

SENATE BILL No. 193

By Committee on Public Health and Welfare

2-15

1 AN ACT concerning the behavioral sciences regulatory board; relating to
2 certain regulated professions; licensure; reciprocity; amending K.S.A.
3 65-5801, 65-5807, **65-6306**, 65-6309, 65-6321, 65-6401, 65-6405, 65-
4 6406, 65-6411, 65-6611, 65-6613, 74-5301, 74-5310, 74-5315, 74-
5 5316, 74-5344, 74-5375 and 74-5376 and repealing the existing
6 sections.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 New Section 1. (a) The board may issue a license to an individual
10 who is currently registered, certified or licensed to practice social work in
11 another jurisdiction, if the board determines that:

12 (1) The standards for registration, certification or licensure to practice
13 social work at the baccalaureate level in another jurisdiction are
14 substantially the equivalent of the requirements in the social workers
15 licensure act and rules and regulations of the board for licensure as a
16 baccalaureate social worker; or

17 (2) the applicant demonstrates compliance on forms set by the board,
18 with the following standards as adopted by the board:

19 (A) Registration, certification or licensure to practice social work at
20 the baccalaureate level for at least 48 of the last 54 months immediately
21 preceding the application, with at least the minimum professional
22 experience as established by rules and regulations of the board;

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

25 (C) completion of a baccalaureate degree in social work from a
26 regionally accredited university.

27 (b) The board may issue a license to an individual who is currently
28 registered, certified or licensed to practice social work in another
29 jurisdiction, if the board determines that:

30 (1) The standards for registration, certification or licensure to practice
31 social work at the master's level in another jurisdiction are substantially the
32 equivalent of the requirements in the social workers licensure act and rules
33 and regulations of the board for licensure as a master social worker; or

34 (2) the applicant demonstrates compliance on forms set by the board,
35 with the following standards as adopted by the board:

36 (A) Registration, certification or licensure to practice social work at

1 the master level for at least 48 of the last 54 months immediately
2 preceding the application with at least the minimum professional
3 experience as established by rules and regulations of the board;

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

6 (C) completion of a master's degree in social work from a regionally
7 accredited university.

8 (c) Applicants for licensure as a specialist clinical social worker shall
9 demonstrate:

10 (1) That the applicant meets the requirements of subsection (b);

11 (2) that the applicant is currently licensed to practice social work at
12 the clinical level in another state; and

13 (3) competence to diagnose and treat mental disorders by meeting at
14 least two of the following areas acceptable to the board:

15 (A) Passing a national clinical examination approved by the board;

16 (B) three years of clinical practice with demonstrated experience in
17 diagnosing or treating mental disorders; or

18 (C) attestation from a professional licensed to diagnose and treat
19 mental disorders in independent practice or licensed to practice medicine
20 and surgery, stating that the applicant is competent to diagnose and treat
21 mental disorders.

22 (d) An applicant for a license under this section shall pay an
23 application fee established by the board under K.S.A. 65-6411, and
24 amendments thereto, if required by the board.

25 New Sec. 2. (a) If, in evaluating any applicant for licensure as a
26 professional counselor, the board finds that the applicant is deficient in the
27 qualifications or in the quality of the applicant's educational experience
28 required by K.S.A. 65-5804a or 65-5807, and amendments thereto, as
29 applicable, or by rules and regulations adopted by the board, the board
30 may require the applicant to fulfill remedial or other requirements, as the
31 board may prescribe.

32 (b) A person who is completing requirements prescribed by the board
33 under subsection (a) may apply to the board for provisional licensure as a
34 professional counselor on a form and in a manner prescribed by the board.
35 The board may issue a provisional license to practice professional
36 counseling. A provisional license shall expire upon the earlier of the date
37 that the board issues or denies a license to practice professional counseling
38 or 12 months after the date of issuance of the provisional license. No
39 provisional license shall be renewed, and no provisional license shall be
40 issued again, upon any subsequent application for the same license level.

41 (c) A person practicing professional counseling with a provisional
42 license may not use the title "licensed professional counselor" or "licensed
43 clinical professional counselor" or the initials "LPC" or "LCPC,"

1 independently. The word "licensed" may be used by such person only
2 when preceded by the word "provisional."

3 New Sec. 3. (a) If, in evaluating any applicant for licensure as a
4 marriage and family therapist, the board finds that the applicant is
5 deficient in the qualifications or in the quality of the applicant's
6 educational experience required by K.S.A. 65-6404 or 65-6406, and
7 amendments thereto, as applicable, or by rules and regulations adopted by
8 the board, the board may require the applicant to fulfill remedial or other
9 requirements, as the board may prescribe.

10 (b) A person who is completing requirements prescribed by the board
11 under subsection (a) may apply to the board for provisional licensure as a
12 marriage and family therapist on a form and in a manner prescribed by the
13 board. The board may issue a provisional license to practice marriage and
14 family therapy. A provisional license shall expire upon the earlier of the
15 date that the board issues or denies a license to practice marriage and
16 family therapy or 12 months after the date of issuance of the provisional
17 license. No provisional license shall be renewed, and no provisional
18 license shall be issued again, upon any subsequent application for the same
19 license level.

