

# BEHAVIORAL SCIENCES REGULATORY BOARD

## FY 2022 – FY 2025 BUDGET ANALYSIS

FIGURE 1  
**BUDGET OVERVIEW, FY 2022 – FY 2025**

	Actual FY 2022	Agency FY 2023	Governor FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
<b>Operating Expenditures:</b>							
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	-	-	-	-	-	-	-
All Other Funds	835,545	1,024,432	1,012,232	1,050,908	1,050,908	1,073,817	1,073,817
<i>Subtotal</i>	<u>\$ 835,545</u>	<u>\$ 1,024,432</u>	<u>\$ 1,012,232</u>	<u>\$ 1,050,908</u>	<u>\$ 1,050,908</u>	<u>\$ 1,073,817</u>	<u>\$ 1,073,817</u>
<b>Capital Improvements:</b>							
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	-	-	-	-	-	-	-
All Other Funds	-	-	-	-	-	-	-
<i>Subtotal</i>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<b>TOTAL</b>	<b><u>\$ 835,545</u></b>	<b><u>\$ 1,024,432</u></b>	<b><u>\$ 1,012,232</u></b>	<b><u>\$ 1,050,908</u></b>	<b><u>\$ 1,050,908</u></b>	<b><u>\$ 1,073,817</u></b>	<b><u>\$ 1,073,817</u></b>
<b>Percentage Change:</b>							
State General Fund	-- %	-- %	-- %	-- %	-- %	-- %	-- %
All Funds	(2.4) %	22.6 %	21.1 %	2.6 %	3.8 %	2.2 %	2.2 %
FTE Positions	9.5	9.5	9.5	9.5	9.5	9.5	9.5

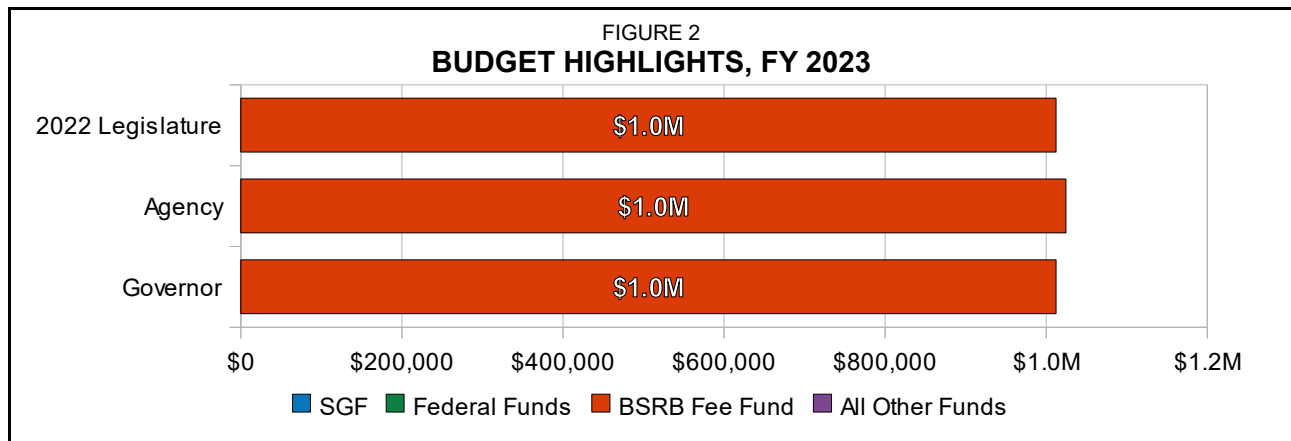
For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.

The mission of the Behavioral Sciences Regulatory Board (BSRB), as established by KSA 74-7501, is to protect the public's health, safety, and welfare from unlawful or unprofessional practitioners who fall under the Board's jurisdiction. The agency has defined the statutory credentialing qualifications by establishing, through rules and regulations, minimal educational and experiential requirements that applicants seeking credentialing in each of the regulated groups must satisfy before the board grants the applicable credential. The Board has also defined statutorily prohibited conduct through rules and regulations and has defined those acts that constitute unprofessional or incompetent practice.

The 12 members of the Board include 2 licensed psychologists, 2 licensed social workers, 1 licensed professional counselor, 1 licensed master's-level psychologist, 1 licensed marriage and family therapist, 1 licensed addiction counselor or licensed clinical addiction counselor, and 4 public members. The Governor appoints all Board members to serve four-year terms.

