the board in order for the educational institution
42 to be considered for approval. The board may contract with investigative
43 agencies, commissions or consultants to assist the board in obtaining

1 information about educational institutions. In entering such contracts the
2 authority to approve educational institutions shall remain solely with the
3 board.

4 Sec. 36. K.S.A. 74-5311 is hereby amended to read as follows: 74-
5 5311. ~~Examinations for applicants under this act shall be held by the board~~
6 ~~from time to time but not less than once each year.~~ The board shall adopt
7 rules and regulations governing the subject, scope, and form of the
8 examinations or shall contract with a national testing service to provide an
9 examination approved by the board. ~~The board shall prescribe an initial~~
10 ~~examination fee not to exceed \$350. If an applicant fails the first~~
11 ~~examination, such applicant may be admitted to any subsequent~~
12 ~~examination upon payment of an additional fee prescribed by the board not~~
13 ~~to exceed \$350. The examination fees prescribed by the board under this~~
14 ~~section shall be fixed by rules and regulations of the board.~~

15 Sec. 37. K.S.A. 2014 Supp. 74-5315 is hereby amended to read as
16 follows: 74-5315. (a) The board may grant a license to any person who, at
17 the time of application, is registered, certified or licensed as a psychologist
18 at the doctoral level in another jurisdiction if the board determines that:

19 (1) The requirements of such jurisdiction for such certification or
20 licensure are substantially the equivalent of the requirements of this state;
21 or

22 (2) the applicant demonstrates on forms provided by the board
23 compliance with the following standards as adopted by the board:

24 (A) ~~Continuous~~—Registration, certification or licensure as a
25 psychologist at the doctoral level ~~during the five years~~ *for at least 60 of*
26 *the last 66 months* immediately preceding the application with at least the
27 minimum professional experience as established by rules and regulations
28 of the board;

29 (B) the absence of disciplinary actions of a serious nature brought by
30 a registration, certification or licensing board or agency; and

31 (C) a doctoral degree in psychology from a regionally accredited
32 university or college.

33 (b) An applicant for a license under this section ~~shall~~ *may* pay an
34 application fee, *if required by the board*, established by the board under
35 K.S.A. 74-5310, and amendments thereto.

36 Sec. 38. K.S.A. 2014 Supp. 74-5316 is hereby amended to read as
37 follows: 74-5316. (a) Upon application, the board may issue temporary
38 licenses to persons who have met all qualifications for licensure under
39 provisions of the licensure of psychologists act of the state of Kansas,
40 except passage of the required examination, pursuant to K.S.A. 74-5310,
41 and amendments thereto, who must wait for completion of the next
42 examination, who have paid the required application, examination and
43 temporary license fees and who have submitted documentation as required

1 by the board, under the following:

2 (1) ~~The temporary license shall expire upon receipt and recording of~~
 3 ~~the temporary licensee's second examination score by the board if such~~
 4 ~~temporary licensee fails the examination after two attempts or upon the~~
 5 ~~date the board issues or denies the temporary licensee a license to practice~~
 6 ~~psychology if such temporary licensee passes the examination;~~

7 (2) ~~—~~Such temporary licensee shall take the next license examination
 8 subsequent to the date of issuance of the temporary license unless there are
 9 extenuating circumstances approved by the board;

10 (3) ~~(2)~~ the board shall adopt rules and regulations prescribing
 11 continuing education requirements for temporary licensees, including, but
 12 not limited to, a requirement that temporary licensees shall complete a
 13 minimum of 25 contact hours of continuing education during the two-year
 14 period of temporary licensure, which shall include a minimum of three
 15 hours in psychology ethics;

16 (4) ~~(3)~~ no person may work under a temporary license except under
 17 the supervision of a licensed psychologist as prescribed in rules and
 18 regulations adopted by the board; and

19 (5) ~~(4)~~ the fee for such temporary license, *if required by the board*,
 20 shall be fixed by rules and regulations adopted by the board and shall not
 21 exceed \$200.

22 (b) Upon application, the board may issue temporary licenses not to
 23 exceed two years to persons *who have completed all requirements for a*
 24 *doctoral degree approved by the board but have not received such degree*
 25 *conferral* or who have met all qualifications for licensure under provisions
 26 of such act, except completion of the postdoctoral supervised work
 27 experience pursuant to ~~subsection (a)(4) of K.S.A. 74-5310(a)(4)~~, and
 28 amendments thereto, who have paid the required application and
 29 temporary license fees and who have submitted documentation as required
 30 by the board, under the following:

31 (1) The temporary license shall expire at the end of the two-year
 32 period after issuance or if such temporary licensee is denied a license to
 33 practice psychology;

34 (2) the temporary license may be renewed for one additional two-year
 35 period after expiration;

36 (3) temporary licensees shall take the license examination pursuant to
 37 ~~subsection (a)(4) of K.S.A. 74-5310(a)(4)~~, and amendments thereto,
 38 subsequent to the date of issuance and prior to expiration of the temporary
 39 license unless there are extenuating circumstances approved by the board;

40 (4) temporary licensees shall be working toward the completion of
 41 the postdoctoral supervised work experience prescribed in ~~subsection (a)~~
 42 ~~(4) of K.S.A. 74-5310(a)(4)~~, and amendments thereto;

43 (5) the board shall adopt rules and regulations prescribing continuing

1 education requirements for temporary licensees, including, but not limited to,
2 to, a requirement that temporary licensees shall complete a minimum of 25
3 contact hours of continuing education during the two-year period of
4 temporary licensure, which shall include a minimum of three hours in
5 psychology ethics;

6 (6) no temporary licensee may work under a temporary license except
7 under the supervision of a licensed psychologist as prescribed in rules and
8 regulations adopted by the board; and

9 (7) the fee for a renewal of the temporary license, *if required by the*
10 *board*, shall be fixed by rules and regulations adopted by the board and
11 shall not exceed \$200 per issuance.