20 (c) A person practicing marriage and family therapy with a
21 provisional license may not use the title "licensed marriage and family
22 therapist" or "licensed clinical marriage and family therapist" or the initials
23 "LMFT" or "LCMFT," independently. The word "licensed" may be used
24 by such person only when preceded by the word "provisional."

25 New Sec. 4. (a) If, in evaluating any applicant for licensure as a
26 master's level psychologist, the board finds that the applicant is deficient in
27 the qualifications or in the quality of the applicant's educational experience
28 required by K.S.A. 74-5363 or 74-5375, and amendments thereto, as
29 applicable, or by rules and regulations adopted by the board, the board
30 may require the applicant to fulfill remedial or other requirements, as the
31 board may prescribe.

32 (b) A person who is completing requirements prescribed by the board
33 under subsection (a) may apply to the board for a provisional license as a
34 master's level psychologist on a form and in a manner prescribed by the
35 board. The board may issue a provisional license to practice master's level
36 psychology. A provisional license shall expire upon the earlier of the date
37 that the board issues or denies a license to practice master's level
38 psychology or 12 months after the date of issuance of the provisional
39 license. No provisional license shall be renewed, and no provisional
40 license shall be issued again, upon any subsequent application for the same
41 license level.

42 (c) A person practicing master's level psychology with a provisional
43 license may not use the title "licensed master's level psychologist" or

1 "licensed clinical psychotherapist" or the initials "LMLP" or "LCP,"
2 independently. The word "licensed" may be used by such person only
3 when preceded by the word "provisional."

4 New Sec. 5. (a) If, in evaluating any applicant for licensure as a social
5 worker, the board finds that the applicant is deficient in the qualifications
6 or in the quality of the applicant's educational experience required by
7 K.S.A. 65-6306, and amendments thereto, or section 1, and amendments
8 thereto, as applicable, or by rules and regulations adopted by the board, the
9 board may require the applicant to fulfill remedial or other requirements,
10 as the board may prescribe.

11 (b) A person who is completing requirements prescribed by the board
12 under subsection (a) may apply to the board for provisional licensure as a
13 social worker on a form and in a manner prescribed by the board. The
14 board may issue a provisional license to practice social work. A
15 provisional license shall expire upon the earlier of the date that the board
16 issues or denies a license to practice social work or 12 months after the
17 date of issuance of the provisional license. No provisional license shall be
18 renewed, and no provisional license shall be issued again, upon any
19 subsequent application for the same license level.

20 (c) A person practicing social work with a provisional license may
21 not use the title "licensed baccalaureate social worker," "licensed master's
22 social worker" or "licensed specialist clinical social worker" or the initials
23 "LBSW," "LMSW" or "LSCSW," independently. The word "licensed" may
24 be used by such person only when preceded by the word "provisional."

25 (d) This section shall be a part of and supplemental to the social
26 workers licensure act.

27 New Sec. 6. (a) If, in evaluating any applicant for licensure as an
28 addiction counselor, the board finds that the applicant is deficient in the
29 qualifications or in the quality of the applicant's educational experience
30 required by K.S.A. 65-6610 or 65-6613, and amendments thereto, as
31 applicable, or by rules and regulations adopted by the board, the board
32 may require the applicant to fulfill remedial or other requirements, as the
33 board may prescribe.

34 (b) A person who is completing requirements prescribed by the board
35 under subsection (a) may apply to the board for provisional licensure as an
36 addiction counselor on a form and in a manner prescribed by the board.
37 The board may issue a provisional license to practice addiction counseling.
38 A provisional license shall expire upon the earlier of the date that the board
39 issues or denies a license to practice addiction counseling or 12 months
40 after the date of issuance of the provisional license. No provisional license
41 shall be renewed, and no provisional license shall be issued again, upon
42 any subsequent application for the same license level.

43 (c) A person practicing addiction counseling with a provisional

1 license may not use the title "licensed addiction counselor," "licensed
2 master's addiction counselor" or "licensed clinical addiction counselor" or
3 the initials "LAC," "LMAC" or "LCAC," independently. The word
4 "licensed" may be used by such person only when preceded by the word
5 "provisional."

6 (d) This section shall be a part of and supplemental to the addiction
7 counselor licensure act.

8 New Sec. 7. (a) If, in evaluating any applicant for licensure as a
9 psychologist, the board finds that the applicant is deficient in the
10 qualifications or in the quality of the applicant's educational experience
11 required by K.S.A. 74-5310 or 74-5315, and amendments thereto, as
12 applicable, or by rules and regulations adopted by the board, the board
13 may require the applicant to fulfill remedial or other requirements, as the
14 board may prescribe.