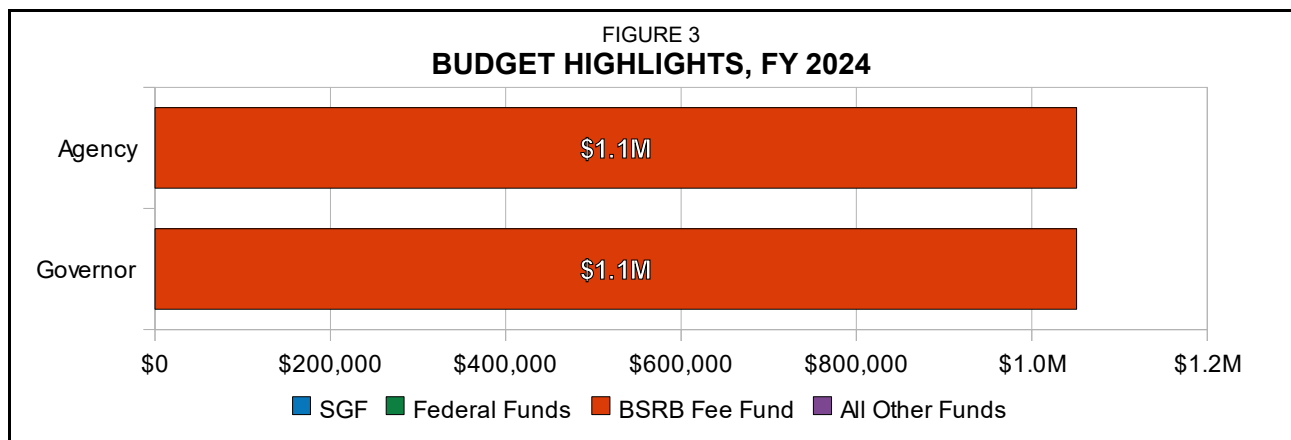
## EXECUTIVE SUMMARY

The 2022 Legislature approved a budget of \$1,012,232, all from the BSRB Fee Fund, in expenditures and 9.5 FTE positions for the Behavioral Sciences Regulatory Board in FY 2023. No changes were made subsequently to this approved amount.



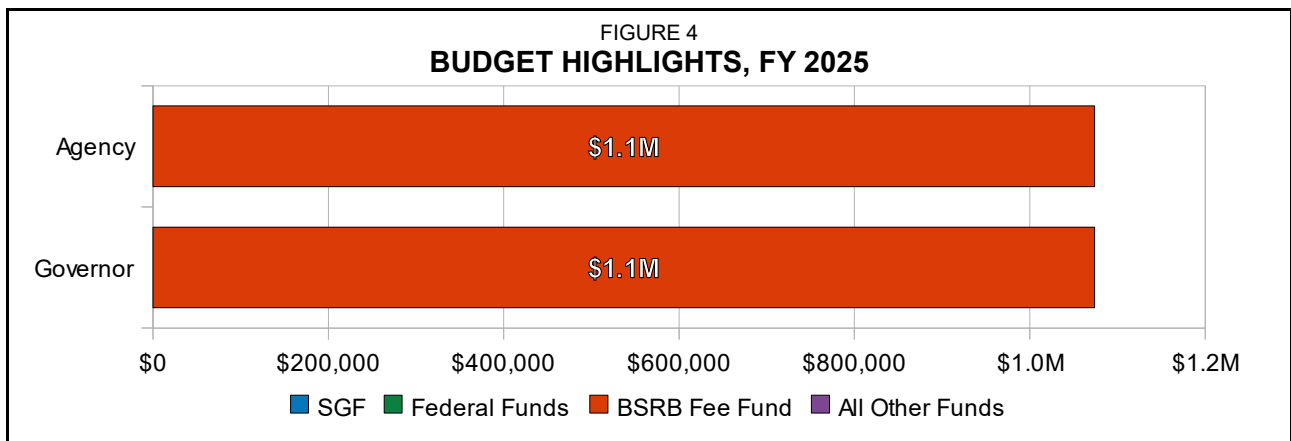
The **agency** submits a revised estimate of \$1,024,432, all from the BSRB Fee Fund, in expenditures and 9.5 FTE positions in FY 2023. This is an increase of \$12,200, or 1.2 percent, above the amount approved by the 2022 Legislature. This increase is primarily due to increased expenditures for legal services from the Office of the Attorney General.

The **Governor** recommends expenditures of \$1,012,232, all from the BSRB Fee Fund, and 9.5 FTE positions in FY 2023. This is a decrease of \$12,200, or 1.2 percent, below the agency's revised estimate in FY 2023. This decrease is due to the Governor not recommending the agency's supplemental request for increased legal services fees.



The **agency** requests \$1,050,908, all from the BSRB Fee Fund, in expenditures and 9.5 FTE positions for FY 2024. This is an increase of \$26,476, or 2.6 percent, above the revised estimate for FY 2023. This increase is primarily due to increased expenditures to the Office of the Attorney General for legal services, increased expenditures for the Kansas State Board of Healing Arts for maintaining the licensing system, and resumed travel following the COVID-19 pandemic.

The **Governor** concurs with the agency's request for FY 2024.



The **agency** requests \$1,073,817, all from the BSRB Fee Fund, in expenditures and 9.5 FTE positions for FY 2025. This is an increase of \$22,909, or 2.2 percent, above the agency's FY 2024 request. This increase is primarily due to increased expenditures to the Office of the Attorney General for legal services, increased expenses for the Kansas State Board of Healing Arts for maintaining the licensing system, and resumed travel following the COVID-19 pandemic.