12 (c) A person practicing psychology with a temporary license may not
13 use the title "licensed psychologist" or the initials "LP" independently.
14 The word "licensed" may be used only when preceded by the word
15 "temporary" such as temporary licensed psychologist, or the initials "TLP."

16 (d) This section shall be part of and supplemental to the provisions of
17 article 53 of chapter 74 of the Kansas Statutes Annotated, and amendments
18 thereto.

19 (e) As used in this section, "temporary licensee" means any person
20 practicing psychology with a temporary license pursuant to subsection (b)
21 or (c) of this section.

22 Sec. 39. K.S.A. 74-5318 is hereby amended to read as follows: 74-
23 5318. ~~On or before the first day of April of alternate years, the board shall~~
24 ~~mail to every psychologist licensed in Kansas an application blank for~~
25 ~~renewal, which shall contain space for insertion of information as required~~
26 ~~for the application blank under K.S.A. 74-5317 and amendments thereto,~~
27 ~~addressing the same to the post office address given at the last previous~~
28 ~~renewal. In addition, (a) The application for renewal shall be accompanied~~
29 ~~by evidence satisfactory to the board that the applicant has completed,~~
30 ~~during the previous 24 months, the continuing education required by rules~~
31 ~~and regulations of the board. As part of such continuing education, a~~
32 ~~licensed psychologist shall complete not less than six continuing education~~
33 ~~hours relating to diagnosis and treatment of mental disorders and not less~~
34 ~~than three continuing education hours of professional ethics.~~

35 (b) *A licensee shall submit the application to the board, together with*
36 *a renewal fee fixed by rules and regulations of the board of not to exceed*
37 *\$200. Upon receipt of such application and fee, the board shall issue a*
38 *renewal license for the period commencing on the date on which the*
39 *license is issued and expiring on June 30 of the next even-numbered year.*
40 *Initial licenses shall thus be for the current biennium of registration.*

41 (c) *Applications for renewal of a license must be made biennially on*
42 *or before the first day of July and if not so made an additional fee equal to*
43 *the renewal fee shall be added to the regular renewal fee.*

1 (d) *Should any psychologist who has failed to renew a license*
2 *continue to represent oneself as a psychologist beyond July 1, thereafter*
3 *such psychologist shall be in violation of this act and the psychologist's*
4 *license may be suspended or revoked by the board in accordance with the*
5 *provisions of K.S.A. 74-5324, and amendments thereto.*

6 (e) *Within 30 days after the changing of a permanent address, a*
7 *licensee shall notify the board of such change.*

8 Sec. 40. K.S.A. 74-5322 is hereby amended to read as follows: 74-
9 5322. Upon November 1 of each year, or within 20 days thereafter, the
10 board shall publish ~~and cause to be mailed to each psychologist licensed~~
11 ~~under this act in Kansas,~~ a list of duly licensed psychologists in this state.
12 The annual listing will be contingent upon the payment of all fees due,
13 including the renewal fee.

14 Sec. 41. K.S.A. 2014 Supp. 74-5324 is hereby amended to read as
15 follows: 74-5324. (a) ~~The board may suspend, limit, revoke, condition or~~
16 ~~refuse to issue or renew a license of any psychologist upon proof that the~~
17 ~~psychologist: (a) Has been convicted of a felony involving moral~~
18 ~~turpitude; or (b) has been guilty of fraud or deceit in connection with~~
19 ~~services rendered as a psychologist or in establishing qualifications under~~
20 ~~this act; or (c) has aided or abetted a person, not a licensed psychologist, in~~
21 ~~representing such person as a psychologist in this state; or (d) has been~~
22 ~~guilty of unprofessional conduct as defined by rules and regulations~~
23 ~~established by the board; or (e) has been guilty of negligence or wrongful~~
24 ~~actions in the performance of duties; or (f) has knowingly submitted a~~
25 ~~misleading, deceptive, untrue or fraudulent misrepresentation on a claim~~
26 ~~form, bill or statement or (g) refuse to issue, renew or reinstate a license,~~
27 *may condition, limit, revoke or suspend a license or may publicly or*
28 *privately censure a licensee, or may impose a fine not to exceed \$1,000*
29 *per violation upon a finding that a licensee or an applicant for a license:*

30 (1) *Is incompetent to practice psychology or is found to engage in the*
31 *practice of psychology in a manner harmful or dangerous to a client or to*
32 *the public;*

33 (2) *is convicted by a court of competent jurisdiction of a felony,*
34 *misdemeanor crimes against persons or substantiation of abuse against a*
35 *child, adult or resident of a care facility, even if not practice related, after*
36 *investigation by the board, the board finds that the licensee has not been*
37 *sufficiently rehabilitated to merit the public trust;*

38 (3) *has violated a provision of the psychologists act of the state of*
39 *Kansas or one or more of the rules and regulations of the board;*

40 (4) *has obtained or attempted to obtain a license or license renewal*
41 *by bribery or fraudulent representation;*