15 (b) A person who is completing requirements prescribed by the board
16 under subsection (a) may apply to the board for provisional licensure as a
17 psychologist on a form and in a manner prescribed by the board. The board
18 may issue a provisional license to practice psychology. A provisional
19 license shall expire upon the earlier of the date that the board issues or
20 denies a license to practice psychology or 12 months after the date of
21 issuance of the provisional license. No provisional license shall be
22 renewed, and no provisional license shall be issued again, upon any
23 subsequent application for the same license level.

24 (c) A person practicing psychology with a provisional license may
25 not use the title "licensed psychologist" or the initials "LP," independently.
26 The word "licensed" may be used by such person only when preceded by
27 the word "provisional."

28 Sec. 8. K.S.A. 65-5801 is hereby amended to read as follows: 65-
29 5801. K.S.A. 65-5801 through ~~65-5816~~ 65-5818, *and amendments thereto,*
30 *and section 2, and amendments thereto,* shall be known and may be cited
31 as the professional counselors licensure act.

32 Sec. 9. K.S.A. 65-5807 is hereby amended to read as follows: 65-
33 5807. (a) The board may issue a license to an individual who is currently
34 registered, certified or licensed to practice professional counseling in
35 another jurisdiction if the board determines that:

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

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

41 (A) Registration, certification or licensure to practice professional
42 counseling for at least ~~60~~ 48 of the last ~~66~~ 54 months immediately
43 preceding the application with at least the minimum professional

1 experience as established by rules and regulations of the board;

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

4 (C) *at least* a master's degree in counseling or a related field from a
5 regionally accredited university or college.

6 (b) Applicants for licensure as a clinical professional counselor shall
7 additionally demonstrate competence to diagnose and treat mental
8 disorders through meeting the requirements of either subsection (a)(1) or
9 (a)(2) and at least two of the following areas acceptable to the board:

10 (1) Either graduate coursework as established by rules and
11 regulations of the board or passing a national clinical examination
12 approved by the board;

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

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

19 (c) An applicant for a license under this section shall pay an
20 application fee established by the board under K.S.A. 65-5808, and
21 amendments thereto, if required by the board.

22 Sec. 10. K.S.A. 65-6309 is hereby amended to read as follows: 65-
23 6309. (a) ~~Except as provided in subsections (b) and (c),~~ An applicant shall
24 be exempted from the requirement for any examination provided for
25 herein, if:

26 ~~(1) The applicant proves to the board that the applicant is licensed or~~
27 ~~registered under the laws of a state or territory of the United States that~~
28 ~~imposes substantially the same requirements as this act as determined by~~
29 ~~the board; and~~

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

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

36 ~~(1) The standards for licensure to practice social work at the clinical~~
37 ~~level in the other jurisdiction are substantially equivalent to the~~
38 ~~requirements of this state for licensure at the clinical level; or~~

39 ~~(2) the applicant demonstrates on forms provided by the board~~
40 ~~compliance with the following standards as adopted by the board:~~

41 ~~(A) Licensure to practice social work at the clinical level for at least~~
42 ~~60 of the last 66 months immediately preceding the application with at~~
43 ~~least the minimum professional experience as established by rules and~~

1 regulations of the board;

2 ~~(B) the absence of disciplinary actions of a serious nature brought by~~
3 ~~a licensing board or agency; and~~

4 ~~(C) a master's or doctoral degree in social work from a regionally~~
5 ~~accredited university or college and from an accredited graduate social~~
6 ~~work program recognized and approved by the board pursuant to rules and~~
7 ~~regulations adopted by the board.~~

8 ~~(e) Applicants for licensure as a clinical specialist social worker shall~~
9 ~~additionally demonstrate competence to diagnose and treat mental~~
10 ~~disorders through meeting the following requirements:~~

11 ~~(1) Passing a national clinical examination approved by the board or,~~
12 ~~in the absence of the national examination, continuous licensure to practice~~
13 ~~as a clinical social worker during the 10 years immediately preceding the~~
14 ~~application; and~~

15 ~~(2) three years of clinical practice with demonstrated experience in~~
16 ~~diagnosing or treating mental disorders.~~

17 ~~(d) An applicant for a license under this section shall pay an~~
18 ~~application fee established by the board under K.S.A. 65-6314, and~~
19 ~~amendments thereto, if required by the board.~~

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

24 ~~(f)(c) Absent extenuating circumstances approved by the board, a~~
25 ~~temporary license issued by the board shall expire upon the date the board~~
26 ~~issues or denies a license to practice social work or six 12 months after the~~
27 ~~date of issuance of the temporary license. No temporary license will be~~
28 ~~renewed or issued again on any subsequent applications for the same~~
29 ~~license level. The preceding provisions in no way limit the number of~~
30 ~~times an applicant may take the examination.~~

31 ~~(g)(d) No person may work under a temporary license except under~~
32 ~~the supervision of a licensed social worker.~~

33 ~~(h)(e) Nothing in this section shall affect any temporary license to~~
34 ~~practice issued under this section prior to the effective date of this act and~~
35 ~~in effect on the effective date of this act. Such temporary license shall be~~
36 ~~subject to the provisions of this section in effect at the time of its issuance~~
37 ~~and shall continue to be effective until the date of expiration of the license~~
38 ~~as provided under this section at the time of issuance of such temporary~~
39 ~~license.~~

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

43 ~~(g) A person practicing social work with a temporary license may not~~

1 use the title "licensed baccalaureate social worker" or "licensed master.
2 social worker" or use the initials "LBSW" or "LMSW," independently. The
3 word "licensed" may be used only when followed by the words "by
4 temporary license."