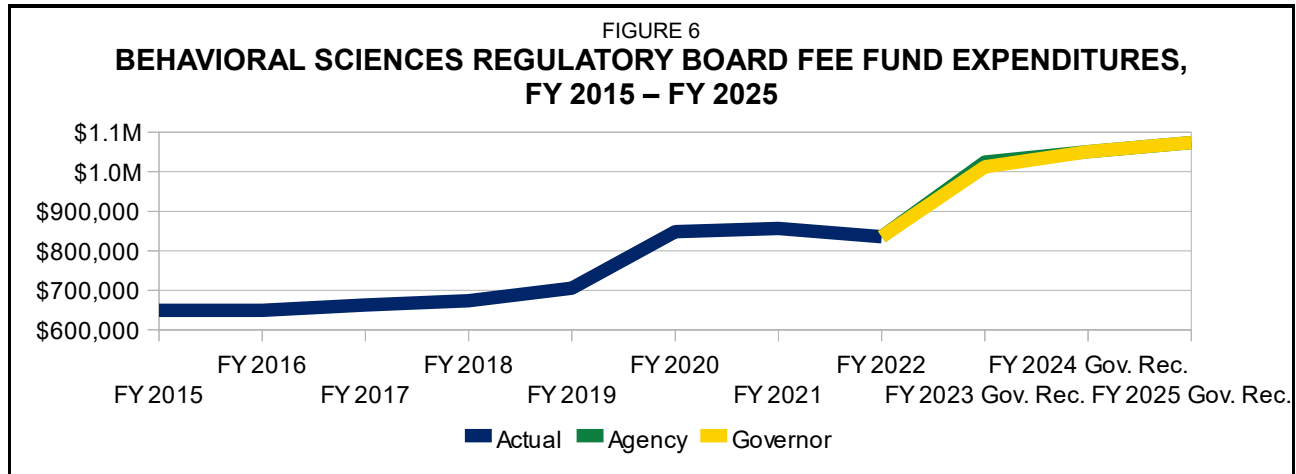
The **Governor** concurs with the agency's request for FY 2025.

# EXPENDITURES AND FINANCING

FIGURE 5  
**BUDGET SUMMARY BY CATEGORY OF EXPENDITURE, FY 2022 – FY 2025**

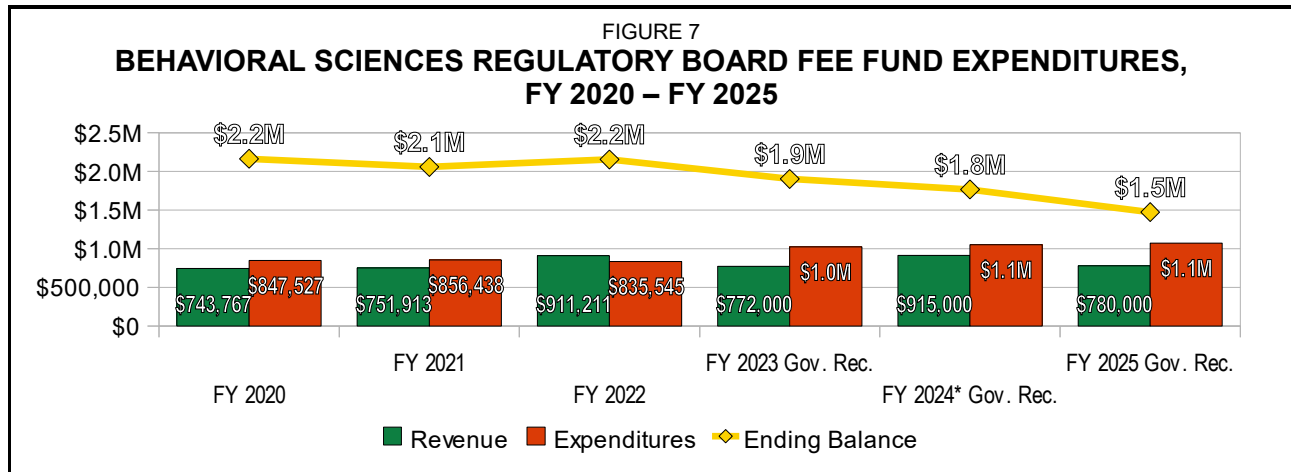
Category of Expenditure:	Actual FY 2022	Agency FY 2023	Governor FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
Salaries and Wages	\$ 553,600	\$ 652,209	\$ 652,209	\$ 651,446	\$ 651,446	\$ 655,797	\$ 655,797
Contractual Services	276,338	355,460	343,260	383,074	383,074	404,320	404,320
Commodities	5,405	9,225	9,225	9,450	9,450	9,950	9,950
Capital Outlay	202	7,538	7,538	6,938	6,938	3,750	3,750
Debt Service Interest	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>\$ 835,545</b>	<b>\$ 1,024,432</b>	<b>\$ 1,012,232</b>	<b>\$ 1,050,908</b>	<b>\$ 1,050,908</b>	<b>\$ 1,073,817</b>	<b>\$ 1,073,817</b>
Aid to Local Units	-	-	-	-	-	-	-
Other Assistance	-	-	-	-	-	-	-
<b>Subtotal—Operating</b>	<b>\$ 835,545</b>	<b>\$ 1,024,432</b>	<b>\$ 1,012,232</b>	<b>\$ 1,050,908</b>	<b>\$ 1,050,908</b>	<b>\$ 1,073,817</b>	<b>\$ 1,073,817</b>
Capital Improvements	-	-	-	-	-	-	-
Debt Service Principal	-	-	-	-	-	-	-
<b>TOTAL</b>	<b>\$ 835,545</b>	<b>\$ 1,024,432</b>	<b>\$ 1,012,232</b>	<b>\$ 1,050,908</b>	<b>\$ 1,050,908</b>	<b>\$ 1,073,817</b>	<b>\$ 1,073,817</b>
<b>Financing:</b>							
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Behavioral Science Regulatory Board Fee Fund	835,545	1,024,432	1,012,232	1,050,908	1,050,908	1,073,817	1,073,817
<b>TOTAL</b>	<b>\$ 835,545</b>	<b>\$ 1,024,432</b>	<b>\$ 1,012,232</b>	<b>\$ 1,050,908</b>	<b>\$ 1,050,908</b>	<b>\$ 1,073,817</b>	<b>\$ 1,073,817</b>
FTE Positions	9.5	9.5	9.5	9.5	9.5	9.5	9.5