42 (5) *has knowingly made a false statement on a form required by the*
43 *board for a license or license renewal;*

1 (6) *has failed to obtain continuing education credits required by rules*
2 *and regulations of the board;*

3 (7) *has been found guilty of unprofessional conduct as defined by*
4 *rules and regulations established by the board; or*

5 (8) *has had a registration, license or certificate as a psychologist*
6 *revoked, suspended or limited, or has had other disciplinary action taken,*
7 *or an application for registration, license or certificate denied, by the*
8 *proper regulatory authority of another state, territory, District of Columbia*
9 *or another country, a certified copy of the record of the action of the other*
10 *jurisdiction being conclusive evidence thereof.*

11 **(b)** *Administrative proceedings and disciplinary actions regarding*
12 *licensure under this act shall be conducted in accordance with the Kansas*
13 *administrative procedure act. Judicial review and civil enforcement of*
14 *agency actions under this act shall be in accordance with the Kansas*
15 *judicial review act.*

16 Sec. 42. K.S.A. 74-5361 is hereby amended to read as follows: 74-
17 5361. As used in this act:

18 (a) "Practice of psychology" shall have the meaning ascribed thereto
19 in K.S.A. 74-5302, and amendments thereto.

20 (b) "Board" means the behavioral sciences regulatory board created
21 by K.S.A. 74-7501, and amendments thereto.

22 (c) "~~Licensed-masters~~ *master's* level psychologist" means a person
23 licensed by the board under the provisions of this act.

24 (d) "Licensed clinical psychotherapist" means a person licensed by
25 the board under this act who engages in the independent practice of
26 ~~masters master's~~ *level psychology* including the diagnosis and treatment of
27 mental disorders ~~specified in the edition of the diagnostic and statistical~~
28 ~~manual of mental disorders of the American psychiatric association~~
29 ~~designated by the board by rules and regulations.~~

30 (e) "~~Masters~~*Master's* level psychology" means the practice of
31 psychology pursuant to the restrictions set out in K.S.A. 74-5362, and
32 amendments thereto and includes the diagnosis and treatment of mental
33 disorders as authorized under K.S.A. 74-5361 et seq., *and amendments*
34 *thereto.*

35 Sec. 43. K.S.A. 74-5363 is hereby amended to read as follows: 74-
36 5363. (a) Any person who desires to be licensed under this act shall apply
37 to the board in writing, on forms prepared and furnished by the board.
38 Each application shall contain appropriate documentation of the particular
39 qualifications required by the board and shall be accompanied by the
40 required fee.

41 (b) The board shall license as a licensed-~~masters~~ *master's* level
42 psychologist any applicant for licensure who pays the fee prescribed by the
43 board under K.S.A. 74-5365, and amendments thereto, which shall not be

1 refunded, who has satisfied the board as to such applicant's training and
2 who complies with the provisions of this subsection (b). An applicant for
3 licensure also shall submit evidence ~~verified under oath~~ and satisfactory to
4 the board that such applicant:

5 (1) Is at least 21 years of age;

6 (2) has satisfied the board that the applicant is a person who merits
7 public trust;

8 (3) has received at least 60 graduate hours including a master's degree
9 in psychology based on a program of studies in psychology from an
10 educational institution having a graduate program in psychology consistent
11 with state universities of Kansas; or until July 1, 2003, has received at least
12 a master's degree in psychology and during such master's or post-master's
13 coursework completed a minimum of 12 semester hours or its equivalent
14 in psychological foundation courses such as, but not limited to, philosophy
15 of psychology, psychology of perception, learning theory, history of
16 psychology, motivation, and statistics and 24 semester hours or its
17 equivalent in professional core courses such as, but not limited to, two
18 courses in psychological testing, psychopathology, two courses in
19 psychotherapy, personality theories, developmental psychology, research
20 methods, social psychology; or has passed comprehensive examinations or
21 equivalent final examinations in a doctoral program in psychology and
22 during such graduate program completed a minimum of 12 semester hours
23 or its equivalent in psychological foundation courses such as, but not
24 limited to, philosophy of psychology, psychology of perception, learning
25 theory, history of psychology, motivation, and statistics and 24 semester
26 hours or its equivalent in professional core courses such as, but not limited
27 to, two courses in psychological testing, psychopathology, two courses in
28 psychotherapy, personality theories, developmental psychology, research
29 methods, social psychology;

30 (4) has completed 750 clock hours of academically supervised
31 practicum in the master's degree program or 1,500 clock hours of
32 postgraduate supervised work experience;

33 (5) has passed an examination approved by the board with a
34 minimum score set by the board by rules and regulations ~~at 10 percentage~~
35 ~~points below the score set by the board for licensed psychologists.~~

36 (c) (1) Applications for licensure as a clinical psychotherapist shall be
37 made to the board on a form and in the manner prescribed by the board.
38 Each applicant shall furnish evidence satisfactory to the board that the
39 applicant:

40 (A) Is licensed by the board as a licensed ~~masters~~ *master's* level
41 psychologist or meets all requirements for licensure as a ~~masters~~ *master's*
42 level psychologist;

43 (B) has completed 15 credit hours as part of or in addition to the

1 requirements under subsection (b) supporting diagnosis or treatment of
2 mental disorders ~~with use of the American psychiatric association's~~
3 ~~diagnostic and statistical manual~~, through identifiable study of ~~the~~
4 ~~following content areas~~: Psychopathology, diagnostic assessment,
5 interdisciplinary referral and collaboration, treatment approaches and
6 professional ethics;