5 Sec. 11. K.S.A. 65-6321 is hereby amended to read as follows: 65-
6 6321. K.S.A. 65-6301 through ~~65-6320~~, and K.S.A. 65-6321, and
7 amendments thereto, *and sections 1 and 5, and amendments thereto*, shall
8 be known and may be cited as the social workers licensure act.

9 Sec. 12. K.S.A. 65-6401 is hereby amended to read as follows: 65-
10 6401. K.S.A. 65-6401 through ~~65-6412~~ 65-6414, and amendments thereto,
11 *and section 3, and amendments thereto*, shall be known and may be cited
12 as the marriage and family therapists licensure act.

13 Sec. 13. K.S.A. 65-6405 is hereby amended to read as follows: 65-
14 6405. (a) A person who is waiting to take the examination required by the
15 board may apply to the board for a temporary license to practice as a
16 licensed marriage and family therapist by:

17 (1) Paying an application fee as established by the board under
18 K.S.A. 65-6411, and amendments thereto; and

19 (2) meeting the application requirements as stated in K.S.A. 65-
20 6404(a)(1), (a)(2) and (a)(4), and amendments thereto.

21 (b) (1) A temporary license may be issued by the board after the
22 application has been reviewed and approved by the board and the applicant
23 has paid the appropriate fee ~~set as established~~ by the board ~~for issuance of~~
24 ~~new licenses under K.S.A. 65-6411, and amendments thereto.~~

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

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

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

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

42 (e) Nothing in this section shall affect any temporary license to
43 practice issued under this section prior to the effective date of this act and

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

6 Sec. 14. K.S.A. 65-6406 is hereby amended to read as follows: 65-
7 6406. (a) The board may issue a license to an individual who is currently
8 registered, certified or licensed to practice marriage and family therapy in
9 another jurisdiction if the board determines that:

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

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

16 (A) Registration, certification or licensure to practice marriage and
17 family therapy for at least ~~60~~ 48 of the last ~~66~~ 54 months immediately
18 preceding the application with at least the minimum professional
19 experience as established by rules and regulations of the board;

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) completion of *at least* a master's degree in marriage and family
23 therapy *or a related field as approved by the board* from a regionally
24 accredited university.

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

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

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

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

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

41 Sec. 15. K.S.A. 65-6411 is hereby amended to read as follows: 65-
42 6411. (a) The board may fix the following fees, and any such fees shall be
43 established by rules and regulations adopted by the board:

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

3 (2) *for temporary licensure as a marriage and family therapist, not to*
4 *exceed \$175;*

5 (3) for original licensure as a marriage and family therapist, not to
6 exceed \$175;

7 ~~(3)~~(4) for renewal for licensure as a marriage and family therapist, not
8 to exceed \$175;

9 ~~(4)~~(5) for application for licensure as a clinical marriage and family
10 therapist, not to exceed \$175;

11 ~~(5)~~(6) for original licensure as a clinical marriage and family
12 therapist, not to exceed \$175;

13 ~~(6)~~(7) for renewal for licensure as a clinical marriage and family
14 therapist, not to exceed \$175;

15 ~~(7)~~(8) for reinstatement of a license, not to exceed \$175;

16 ~~(8)~~(9) for replacement of a license, not to exceed \$20;

17 ~~(9)~~(10) for renewal penalty, an amount equal to the renewal of
18 license; and

19 ~~(10)~~(11) for a wallet card license, not to exceed \$5.

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

21 Sec. 16. K.S.A. 65-6611 is hereby amended to read as follows: 65-
22 6611. (a) A person who is waiting to take the examination for licensure as
23 an addiction counselor may apply to the board for a temporary license to
24 practice as a licensed addiction counselor by:

25 (1) ~~Paying an application~~ *a fee for a temporary license fixed under*
26 *K.S.A. 65-6618, and amendments thereto; and*

27 (2) *meeting the application requirements as stated in K.S.A. 65-*
28 *6610(a)(1), (a)(2) and, (a)(4) and (a)(5), and amendments thereto.*

29 (b) A person who is waiting to take the examination for licensure as a
30 master's addiction counselor may apply to the board for a temporary
31 license to practice as a licensed master's addiction counselor by:

32 (1) ~~Paying an application~~ *a fee for a temporary license fixed under*
33 *K.S.A. 65-6618, and amendments thereto; and*