## BEHAVIORAL SCIENCES REGULATORY BOARD FEE FUND



In accordance with KSA 74-7505, the Behavioral Sciences Regulatory Board Fee Fund replaced the Psychologists Fee Fund and the Social Work Examiners Fee Fund in 1980. The new Board inherited the previous Boards' authorities to set, charge, and collect fees. As a fee-funded agency, the Board currently contributes the lesser of 10.0 percent or \$100,000 of fee revenue to the State General Fund (SGF) for the cost of support services provided by other state agencies under KSA 74-3170a, and the remainder is held in the agency fee fund. These retained fees fund the agency.

## BEHAVIORAL SCIENCES REGULATORY BOARD FEE FUND



\* For FY 2024, the lowest month ending balance for the Behavioral Sciences Regulatory Board Fee Fund will occur in July, with a balance of \$1.8 million.

Due to a high yearly ending balance, the Board reduced all license renewal fees and application fees by \$50, effective March 15, 2019.

The 2021 Legislature passed Senate Sub. for HB 2208, which authorized a maximum fee of \$50 to be a BSRB-approved supervisor for the professional counseling and marriage and family therapist professions. The Board set this fee at \$20.

The 2021 Legislature passed SB 170, which added Kansas as a member-state to the multi-state compact for licensed psychologists called PSYPACT. On January 1 of each year, PSYPACT will assess to the BSRB a \$10 fee per each licensed psychologist who practices under PSYPACT and lists Kansas as their home state. SB 170 included language allowing the BSRB to charge a \$25 fee per each two-year renewal for psychologists practicing under PSYPACT to offset the cost to the agency of the PSYPACT assessment.

The declining ending balance beginning in FY 2023 is primarily due to increased expenditures for legal fees paid to the Office of the Attorney General for services, increased expenditures for the information technology system maintained by the Kansas State Board of Healing Arts, and increased travel following the COVID-19 pandemic.

FIGURE 8  
**LICENSE FEES, FY 2023**

License	Current Fee	Statutory Limit	Authority
<b>Application Fees:</b>			
Social Worker (Associate & Bachelor's)	\$ 50	\$ 150	KSA 65-6314
Social Worker (Master's)	50	150	KSA 65-6314
Social Worker (Specialist Clinical)	50	150	KSA 65-6314
Psychologist	175	225	KSA 74-5310
Psychologist (Master's)	50	200	KSA 74-5365
Psychotherapist (Clinical)	50	200	KSA 74-5365
Professional Counselor	50	100	KSA 65-5808
Professional Counselor (Clinical)	50	175	KSA 65-5808
Marriage and Family Therapist	50	150	KSA 65-6411
Marriage and Family Therapist (Clinical)	50	175	KSA 65-6411
Addiction Counselor	50	150	KSA 65-6618
Master's-Level Addiction Counselor	50	150	KSA 65-6618
Addiction Counselor (Clinical)	50	150	KSA 65-6618
<b>Initial Fees:</b>			
Social Worker (Associate & Bachelor's)	\$ 150	\$ 150	KSA 65-6314
Social Worker (Master's)	150	150	KSA 65-6314
Social Worker (Specialist Clinical)	150	150	KSA 65-6314
Psychologist	50	150	KSA 74-5310
Psychologist (Master's)	150	200	KSA 74-5365
Psychotherapist (Clinical)	150	200	KSA 74-5365
Professional Counselor	150	175	KSA 65-5808
Professional Counselor (Clinical)	150	175	KSA 65-5808
Marriage and Family Therapist	150	175	KSA 65-6411
Marriage and Family Therapist (Clinical)	150	175	KSA 65-6411
Addiction Counselor	100	150	KSA 65-6618
Master's-Level Addiction Counselor	150	150	KSA 65-6618
Addiction Counselor (Clinical)	150	150	KSA 65-6618
Assistant Behavioral Analyst	70	N/A	KAR 102-8-2
Behavioral Analyst	70	N/A	KAR 102-8-2
<b>Renewal Fees:</b>			
Social Worker (Associate & Bachelor's)	\$ 50	\$ 150	KSA 65-6314
Social Worker (Master's)	75	150	KSA 65-6314
Social Worker (Specialist Clinical)	100	150	KSA 65-6314
Psychologist	150	200	KSA 74-5310
Psychologist (Master's)	100	200	KSA 74-5365
Psychotherapist (Clinical)	125	200	KSA 74-5365
Professional Counselor	100	150	KSA 65-5808
Professional Counselor (Clinical)	125	175	KSA 65-5808
Marriage and Family Therapist	100	175	KSA 65-6411
Marriage and Family Therapist (Clinical)	125	175	KSA 65-6411