7 (C) has completed a graduate level supervised clinical practicum of
8 supervised professional experience including psychotherapy and
9 assessment with individuals, couples, families or groups, integrating
10 diagnosis and treatment of mental disorders ~~with use of the American~~
11 ~~psychiatric association's diagnostic and statistical manual~~, with not less
12 than 350 hours of direct client contact or additional postgraduate
13 supervised experience as determined by the board;

14 (D) has completed not less than two years of postgraduate supervised
15 professional experience in accordance with a clinical supervision plan
16 approved by the board of not less than 4,000 hours of supervised
17 professional experience including at least 1,500 hours of direct client
18 contact conducting psychotherapy and assessments with individuals,
19 couples, families or groups and not less than 150 hours of clinical
20 supervision, including not less than 50 hours of person-to-person
21 individual supervision, integrating diagnosis and treatment of mental
22 disorders ~~with use of the American psychiatric association's diagnostic and~~
23 ~~statistical manual~~;

24 (E) for persons earning a degree under subsection (b) prior to July 1,
25 2003, in lieu of the education requirements under ~~parts subparagraphs~~ (B)
26 and (C) of this subsection, has completed the education requirements for
27 licensure as a licensed ~~masters~~ *master's* level psychologist in effect on the
28 day immediately preceding the effective date of this act;

29 (F) for persons who apply for and are eligible for a temporary ~~permit~~
30 *license* to practice as a licensed ~~masters~~ *master's* level psychologist on the
31 day immediately preceding the effective date of this act, in lieu of the
32 education and training requirements under ~~parts subparagraphs~~ (B), (C)
33 and (D) of this subsection, has completed the education and training
34 requirements for licensure as a ~~masters~~ *master's* level psychologist in
35 effect on the day immediately preceding the effective date of this act;

36 (G) has passed an examination approved by the board with the same
37 minimum passing score as that set by the board for licensed psychologists;
38 and

39 (H) has paid the application fee, *if required by the board*.

40 (2) A person who was licensed or registered as a ~~masters~~ *master's*
41 level psychologist in Kansas at any time prior to the effective date of this
42 act, who has been actively engaged in the practice of ~~masters~~ *master's*
43 level psychology as a registered or licensed ~~masters~~ *master's* level

1 psychologist within five years prior to the effective date of this act and
2 whose last license or registration in Kansas prior to the effective date of
3 this act was not suspended or revoked, upon application to the board,
4 payment of fees and completion of applicable continuing education
5 requirements, shall be licensed as a licensed clinical psychotherapist by
6 providing demonstration of competence to diagnose and treat mental
7 disorders through at least two of the following areas acceptable to the
8 board:

9 (A) Either: (i) Graduate coursework; or (ii) passing a national,
10 clinical examination;

11 (B) either: (i) Three years of clinical practice in a community mental
12 health center, its contracted affiliate or a state mental hospital; or (ii) three
13 years of clinical practice in other settings with demonstrated experience in
14 diagnosing or treating mental disorders; or

15 (C) attestation from one professional licensed to diagnose and treat
16 mental disorders in independent practice or licensed to practice medicine
17 and surgery that the applicant is competent to diagnose and treat mental
18 disorders.

19 (3) A licensed clinical psychotherapist may engage in the independent
20 practice of ~~masters~~ *master's* level psychology and is authorized to
21 diagnose and treat mental disorders ~~specified in the edition of the~~
22 ~~diagnostic and statistical manual of mental disorders of the American~~
23 ~~psychiatric association designated by the board by rules and regulations.~~
24 When a client has symptoms of a mental disorder, a licensed clinical
25 psychotherapist shall consult with the client's primary care physician or
26 psychiatrist to determine if there may be a medical condition or medication
27 that may be causing or contributing to the client's symptoms of a mental
28 disorder. A client may request in writing that such consultation be waived
29 and such request shall be made a part of the client's record. A licensed
30 clinical psychotherapist may continue to evaluate and treat the client until
31 such time that the medical consultation is obtained or waived.

32 (d) The board shall adopt rules and regulations establishing the
33 criteria which an educational institution shall satisfy in meeting the
34 requirements established under ~~item (3) of~~ subsection (b)(3). The board
35 may send a questionnaire developed by the board to any educational
36 institution for which the board does not have sufficient information to
37 determine whether the educational institution meets the requirements of
38 ~~item (3) of~~ subsection (b)(3) and rules and regulations adopted under this
39 section. The questionnaire providing the necessary information shall be
40 completed and returned to the board in order for the educational institution
41 to be considered for approval. The board may contract with investigative
42 agencies, commissions or consultants to assist the board in obtaining
43 information about educational institutions. In entering such contracts the

1 authority to approve educational institutions shall remain solely with the
2 board.

3 Sec. 44. K.S.A. 74-5365 is hereby amended to read as follows: 74-
4 5365. (a) The application, issuance of a new license and renewal fee for
5 licensure under this act ~~shall~~ *may* be fixed by the board by rules and
6 regulations in an amount not to exceed \$200.

7 (b) Fees paid to the board are not refundable.

8 (c) The application for renewal shall be accompanied by evidence
9 satisfactory to the board that the applicant has completed, during the
10 previous 24 months, the continuing education required by rules and
11 regulations of the board. As part of such continuing education, a licensed
12 ~~masters~~ *master's* level psychologist and a licensed clinical psychotherapist
13 shall complete not less than six continuing education hours relating to
14 diagnosis and treatment of mental disorders and not less than three
15 continuing education hours of professional ethics.