34 (2) *meeting the application requirements as stated in K.S.A. 65-*
35 *6610(b)(1)(A), (b)(2) and ~~(b)(4)~~(1)(B), (b)(1)(D) and (b)(1)(E), and*
36 *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 (d) A person practicing addiction counseling with a temporary license
6 may not use the title "licensed addiction counselor" or "licensed master's
7 addiction counselor" or use the initials "LAC" or "LMAC" independently.
8 The word "licensed" may be used only when followed by the words "by
9 temporary license." ~~such as licensed addiction counselor by temporary~~
10 ~~license, or addiction counselor, temporarily licensed.~~

11 (e) No person may practice addiction counseling under a temporary
12 license except in a licensed or certified alcohol and other drug abuse
13 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 (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. 17. K.S.A. 65-6613 is hereby amended to read as follows: 65-
23 6613. (a) The board may issue a license to an individual who is currently
24 registered, certified or licensed to practice addiction counseling in another
25 jurisdiction if the board determines that:

26 (1) The standards for registration, certification or licensure to practice
27 addiction counseling in the other jurisdiction are substantially the
28 equivalent of the requirements of the addiction counselor licensure act and
29 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) Registration, certification or licensure to practice as an addiction
33 counselor for at least ~~60~~ 48 of the last ~~66~~ 54 months immediately
34 preceding the application with at least the minimum professional
35 experience as established by rules and regulations of the 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) completion of at least a baccalaureate degree from a college or
39 university approved by the board.

40 (b) The board may issue a license to an individual who is currently
41 registered, certified or licensed to practice addiction counseling at the
42 master's level in another jurisdiction if the board determines that:

43 (1) (A) The standards for registration, certification or licensure to

1 practice addiction counseling at the master's level in the other jurisdiction
2 are substantially the equivalent of the requirements of the addiction
3 counselor licensure act and rules and regulations of the board; and

4 (B) completion of at least a master's degree from a college or
5 university approved by the board; or

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

8 (A) Registration, certification or licensure to practice addiction
9 counseling at the master's level for at least ~~60~~ 48 of the last ~~66~~ 54 months
10 immediately preceding the application with at least the minimum
11 professional experience as established by rules and regulations of the
12 board;

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

15 (C) completion of at least a master's degree from a college or
16 university approved by the board.

17 (c) The board may issue a license to an individual who is currently
18 registered, certified or licensed to practice addiction counseling at the
19 clinical level in another jurisdiction if the board determines that:

20 (1) (A) The standards for registration, certification or licensure to
21 practice addiction counseling at the clinical level in the other jurisdiction
22 are substantially the equivalent of the requirements of the addiction
23 counselor licensure act and rules and regulations of the board; and

24 (B) the applicant demonstrates completion of at least a master's
25 degree from a college or university approved by the board; or

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

28 (A) Registration, certification or licensure to practice addiction
29 counseling at the clinical level for at least ~~60~~ 48 of the last ~~66~~ 54 months
30 immediately preceding the application with at least the minimum
31 professional experience as established by rules and regulations of the
32 board;

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

35 (C) completion of at least a master's degree from a college or
36 university approved by the 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;

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

6 Sec. 18. K.S.A. 74-5301 is hereby amended to read as follows: 74-
7 5301. ~~This act K.S.A. 74-5301 through 74-5350, and amendments thereto,~~
8 *and section 7, and amendments thereto*, shall be known and may be cited
9 as the licensure of psychologists act of the state of Kansas.

10 Sec. 19. K.S.A. 74-5310 is hereby amended to read as follows: 74-
11 5310. (a) The board shall issue a license as a psychologist to any person
12 who pays ~~an~~ *a nonrefundable* application fee prescribed by the board, if
13 required by the board, not in excess of \$225 and, if required by the board,
14 ~~an a nonrefundable~~ original license fee not in excess of \$150, ~~which shall~~
15 ~~not be refunded~~, who either satisfies the board as to such person's training
16 and experience after a thorough review of such person's credentials and
17 who passes a satisfactory examination in psychology. Any person paying
18 the fee must also submit evidence verified by oath and satisfactory to the
19 board that such person:

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

21 (2) is of good moral character;

22 (3) has received the doctor's degree based on a program of studies in
23 content primarily psychological from an educational institution having a
24 graduate program with standards consistent with those of the state
25 universities of Kansas, or the substantial equivalent of such program in
26 both subject matter and extent of training; and

27 (4) has had at least two years of supervised experience, a significant
28 portion of which shall have been spent in rendering psychological services
29 satisfying the board's approved standards for the psychological service
30 concerned.

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

1 Sec. 20. K.S.A. 74-5315 is hereby amended to read as follows: 74-
2 5315. (a) The board may grant a license to any person who, at the time of
3 application, is registered, certified or licensed as a psychologist at the
4 doctoral level in another jurisdiction if the board determines that:

5 (1) The requirements of such jurisdiction for such certification or
6 licensure are substantially the equivalent of the requirements of this state;
7 or

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

10 (A) Registration, certification or licensure as a psychologist at the
11 doctoral level for at least ~~60~~ 48 of the last ~~66~~ 54 months immediately
12 preceding the application with at least the minimum professional
13 experience as established by rules and regulations of the board;

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

16 (C) a doctoral degree in psychology from a regionally accredited
17 university or college.