FIGURE 8  
**LICENSE FEES, FY 2023**

License	Current Fee	Statutory Limit	Authority
Addiction Counselor	\$ 50	150	KSA 65-6618
Master's-Level Addiction Counselor	75	150	KSA 65-6618
Addiction Counselor (Clinical)	100	150	KSA 65-6618
Assistant Behavioral Analyst	70	N/A	KAR 102-8-2
Behavioral Analyst	120	N/A	KAR 102-8-2
<b>Temporary License Fees</b>			
Social Worker (Associate & Bachelor's)	\$ 50	50	KSA 65-6314
Social Worker (Master's)	50	50	KSA 65-6314
Social Worker (Specialist Clinical)	50	50	KSA 65-6314
Psychologist	100	200	KSA 74-5316
Psychologist (Master's)	100	200	KSA 74-5316
Professional Counselor	50	175	KSA 65-5808
Marriage and Family Therapist	150	175	KSA 65-6405
Addiction Counselor	75	100	KSA 65-6618
Master's-Level Addiction Counselor	75	100	KSA 65-6618
<b>Out-of-State Temporary Permit</b>			
Social Worker (Specialist Clinical)	\$ 200	200	KSA 65-6309a
Clinical Psychotherapist	200	200	KSA 74-5316a
Psychologist	200	200	KSA 74-5316a
Clinical Professional Counselor	200	200	KSA-5807a
Clinical Marriage and Family Therapist	200	200	KSA 65-6405a(d)
Clinical Addiction Counselor	200	200	KSA 65-6612; KSA 65-6618
<b>License Reinstatement</b>			
Social Worker (Associate)	\$ 50	150	KSA 65-6314
Social Worker (Bachelor)	50	150	KSA 65-6314
Social Worker (Master's)	75	150	KSA 65-6314
Social Worker (Specialist Clinical)	100	150	KSA 65-6314
Master's Level Psychologist	100	200	KSA 74-5366; KSA 74-5365
Clinical Psychotherapist	125	200	KSA 74-5366; KSA 74-5365
Psychologist	150	200	KSA 74-5339
Professional Counselor	100	175	KSA-655808
Clinical Professional Counselor	125	175	KSA 65-5808
Marriage and Family Therapist	100	175	KSA 65-6411
Clinical Marriage and Family Therapist	125	175	KSA 65-6411
Addiction Counselor	50	150	KSA 65-6618
Master's Addiction Counselor	75	150	KSA 65-6618
Clinical Addiction Counselor	100	150	KSA 65-6618

## FY 2023 ANALYSIS

FIGURE 9  
**SUMMARY OF BUDGET REQUEST, FY 2023**

	SGF		Special Revenue Funds	All Funds	FTE
<b>Legislative Approved:</b>					
Amount Approved by 2022 Legislature	\$	-	\$ 1,012,232	\$ 1,012,232	9.5
1. No Changes		-	-	-	--
<i>Subtotal—Legislative Approved</i>	\$	-	\$ 1,012,232	\$ 1,012,232	9.5
<b>Agency Revised Estimate:</b>					
2. Supplemental—Legal Fees		-	12,200	12,200	--
<i>Subtotal—Agency Revised Estimate</i>	\$	-	\$ 1,024,432	\$ 1,024,432	9.5
<b>Governor's Recommendation:</b>					
3. Supplemental—Legal Fees – Not Recommended		-	(12,200)	(12,200)	--
<b>TOTAL</b>	<b>\$</b>	<b>-</b>	<b>\$ 1,012,232</b>	<b>\$ 1,012,232</b>	<b>9.5</b>

### **LEGISLATIVE APPROVED**

- NO CHANGES.** Subsequent to the 2023 Session, no changes were made to the \$1,012,232 appropriated to the Behavioral Sciences Regulatory Board for FY 2023.

### **AGENCY ESTIMATE**

The **agency** submits a revised estimate of \$1,024,432, all from the BSRB Fee Fund, in expenditures and 9.5 FTE positions in FY 2023. This is an increase of \$12,200, or 1.2 percent, above the approved amount in FY 2023.