16 (d) *Within 30 days after the changing of a permanent address, a*
17 *licensee shall notify the board of such change.*

18 Sec. 45. K.S.A. 2014 Supp. 74-5367 is hereby amended to read as
19 follows: 74-5367. (a) The board may issue a temporary license to practice
20 as a licensed ~~masters~~ *master's* level psychologist to any person who pays a
21 fee prescribed by the board under this section, which shall not be refunded,
22 and who meets all the requirements for licensure under K.S.A. 74-5361 et
23 seq., and amendments thereto, as a licensed ~~masters~~ *master's* level
24 psychologist except the requirement of postgraduate supervised work
25 experience or passing the licensing examination, or both.

26 (b) ~~(1)~~ Absent extenuating circumstances approved by the board, a
27 temporary license issued by the board shall expire upon the date the board
28 issues or denies a license to practice ~~masters~~ *master's* level psychology or
29 24 months after the date of issuance of the temporary license. No
30 temporary license issued by the board will be renewed or issued again on
31 any subsequent applications for the same license level. The preceding
32 provision in no way limits the number of times an applicant may take the
33 examination.

34 ~~(2) A temporary licensee shall take the examination within the first 12~~
35 ~~months subsequent to the issuance of the temporary license unless there~~
36 ~~are extenuating circumstances approved by the board or if the temporary~~
37 ~~licensee does not take the examination within the first 12 months~~
38 ~~subsequent to the issuance of the temporary license and no extenuating~~
39 ~~circumstances have been approved by the board, the temporary license will~~
40 ~~expire after the first 12 months.~~

41 (c) The board ~~shall~~ *may* fix by rules and regulations a fee for the
42 application of the temporary license. The application fee shall not exceed
43 \$100.

1 (d) A person practicing ~~masters~~ *master's* level psychology with a
 2 temporary license may not use the title "licensed ~~masters~~ *master's* level
 3 psychologist" or the initials "LMLP" independently. The word "licensed"
 4 may be used only when followed by the words "by temporary license"
 5 such as licensed ~~masters~~ *master's* level psychologist by temporary license,
 6 or ~~masters~~ *master's* level psychologist licensed by temporary license.

7 (e) No person may work under a temporary license except under the
 8 supervision of a person licensed to practice psychology or ~~masters~~
 9 *master's* level psychology in Kansas.

10 (f) The application for a temporary license may be denied or a
 11 temporary license which has been issued may be suspended or revoked on
 12 the same grounds as provided for suspension or revocation of a license
 13 under K.S.A. 74-5369, and amendments thereto.

14 (g) Nothing in this section shall affect any temporary license to
 15 practice issued under this section prior to the effective date of this act and
 16 in effect on the effective date of this act. Such temporary license shall be
 17 subject to the provisions of this section in effect at the time of its issuance
 18 and shall continue to be effective until the date of expiration of the license
 19 as provided under this section at the time of issuance of such temporary
 20 license.

21 Sec. 46. K.S.A. 2014 Supp. 74-5369 is hereby amended to read as
 22 follows: 74-5369. ~~An application for licensure under K.S.A. 74-5361 to~~
 23 ~~74-5371, inclusive, and amendments thereto, may be denied or a license~~
 24 ~~granted under this act may be suspended, limited, revoked, have a~~
 25 ~~condition placed on it or not renewed by the board upon proof that the~~
 26 ~~applicant or licensee:~~

27 ~~(a) Has been convicted of a felony involving moral turpitude;~~

28 ~~(b) has been found guilty of fraud or deceit in connection with the~~
 29 ~~rendering of professional services or in establishing such person's~~
 30 ~~qualifications under this act;~~

31 ~~(c) has aided or abetted a person not licensed as a psychologist,~~
 32 ~~licensed under this act or an uncertified assistant, to hold oneself out as a~~
 33 ~~psychologist in this state;~~

34 ~~(d) has been guilty of unprofessional conduct as defined by rules and~~
 35 ~~regulations of the board;~~

36 ~~(e) has been guilty of neglect or wrongful duties in the performance~~
 37 ~~of duties; or~~

38 ~~(f)(a) The board may refuse to issue, renew or reinstate a license, may~~
 39 ~~condition, limit, revoke or suspend a license or may publicly or privately~~
 40 ~~censure a licensee, or may impose a fine not to exceed \$1,000 per~~
 41 ~~violation upon a finding that a licensee or an applicant for a license:~~

42 ~~(1) Is incompetent to practice psychology or is found to engage in the~~
 43 ~~practice of psychology in a manner harmful or dangerous to a client or to~~

1 *the public;*

2 (2) *is convicted by a court of competent jurisdiction of a felony,*
 3 *misdemeanor crimes against persons or substantiation of abuse against a*
 4 *child, adult or resident of a care facility, even if not practice related, after*
 5 *investigation, the board finds that the licensee has not been sufficiently*
 6 *rehabilitated to merit the public trust;*

7 (3) *has violated a provision of the licensure of psychologists act of*
 8 *the state of Kansas or one or more of the rules and regulations of the*
 9 *board;*

10 (4) *has obtained or attempted to obtain a license or license renewal*
 11 *by bribery or fraudulent representation;*

12 (5) *has knowingly made a false statement on a form required by the*
 13 *board for a license or license renewal;*