18 (b) An applicant for a license under this section shall pay an
19 application fee established by the board under K.S.A. 74-5310, and
20 amendments thereto, if required by the board.

21 Sec. 21. K.S.A. 74-5316 is hereby amended to read as follows: 74-
22 5316. (a) Upon application, the board may issue temporary licenses to
23 persons who have met all qualifications for licensure under *the* provisions
24 of the licensure of psychologists act of the state of Kansas, except passage
25 of the required examination, pursuant to K.S.A. 74-5310, and amendments
26 thereto, ~~who must wait for completion of the next examination~~, who have
27 paid the required application, ~~examination~~ and temporary license fees and
28 who have submitted documentation as required by the board, under the
29 following:

30 (1) ~~Such temporary licensee shall take the next license examination~~
31 ~~subsequent to the date of issuance of the temporary license unless there are~~
32 ~~extenuating circumstances approved by the board~~ *Absent extenuating*
33 *circumstances approved by the board, a temporary license issued by the*
34 *board shall expire upon the earlier of the date the board issues or denies a*
35 *license to practice psychology or two years after the date of issuance of*
36 *the temporary license. No temporary license shall be renewed or issued*
37 *again on any subsequent application for licensure under the provisions of*
38 *the licensure of psychologists act of the state of Kansas. This paragraph*
39 *shall not limit the number of times that an applicant may take the required*
40 *examination;*

41 (2) the board shall adopt rules and regulations prescribing continuing
42 education requirements for temporary licensees, including, but not limited
43 to, a requirement that temporary licensees shall complete a minimum of 25

1 contact hours of continuing education during the two-year period of
2 temporary licensure, which shall include a minimum of three hours in
3 psychology ethics;

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

7 (4) the fee for such temporary license may be fixed by the board and
8 shall not exceed \$200, and any such fee shall be established by rules and
9 regulations adopted by the board.

10 (b) Upon application, the board may issue temporary licenses not to
11 exceed two years to persons who have completed all requirements for a
12 doctoral degree approved by the board but have not received such degree
13 conferral or who have met all qualifications for licensure under provisions
14 of such act, except completion of the postdoctoral supervised work
15 experience pursuant to K.S.A. 74-5310(a)(4), and amendments thereto,
16 who have paid the required application and temporary license fees and
17 who have submitted documentation as required by the board, under the
18 following:

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

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

24 ~~(3) temporary licensees shall take the license examination pursuant to~~
25 ~~K.S.A. 74-5310(a)(4), and amendments thereto, subsequent to the date of~~
26 ~~issuance and prior to expiration of the temporary license unless there are~~
27 ~~extenuating circumstances approved by the board~~ *no temporary license*
28 *shall be issued again on any subsequent application for licensure under*
29 *the provisions of the licensure of psychologists act of the state of Kansas.*
30 *This paragraph shall not limit the number of times that an applicant may*
31 *take the required examination;*

32 (4) temporary licensees shall be working toward the completion of
33 the postdoctoral supervised work experience prescribed in K.S.A. 74-
34 5310(a)(4), and amendments thereto;

35 (5) the board shall adopt rules and regulations prescribing continuing
36 education requirements for temporary licensees, including, but not limited
37 to, a requirement that temporary licensees shall complete a minimum of 25
38 contact hours of continuing education during the two-year period of
39 temporary licensure, which shall include a minimum of three hours in
40 psychology ethics;

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

1 (7) the fee for a renewal of the temporary license may be fixed by the
2 board and shall not exceed \$200 per issuance, and any such fee shall be
3 established by rules and regulations adopted by the board.

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

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

11 (e) As used in this section, "temporary licensee" means any person
12 practicing psychology with a temporary license pursuant to subsection (a)
13 ~~or (b) or (c).~~

14 Sec. 22. K.S.A. 74-5344 is hereby amended to read as follows: 74-
15 5344. Nothing contained in the licensure of psychologists act of the state
16 of Kansas shall be construed: (a) To prevent qualified members of other
17 professional groups such as, but not limited to, ministers, Christian
18 Science practitioners, social workers and sociologists from doing work of
19 a psychological nature consistent with their training and consistent with
20 any code of ethics of their respective professions so long as they do not
21 hold themselves out to the public by any title or description of services
22 incorporating the words "psychologic," "psychological," "psychologist" or
23 "psychology";

24 (b) in any way to restrict any person from carrying on any of the
25 aforesaid activities in the free expression or exchange of ideas concerning
26 the practice of psychology, the application of its principles, the teaching of
27 such subject matter and the conducting of research on problems relating to
28 human behavior if such person does not represent such person or such
29 person's services in any manner prohibited by such act;