The **agency** request includes the following adjustments:

- SUPPLEMENTAL—LEGAL FEES.** The agency's revised estimate includes an increase of \$12,200 due to the Office of the Attorney General increasing its annual rate for legal services from \$75,000 to \$87,200 for FY 2023.

### **GOVERNOR'S RECOMMENDATION**

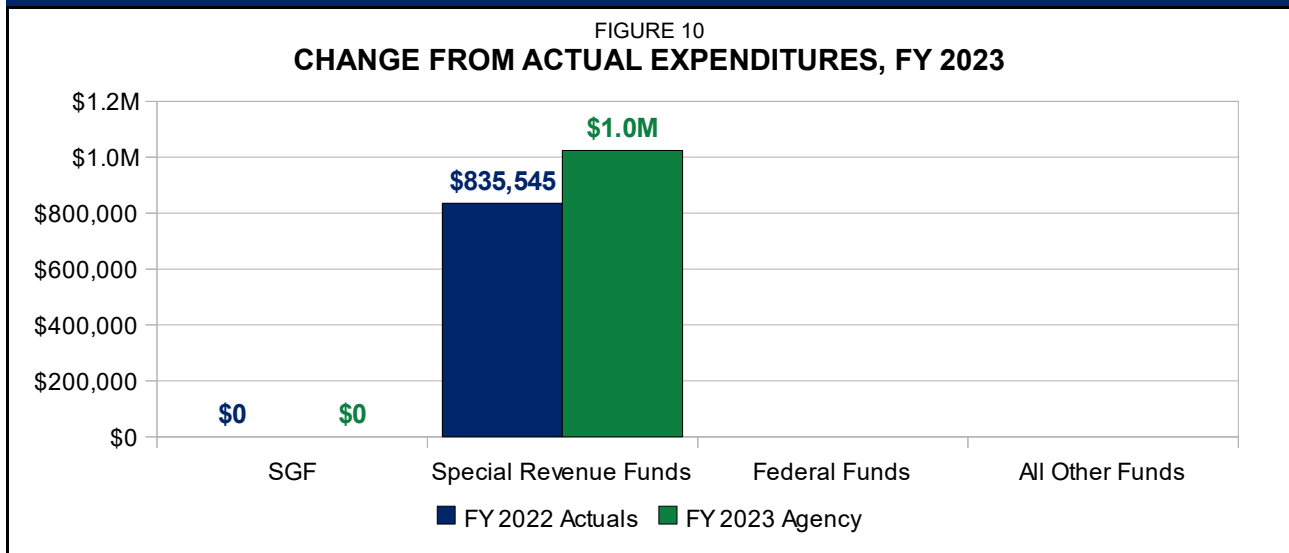
The **Governor** recommends expenditures of \$1,012,232, all from the BSRB Fee Fund, and 9.5 FTE positions in FY 2023. This is a decrease of \$12,200, or 1.2 percent, below the agency's revised estimate in FY 2023.

The **Governor's** recommendation includes the following adjustment:

- SUPPLEMENTAL—LEGAL FEES – NOT RECOMMENDED.** The Governor does not recommend the agency's supplemental request for \$12,200 to cover the Office of the Attorney General increasing its annual rate for legal services in FY 2023. *Staff Note:* The Office of the Attorney General terminated its contract with the agency, effective December 31, 2022.



## FY 2023 CHANGE FROM ACTUAL EXPENDITURES



The **agency** estimates revised expenditures of \$1,024,432, all from the BSRB Fee Fund, in FY 2023. This is an increase of \$188,887, or 22.6 percent, above actual expenditures in FY 2022. This increase is primarily due to FY 2022 expenditures being lower than the FY 2022 approved amount.

FY 2022 actual expenditures were lower than the FY 2022 approved amount for the following reasons:

- The agency had several FTE positions that the agency was unable to fill for a large portion of the year.
- Fees for the Office of Administrative Hearings (OAS) to handle appeals from BSRB decisions were lower than anticipated. When an investigation is appealed, OAS handles the appeal and the agency pays the fees associated with such appeal. In FY 2022, the agency did not expend the total amount budgeted for appeals.
- The agency intended to replace boardroom furniture in FY 2022 but delayed the replacement to subsequent years due to the Board continuing to meet virtually during FY 2022.

Additionally, the FY 2023 revised estimate is greater than FY 2022 actual expenditures due to the Office of the Attorney General increasing its annual rate for legal services from \$75,000 to \$87,200 for FY 2023.