14 (6) *has failed to obtain continuing education credits required by rules*
 15 *and regulations of the board;*

16 (7) *has been found guilty of unprofessional conduct as defined by*
 17 *rules and regulations established by the board; or*

18 (8) *has had a registration, license or certificate as a*~~masters~~ *master's*
 19 *level psychologist revoked, suspended or limited, or has had other*
 20 *disciplinary action taken, or an application for a registration, license or*
 21 *certificate denied, by the proper regulatory authority of another state,*
 22 *territory, District of Columbia or another country, a certified copy of the*
 23 *record of the action of the other jurisdiction being conclusive evidence*
 24 *thereof.*

25 (b) ~~Administrative proceedings under K.S.A. 74-5361 to 74-5371,~~
 26 ~~inclusive, and amendments thereto, and disciplinary actions regarding~~
 27 ~~licensure under this act shall be conducted in accordance with the Kansas~~
 28 ~~administrative procedure act. Judicial review and civil enforcement of~~
 29 ~~agency actions under K.S.A. 74-5361 to 74-5371, inclusive, and~~
 30 ~~amendments thereto this act, shall be in accordance with the Kansas~~
 31 ~~judicial review act.~~

32 Sec. 47. K.S.A. 74-5370 is hereby amended to read as follows: 74-
 33 5370. The board may adopt rules and regulations to administer the
 34 provisions of K.S.A. 74-5361 to ~~74-5371~~ 74-5375, inclusive, and
 35 amendments thereto.

36 Sec. 48. K.S.A. 2014 Supp. 74-5375 is hereby amended to read as
 37 follows: 74-5375. (a) The behavioral sciences regulatory board may issue
 38 a license to an individual who is currently registered, certified or licensed
 39 to practice psychology at the ~~masters~~ *master's* level in another jurisdiction
 40 if the board determines that:

41 (1) The standards for registration, certification or licensure to practice
 42 psychology at the ~~masters~~ *master's* level in the other jurisdiction are
 43 substantially equivalent to the requirements of this state; or

1 (2) the applicant demonstrates, on forms provided by the board,
2 compliance with the following standards adopted by the board:

3 (A) ~~Continuous~~ Registration, certification or licensure to practice
4 psychology at the master's level ~~during the five years~~ *for at least 60 of the*
5 *last 66 months* immediately preceding the application with at least the
6 minimum professional experience as established by rules and regulations
7 of the board;

8 (B) the absence of disciplinary actions of a serious nature brought by
9 a registration, certification or licensing board or agency; and

10 (C) a ~~masters~~ *master's* degree in psychology from a regionally
11 accredited university or college.

12 (b) Applicants for licensure as a clinical psychotherapist shall
13 additionally demonstrate competence to diagnose and treat mental
14 disorders through meeting the requirements of either ~~paragraph (1) or (2)~~
15 ~~of~~ subsection (a)(1) or (a)(2) and at least two of the following areas
16 acceptable to the board:

17 (1) Either graduate coursework as established by rules and
18 regulations of the board or passing a national clinical examination
19 approved by the board;

20 (2) three years of clinical practice with demonstrated experience in
21 diagnosing or treating mental disorders; or

22 (3) attestation from a professional licensed to diagnose and treat
23 mental disorders in independent practice or licensed to practice medicine
24 and surgery stating that the applicant is competent to diagnose and treat
25 mental disorders.

26 (c) An applicant for a license under this section shall pay an
27 application fee established by the board under K.S.A. 74-5365, and
28 amendments thereto.

29 Sec. 49. K.S.A. 2014 Supp. 74-7507 is hereby amended to read as
30 follows: 74-7507. (a) The behavioral sciences regulatory board shall have
31 the following powers, duties and functions:

32 (1) Recommend to the appropriate district or county attorneys
33 prosecution for violations of this act, the licensure of psychologists act of
34 the state of Kansas, the professional counselors licensure act, K.S.A. 65-
35 6301 to 65-6320, inclusive, and amendments thereto, K.S.A 74-5361 to
36 74-5374, inclusive, and K.S.A. 2014 Supp. 74-5375, and amendments
37 thereto, the marriage and family therapists licensure act or the addictions
38 counselor licensure act;

39 (2) compile and publish annually a list of the names and addresses of
40 all persons who are licensed under this act, are licensed under the licensure
41 of psychologists act of the state of Kansas, are licensed under the
42 professional counselors licensure act, are licensed under K.S.A. 65-6301 to
43 65-6320, inclusive, and amendments thereto, are licensed under K.S.A. 74-

1 5361 to 74-5374, inclusive, and K.S.A. 2014 Supp. 74-5375, and
2 amendments thereto, are licensed under the marriage and family therapists
3 licensure act or are licensed under the addictions counselor licensure act;

4 (3) prescribe the form and contents of examinations required under
5 this act, the licensure of psychologists act of the state of Kansas, the
6 professional counselors licensure act, K.S.A. 65-6301 to 65-6320,
7 inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374, inclusive,
8 and K.S.A. 2014 Supp. 74-5375, and amendments thereto, the marriage
9 and family therapists licensure act or the addictions counselor licensure
10 act;

11 (4) enter into contracts necessary to administer this act, the licensure
12 of psychologists act of the state of Kansas, the professional counselors
13 licensure act, K.S.A. 65-6301 to 65-6320, inclusive, and amendments
14 thereto, K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2014 Supp. 74-
15 5375, and amendments thereto, the marriage and family therapists
16 licensure act or the addictions counselor licensure act;