30 (c) to limit the practice of psychology of a licensed masters level
31 psychologist or a person who holds a temporary license to practice as a
32 licensed masters level psychologist ~~insofar as such practice is a part of the~~
33 ~~duties of any such person's salaried position, and insofar as such practice is~~
34 ~~performed solely on behalf of such person's employer, so long as such~~
35 ~~practice is under the direction of a licensed psychologist, licensed clinical~~
36 ~~psychotherapist, a person licensed by the state board of healing arts to~~
37 ~~practice medicine and surgery or a person licensed to provide mental~~
38 ~~health services as an independent practitioner and whose licensure allows~~
39 ~~for the diagnosis and treatment of mental disorders~~ or insofar as such
40 person is engaged in public speaking with or without remuneration;

41 (d) to limit the practice of psychology or services of a student, intern
42 or resident in psychology pursuing a degree in psychology in a school,
43 college, university or other institution, with educational standards

1 consistent with those of the state universities of Kansas if such practice or
2 services are supervised as a part of such person's degree program. Nothing
3 contained in this section shall be construed as permitting such persons to
4 offer their services as psychologists to any other person and to accept
5 remuneration for such psychological services other than as specifically
6 excepted herein, unless they have been licensed under the provisions of the
7 licensure of psychologists act of the state of Kansas, registered under the
8 provisions of K.S.A. 74-5361 ~~to~~ through 74-5371, ~~inclusive~~, and
9 amendments thereto, or granted a temporary license under the provisions
10 of K.S.A. 74-5367, and amendments thereto;

11 (e) to prevent the employment, by a person, association, partnership
12 or a corporation furnishing psychological services for remuneration, of
13 persons licensed as psychologists under the provisions of the licensure of
14 psychologists act of the state of Kansas;

15 (f) to restrict the use of tools, tests, instruments or techniques usually
16 denominated "psychological," so long as the user does not represent
17 oneself to be a licensed psychologist or a licensed masters level
18 psychologist;

19 (g) to permit persons licensed as psychologists to engage in the
20 practice of medicine as defined in the laws of this state, nor to require such
21 licensed psychologists to comply with the Kansas healing arts act;

22 (h) to restrict the use of the term "social psychologist" by any person
23 who has received a doctoral degree in sociology or social psychology from
24 an institution whose credits in sociology or social psychology are
25 acceptable by a school or college as defined in the licensure of
26 psychologists act of the state of Kansas, and who has passed
27 comprehensive examination in the field of social psychology as a part of
28 the requirements for the doctoral degree or has had equivalent specialized
29 training in social psychology;

30 (i) to restrict the practice of psychology by a person who is certified
31 as a school psychologist by the state department of education so long as
32 such practice is conducted as a part of the duties of employment by a
33 unified school district or as part of an independent evaluation conducted in
34 accordance with K.S.A. 72-3405, and amendments thereto, including the
35 use of the term "school psychologist" by such person in conjunction with
36 such practice; or

37 (j) to restrict the use of the term psychologist or the practice of
38 psychology by psychologists not licensed under the licensure of
39 psychologists act of the state of Kansas in institutions for people with
40 intellectual disability, in a juvenile correctional facility, as defined in
41 K.S.A. 2018 Supp. 38-2302, and amendments thereto, or in institutions
42 within the department of corrections insofar as such term is used or such
43 practice of psychology is performed solely in conjunction with such

1 person's employment by any such institution or juvenile correctional
2 facility.

3 (k) Any person not licensed as a psychologist but who immediately
4 prior to the effective date of this act was engaged in the practice of
5 psychology in accordance with subsection (e) as it existed immediately
6 prior to the effective date of this act under the supervision of a licensed
7 psychologist may continue on and after the effective date of this act to
8 engage in such practice in the manner authorized by subsection (e) as it
9 existed immediately prior to the effective date of this act.

10 Sec. 23. K.S.A. 74-5375 is hereby amended to read as follows: 74-
11 5375. (a) The behavioral sciences regulatory board may issue a license to
12 an individual who is currently registered, certified or licensed to practice
13 psychology at the master's level in another jurisdiction if the board
14 determines that:

15 (1) The standards for registration, certification or licensure to practice
16 psychology at the master's level in the other jurisdiction are substantially
17 equivalent to the requirements of this state; or

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

20 (A) Registration, certification or licensure to practice psychology at
21 the master's level for at least ~~60~~ 48 of the last ~~66~~ 54 months immediately
22 preceding the application with at least the minimum professional
23 experience as established by rules and regulations of the board;

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

26 (C) *at least* a master's degree in psychology from a regionally
27 accredited university or college.

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

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

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

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

41 (c) An applicant for a license under this section shall pay an
42 application fee established by the board under K.S.A. 74-5365, and
43 amendments thereto, if required by the board.

1 Sec. 24. K.S.A. 74-5376 is hereby amended to read as follows: 74-
2 5376. K.S.A. 74-5361 through ~~74-5374~~ and ~~K.S.A.~~ 74-5375, and
3 amendments thereto, *and section 4, and amendments thereto*, shall be
4 known and may be cited as the licensure of master's level psychologists
5 act.