## FY 2024 ANALYSIS

FIGURE 11  
**SUMMARY OF BUDGET REQUEST, FY 2024**

	SGF	Special Revenue Funds	All Funds	FTE
<b>Agency Revised Estimate, FY 2023:</b>	\$ -	\$ 1,024,432	\$ 1,024,432	9.5
<b>Agency Request:</b>				
1. Contractual Services – Legal Fees 1	\$ -	\$ 8,720	\$ 8,720	--
2. Contractual Services – IT System	-	4,436	4,436	--
3. Contractual Services – Travel	-	11,008	11,008	--
4. All Other Adjustments	-	2,312	2,312	--
<i>Subtotal–Agency Request</i>	\$ -	\$ 1,050,908	\$ 1,050,908	9.5
<b>Governor’s Recommendation:</b>				
5. No Changes	\$ -	\$ -	\$ -	--
<b>TOTAL</b>	\$ -	\$ 1,050,908	\$ 1,050,908	9.5

### **AGENCY REQUEST**

The **agency** requests \$1,050,908, all from the BSRB Fee Fund, in expenditures and 9.5 FTE positions for FY 2024. This is an increase of \$26,476, or 2.6 percent, above the FY 2023 revised estimate.

The **agency** request includes the following adjustments:

1. **CONTRACTUAL SERVICES – LEGAL FEES.** The agency's request includes an additional \$8,720 in anticipation of the Office of the Attorney General further increasing its rates for legal services for FY 2024.
2. **CONTRACTUAL SERVICES – IT SYSTEM.** The agency's request includes an additional \$4,436 for increased maintenance expenditures related to the licensing system maintained by the Kansas State Board of Healing Arts.
3. **CONTRACTUAL SERVICES – TRAVEL.** The agency's request includes an additional \$11,008 for travel. The agency anticipates increased travel expenditures as organizations continue to loosen restrictions following the COVID-19 pandemic. The agency intends to travel to mid-year and annual meetings for the associations they license, to schools to present information on the BSRB-licensed professions, and to resume in-person board meetings. Many of these meetings occur online currently, but the agency anticipates a return to in-person attendance.
4. **ALL OTHER ADJUSTMENTS.** Other adjustments in the agency's request total \$2,312 and include fees paid to the Office of Administrative Hearings to hear appeals and increased expenditures for communications.

### **GOVERNOR’S RECOMMENDATION**

The **Governor** concurs with the agency's request for FY 2024.

5. **NO CHANGES.** The Governor does not recommend any changes to the agency's FY 2024 request.

## FY 2025 ANALYSIS

FIGURE 12  
**SUMMARY OF BUDGET REQUEST, FY 2025**

	SGF		Special Revenue Funds	All Funds	FTE
<b>Agency Request, FY 2024:</b>	\$	-	\$ 1,050,908	\$ 1,050,908	9.5
<b>Agency Request:</b>					
1. Contractual Services – Legal Fees 1	\$	-	\$ 9,592	\$ 9,592	--
2. Contractual Services – IT System		-	4,511	4,511	--
3. Contractual Services – Travel		-	3,000	3,000	--
4. All Other Adjustments		-	5,806	5,806	--
<i>Subtotal–Agency Request</i>	\$	-	\$ 1,073,817	\$ 1,073,817	9.5
<b>Governor’s Recommendation:</b>					
5. No Changes	\$	-	\$ -	\$ -	--
<b>TOTAL</b>	<b>\$</b>	<b>-</b>	<b>\$ 1,073,817</b>	<b>\$ 1,073,817</b>	<b>9.5</b>

### **AGENCY REQUEST**

The **agency** requests \$1,073,817, all from the BSRB Fee Fund, in expenditures and 9.5 FTE positions for FY 2025. This is an increase of \$22,909, or 2.2 percent, above the FY 2024 request.

The **agency** request includes the following adjustments:

1. **CONTRACTUAL SERVICES – LEGAL FEES.** The agency's revised estimate includes an additional \$9,592 in anticipation of the Office of the Attorney General further increasing its rates for legal services for FY 2025.
2. **CONTRACTUAL SERVICES – IT SYSTEM.** The agency's revised estimate includes an additional \$4,511 for increased maintenance expenditures related to the licensing system maintained by the Kansas State Board of Healing Arts.
3. **CONTRACTUAL SERVICES – TRAVEL.** The agency's revised estimate includes an additional \$3,000 for travel. The agency anticipates increased travel expenditures as organizations continue to loosen restrictions following the COVID-19 pandemic. The agency intends to travel to mid-year and annual meetings for the associations they license, to schools to present information on the BSRB-licensed professions, and to resume in-person Board meetings. Many of these meetings occur online currently, but the agency anticipates a return to in-person attendance.
4. **ALL OTHER ADJUSTMENTS.** Other adjustments in the agency's request total \$5,806 and include fees for Office of Administrative Hearings to hear appeals and adjustments to employer contributions for salaries and wages fringe benefits.

### **GOVERNOR’S RECOMMENDATION**

The **Governor** concurs with the agency's request for FY 2025.

5. **NO CHANGES.** The Governor does not recommend any changes to the agency's FY 2025 request.