17 (5) adopt an official seal;

18 (6) adopt and enforce rules and regulations for professional conduct
19 of persons licensed under the licensure of psychologists act of the state of
20 Kansas, licensed under the professional counselors licensure act, licensed
21 under K.S.A. 65-6301 to 65-6320, inclusive, and amendments thereto,
22 licensed under K.S.A. 74-5361 to 74-5374, inclusive, and K.S.A. 2014
23 Supp. 74-5375, and amendments thereto, licensed under the marriage and
24 family therapists licensure act or licensed under the addictions counselor
25 licensure act;

26 (7) adopt and enforce rules and regulations establishing requirements
27 for the continuing education of persons licensed under the licensure of
28 psychologists act of the state of Kansas, licensed under the professional
29 counselors licensure act, licensed under K.S.A. 65-6301 to 65-6320,
30 inclusive, and amendments thereto, licensed under K.S.A. 74-5361 to 74-
31 5374, inclusive, and K.S.A. 2014 Supp. 74-5375, and amendments thereto,
32 licensed under the marriage and family therapists licensure act or licensed
33 under the addictions counselor licensure act;

34 (8) adopt rules and regulations establishing classes of social work
35 specialties which will be recognized for licensure under K.S.A. 65-6301 to
36 65-6318, inclusive, and amendments thereto;

37 (9) adopt rules and regulations establishing procedures for
38 examination of candidates for licensure under the licensure of
39 psychologists act of the state of Kansas, for licensure under the
40 professional counselors licensure act, for licensure under K.S.A. 65-6301
41 to 65-6320, inclusive, and amendments thereto, for licensure under K.S.A.
42 74-5361 to 74-5374, inclusive, and K.S.A. 2014 Supp. 74-5375, and
43 amendments thereto, for licensure under the marriage and family therapists

1 licensure act, for licensure under the addictions counselor licensure act and
2 for issuance of such certificates and such licenses;

3 (10) adopt rules and regulations as may be necessary for the
4 administration of this act, the licensure of psychologists act of the state of
5 Kansas, the professional counselors licensure act, K.S.A. 65-6301 to 65-
6 6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374,
7 inclusive, and K.S.A. 2014 Supp. 74-5375, and amendments thereto, the
8 marriage and family therapists licensure act and the addictions counselor
9 licensure act and to carry out the purposes thereof;

10 (11) appoint an executive director and other employees as provided in
11 K.S.A. 74-7501, and amendments thereto; and

12 (12) exercise such other powers and perform such other functions and
13 duties as may be prescribed by law.

14 ~~(b) The behavioral sciences regulatory board, in addition to any other
15 penalty, may assess an administrative penalty, after notice and an
16 opportunity to be heard, against a licensee or registrant for a violation of
17 any of the provisions of the licensure of psychologists act of the state of
18 Kansas, the professional counselors licensure act, K.S.A. 65-6301 to 65-
19 6320, inclusive, and amendments thereto, K.S.A. 74-5361 to 74-5374,
20 inclusive, and K.S.A. 2014 Supp. 74-5375, and amendments thereto, the
21 marriage and family therapists licensure act or the addictions counselor
22 licensure act in an amount not to exceed \$1,000. All fines assessed and
23 collected under this section shall be remitted to the state treasurer in
24 accordance with the provisions of K.S.A. 75-4215, and amendments
25 thereto. Upon receipt of each such remittance, the state treasurer shall
26 deposit the entire amount in the state treasury to the credit of the state
27 general fund.~~

28 ~~(c) If an order of the behavioral sciences regulatory board is adverse
29 to a licensee or registrant of the board, the actual costs shall be charged to
30 such person as in ordinary civil actions in the district court in an amount
31 not to exceed \$200. The board shall pay any additional costs and, if the
32 board is the unsuccessful party, the costs shall be paid by the board.
33 Witness fees and costs may be taxed in accordance with statutes governing
34 taxation of witness fees and costs in the district court.~~

35 Sec. 50. K.S.A. 2014 Supp. 74-7508 is hereby amended to read as
36 follows: 74-7508. (a) In connection with any investigation, based upon a
37 written complaint or other reasonably reliable written information, by the
38 behavioral sciences regulatory board, the board or its duly authorized
39 agents or employees shall at all reasonable times have access to, for the
40 purpose of examination, and the right to copy any document, report, record
41 or other physical evidence of any person being investigated, or any
42 document, report, record or other evidence maintained by and in
43 possession of any clinic or office of a practitioner of the behavioral

1 sciences, or other public or private agency if such document, report, record
2 or other physical evidence relates to practices which may be grounds for
3 disciplinary action.

4 (b) In all matters pending before the behavioral sciences regulatory
5 board, the board shall have the power to administer oaths and take
6 testimony. For the purpose of all investigations and proceedings conducted
7 by the behavioral sciences regulatory board:

8 (1) The board may issue subpoenas compelling the attendance and
9 testimony of witnesses or the production for examination or copying of
10 documents, reports, records or any other physical evidence if such
11 documents, reports, records or other physical evidence relates to practices
12 which may be grounds for disciplinary action. Within five days after the
13 service of the subpoena on any person requiring the production of any
14 documents, reports, records or other physical evidence in the person's
15 possession or under the person's control, such person may petition the
16 board to revoke, limit or modify the subpoena. The board shall revoke,
17 limit or modify such subpoena if in its opinion the documents, reports,
18 records or other physical evidence required does not relate to practices
19 which may be grounds for disciplinary action, is not relevant to the
20 allegation which is the subject matter of the proceeding or investigation, or
21 does not describe with sufficient particularity the documents, reports,
22 records or other physical evidence which is required to be produced. Any
23 member of the board, or any agent designated by the board, may
24 administer oaths or affirmations, examine witnesses and receive such
25 documents, reports, records or other physical evidence.