6 *Sec. 25. K.S.A. 65-6306 is hereby amended to read as follows: 65-*
7 *6306. (a) The board shall issue a license as a baccalaureate social*
8 *worker to an applicant who:*

9 *(1) Has a baccalaureate degree from an accredited college or*
10 *university, including completion of a social work program recognized*
11 *and approved by the board, pursuant to rules and regulations adopted by*
12 *the board;*

13 *(2) has passed an examination approved by the board for this*
14 *purpose; and*

15 *(3) has satisfied the board that the applicant is a person who merits*
16 *the public trust.*

17 *(b) The board shall issue a license as a master social worker to an*
18 *applicant who:*

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

22 *(2) has passed an examination approved by the board for this*
23 *purpose; and*

24 *(3) has satisfied the board that the applicant is a person who merits*
25 *the public trust.*

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

28 *(1) Has a master's or doctor's degree from an accredited graduate*
29 *school of social work, including completion of a social work program*
30 *recognized and approved by the board, pursuant to rules and regulations*
31 *adopted by the board;*

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

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

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

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

41 *(A) Has met the requirements of subsection (c);*

42 *(B) has completed 15 credit hours as part of or in addition to the*
43 *requirements under subsection (c) supporting diagnosis or treatment of*

1 *mental disorders with use of the American psychiatric association's*
2 *diagnostic and statistical manual, through identifiable study of the*
3 *following content areas: Psychopathology, diagnostic assessment,*
4 *interdisciplinary referral and collaboration, treatment approaches and*
5 *professional ethics;*

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

13 *(D) has completed as part of or in addition to the requirements of*
14 *subsection (c) 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~~ 3,000 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~~ 100 hours of clinical*
20 *supervision, including not less than 75 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*
23 *and statistical manual;*

24 *(E) for persons earning a degree under subsection (c) prior to July*
25 *1, 2003, in lieu of the education and training requirements under parts*
26 *(B) and (C) of this subsection, has completed the education*
27 *requirements for licensure as a specialist clinical social worker in effect*
28 *on the day immediately preceding the effective date of this act;*

29 *(F) for persons who apply for and are eligible for a temporary*
30 *license to practice as a specialist clinical social worker on the day*
31 *immediately preceding the effective date of this act, in lieu of the*
32 *education and training requirements under parts (B), (C) and (D) of this*
33 *subsection, has completed the education and training requirements for*
34 *licensure as a specialist clinical social worker in effect on the day*
35 *immediately preceding the effective date of this act;*

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

37 *(H) has paid the application fee.*

38 *(2) A licensed specialist clinical social worker may engage in the*
39 *social work practice and is authorized to diagnose and treat mental*
40 *disorders specified in the edition of the diagnostic and statistical manual*
41 *of mental disorders of the American psychiatric association designated*
42 *by the board by rules and regulations. When a client has symptoms of a*
43 *mental disorder, a licensed specialist clinical social worker shall consult*

1 *with the client's primary care physician or psychiatrist to determine if*
2 *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*
5 *shall be made a part of the client's record. A licensed specialist clinical*
6 *social worker may continue to evaluate and treat the client until such*
7 *time that the medical consultation is obtained or waived.*

8 *(3) Notwithstanding any other provision of this subsection, a*
9 *licensed master social worker who has provided to the board an*
10 *acceptable clinical supervision plan for licensure as a specialist clinical*
11 *social worker prior to the effective date of this act shall be licensed as a*
12 *specialist clinical social worker under this act upon completion of the*
13 *requirements in effect for licensure as a specialist clinical social worker*
14 *at the time the acceptable training plan is submitted to the board.*

15 *(4) A person licensed as a specialist clinical social worker on the*
16 *day immediately preceding the effective date of this act shall be deemed*
17 *to be a licensed specialist clinical social worker under this act. Such*
18 *person shall not be required to file an original application for licensure*
19 *as a specialist clinical social worker under this act.*

20 *(e) The board shall adopt rules and regulations establishing the*
21 *criteria which a social work program of a college or university shall*
22 *satisfy to be recognized and approved by the board under this section.*
23 *The board may send a questionnaire developed by the board to any*
24 *college or university conducting a social work program for which the*
25 *board does not have sufficient information to determine whether the*
26 *program should be recognized and approved by the board and whether*
27 *the program meets the rules and regulations adopted under this section.*
28 *The questionnaire providing the necessary information shall be*
29 *completed and returned to the board in order for the program to be*
30 *considered for recognition and approval. The board may contract with*
31 *investigative agencies, commissions or consultants to assist the board in*
32 *obtaining information about a social work program of a college or*
33 *university. In entering such contracts the authority to recognize and*
34 *approve a social work program of a college or university shall remain*
35 *solely with the board.*

36 ~~Sec. 25.~~ 26. K.S.A. 65-5801, 65-5807, **65-6306**, 65-6309, 65-6321,
37 65-6401, 65-6405, 65-6406, 65-6411, 65-6611, 65-6613, 74-5301, 74-
38 5310, 74-5315, 74-5316, 74-5344, 74-5375 and 74-5376 are hereby
39 repealed.

40 ~~Sec. 26.~~ 27. This act shall take effect and be in force from and after
41 its publication in the Kansas register.