

February 9, 2023

The Honorable Brenda Landwehr, Chairperson  
House Committee on Health and Human Services  
300 SW 10th Avenue, Room 112-N  
Topeka, Kansas 66612

Dear Representative Landwehr:

**SUBJECT:** Fiscal Note for HB 2288 by House Committee on Health and Human Services

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2288 is respectfully submitted to your committee.

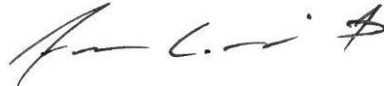
HB 2288 would create the Counseling Compact, adding Kansas to a multi-state compact for clinical professional counselors. Under the Compact, clinical professional counselors licensed by the Behavioral Sciences Regulatory Board would be able to apply for a privilege to practice in other Compact states. The Compact defines privilege to practice as “a legal authorization, which is equivalent to a license, permitting the practice of professional counseling in a remote state.” Individuals in other Compact states would be able to apply for a privilege to practice in Kansas. The Compact would allow states to continue issuing single-state licenses for individuals wishing to pursue that as an alternative to privileges to practice. The Compact Commission would be authorized to charge member-states annual dues and to charge parties fees to cover the cost of operations.

The Behavioral Sciences Regulatory Board indicates the enactment of HB 2288 would have a negligible impact on revenues to the Behavioral Sciences Regulatory Board Fee Fund in FY 2024 which is based on discussions with other Compact states. Generally, Compact states indicate that revenue from privileges to practice fees replace licensing fee revenue. However, the Board indicates any increase in fee revenue would also increase revenue to the State General Fund from a statutory remittance of 10.0 percent.

In subsequent years, the Board indicates the number of individuals practicing under the Compact from other states is expected to increase as more states join the Compact. However, the

amount of fee revenue that may be generated cannot be estimated since the number of additional practitioners that may be licensed in Kansas from other states is unknown. Any fiscal effect associated with HB 2288 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: David Fye, Behavioral Sciences Regulatory Board