26 (2) The district court, upon application by the board or by the person
27 subpoenaed, shall have jurisdiction to issue an order:

28 (A) Requiring such person to appear before the board or the board's
29 duly authorized agent to produce documents, reports, records or other
30 physical evidence relating to the matter under investigation; or

31 (B) revoking, limiting or modifying the subpoena if in the court's
32 opinion the evidence demanded does not relate to practices which may be
33 grounds for disciplinary action, is not relevant to the allegation which is
34 the subject matter of the hearing or investigation or does not describe with
35 sufficient particularity the documents, reports, records or other physical
36 evidence which is required to be produced.

37 (3) (A) If the board determines that an individual has practiced
38 without a valid license a profession regulated by the board for which the
39 practitioners of the profession are required by law to be licensed in order
40 to practice the profession, in addition to any other penalties imposed by
41 law, the board, in accordance with the Kansas administrative procedure
42 act, may issue a cease and desist order against such individual.

43 (B) Whenever in the judgment of the behavioral sciences regulatory

1 board any person has engaged, or is about to engage, in any acts or
2 practices which constitute, or will constitute, a violation of K.S.A. 65-6301
3 to 65-6320, inclusive, and amendments thereto, 74-5361 to 74-5374,
4 inclusive, and K.S.A. 2014 Supp. 74-5375, and amendments thereto, the
5 licensure of psychologists act, the marriage and family therapists licensure
6 act or the alcohol and other drug abuse counselor registration act, or any
7 valid rule or regulation of the board, the board may make application to
8 any court of competent jurisdiction for an order enjoining such acts or
9 practices, and upon a showing by the board that such person has engaged,
10 or is about to engage in any such acts or practices, an injunction,
11 restraining order, or such other order as may be appropriate shall be
12 granted by such court without bond.

13 (c) Any complaint or report, record or other information relating to a
14 complaint which is received, obtained or maintained by the behavioral
15 sciences regulatory board shall be confidential and shall not be disclosed
16 by the board or its employees in a manner which identifies or enables
17 identification of the person who is the subject or source of the information
18 except the information may be disclosed:

19 (1) In any proceeding conducted by the board under the law or in an
20 appeal of an order of the board entered in a proceeding, or to any party to a
21 proceeding or appeal or the party's attorney;

22 (2) to the person who is the subject of the information or to any
23 person or entity when requested by the person who is the subject of the
24 information, but the board may require disclosure in such a manner that
25 will prevent identification of any other person who is the subject or source
26 of the information; or

27 (3) to a state or federal licensing, regulatory or enforcement agency
28 with jurisdiction over the subject of the information or to an agency with
29 jurisdiction over acts or conduct similar to acts or conduct which would
30 constitute grounds for action under this act. Any confidential complaint or
31 report, record or other information disclosed by the board as authorized by
32 this section shall not be redisclosed by the receiving agency except as
33 otherwise authorized by law.

34 (d) Nothing in this section or any other provision of law making
35 communications between a practitioner of one of the behavioral sciences
36 and the practitioner's client or patient a privileged or confidential
37 communication shall apply to investigations or proceedings conducted
38 pursuant to this section. The behavioral sciences regulatory board and its
39 employees, agents and representatives shall keep in confidence the content
40 and the names of any clients or patients whose records are reviewed during
41 the course of investigations and proceedings pursuant to this section.

42 (e) In all matters pending before the behavioral sciences regulatory
43 board, the board shall have the power to revoke the license or registration

1 of any licensee or registrant who voluntarily surrenders such person's
2 license or registration pending investigation of misconduct or while
3 charges of misconduct against the licensee are pending or anticipated.

4 ~~(f) In all matters pending before the behavioral sciences regulatory~~
5 ~~board, the board shall have the option to censure the licensee or registrant~~
6 ~~in lieu of other disciplinary action.~~

7 Sec. 51. K.S.A. 65-5802, 65-5806, 65-5808, 65-6306, 65-6314, 65-
8 6319, 65-6402, 65-6407, 65-6408, 65-6411, 74-5302, 74-5311, 74-5318,
9 74-5319, 74-5320, 74-5321, 74-5322, 74-5325, 74-5326, 74-5327, 74-
10 5328, 74-5332, 74-5333, 74-5334, 74-5336, 74-5338, 74-5361, 74-5363,
11 74-5365 and 74-5370 and K.S.A. 2014 Supp. 65-5804a, 65-5807, 65-5809,
12 65-5815, 65-6309, 65-6311, 65-6313, 65-6404, 65-6405, 65-6406, 65-
13 6412, 65-6608, 65-6609, 65-6610, 65-6611, 65-6613, 65-6614, 65-6615,
14 65-6618, 65-6619, 74-5310, 74-5315, 74-5316, 74-5324, 74-5337, 74-
15 5367, 74-5369, 74-5375, 74-7507 and 74-7508 are hereby repealed.

16 Sec. 52. This act shall take effect and be in force from and after its
17 publication in the statute book.