## PROGRAM AND PERFORMANCE MEASURES OVERVIEW

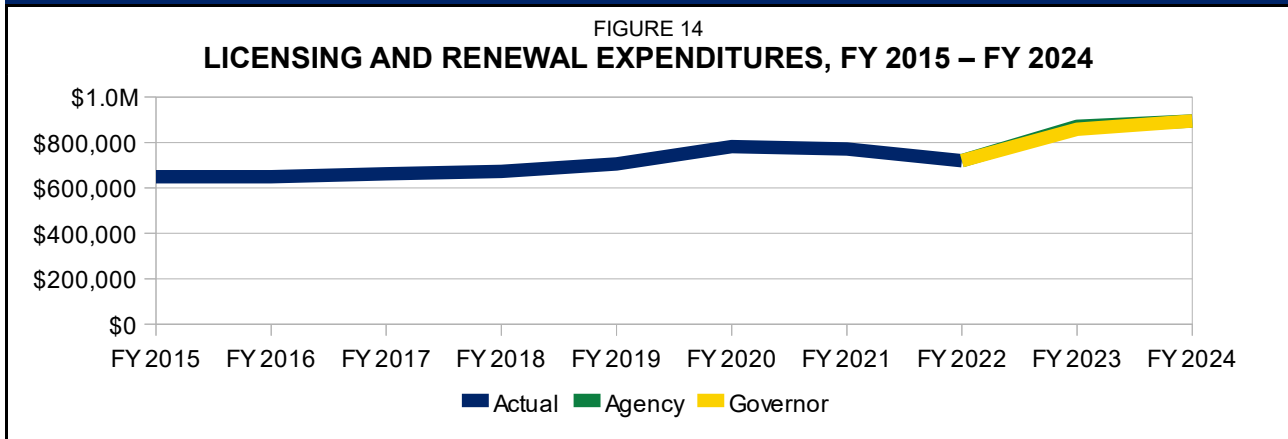
FIGURE 13  
**EXPENDITURES AND FTE POSITIONS BY PROGRAM, FY 2022 – FY 2025**

Programs	Actual FY 2022	Agency FY 2023	Governor FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
<b>Expenditures:</b>							
Licensing and Renewal	\$ 719,983	\$ 870,826	\$ 858,626	\$ 894,828	\$ 894,828	\$ 915,184	\$ 915,184
Investigation and Discipline	115,562	153,606	153,606	156,080	156,080	158,633	158,633
<b>TOTAL</b>	<b>\$ 835,545</b>	<b>\$ 1,024,432</b>	<b>\$ 1,012,232</b>	<b>\$ 1,050,908</b>	<b>\$ 1,050,908</b>	<b>\$ 1,073,817</b>	<b>\$ 1,073,817</b>
<b>FTE Positions:</b>							
Licensing and Renewal	8.1	8.1	8.1	8.1	8.1	8.1	8.1
Investigation and Discipline	1.4	1.4	1.4	1.4	1.4	1.4	1.4
<b>TOTAL</b>	<b>9.5</b>	<b>9.5</b>	<b>9.5</b>	<b>9.5</b>	<b>9.5</b>	<b>9.5</b>	<b>9.5</b>

### **PERFORMANCE MEASURES**

The 2016 Legislature passed HB 2739, which outlined a three-year process for state agencies to develop and implement a system of performance budgeting using outcome measures to evaluate program effectiveness.

## LICENSING AND RENEWAL



**STATUTORY BASIS:** • KSA 74-7507

- PROGRAM GOALS:**
- Grant licensure to applicants who meet the statutory standards by reviewing applications in a timely manner, determining whether sufficient information has been provided to evaluate necessary criteria, and following up for additional information when necessary.
  - Renew licenses for applicants who meet the statutory standards by reviewing materials in a timely manner, determining whether sufficient information has been provided to evaluate necessary criteria, and following up for additional information when necessary.
  - Spend agency funding responsibly in the Licensing and Renewal program to effectively process licensure requests while avoiding unnecessary expenditures.

The Licensing and Renewal program issues and renews licenses and registrations to those individuals meeting the qualifications.

The program also provides information to the Legislature, the public, and other interested parties.

FIGURE 15  
**LICENSING AND RENEWAL, PERFORMANCE MEASURES**

	Actual FY 2021	Actual FY 2022	Actual 3-Year Avg.	Target FY 2023	Target FY 2024
<b>Outcome Measure:</b>					
1. Percent of initial license applications processed within 5 days after receipt of all required information*	71 %	78 %	75 %	85 %	85 %
2. Percent of license application renewals processed within 30 days of receipt	98 %	100 %	94 %	99 %	99 %
3. Program cost per license renewed (program expenditures / renewals)*	\$156	\$116	\$135	\$167	\$144
<b>Output Measure:</b>					
4. Number of permanent licenses issued	1,540	1,536	1,514	1,560	1,550
5. Number of renewal applications processed*	4,947	6,214	5,678	5,206	6,200
<b>Financing</b>	Actual FY 2021	Actual FY 2022		Governor FY 2023	Governor FY 2024
SGF	\$ -	\$ -		\$ -	\$ -
Federal Funds	-	-		-	-
All Other Funds	771,344	719,983		858,626	894,828
<b>TOTAL</b>	<b>\$ 771,344</b>	<b>\$ 719,983</b>		<b>\$ 858,626</b>	<b>\$ 894,828</b>
<b>Percentage Change:</b>					
SGF	-- %	-- %		-- %	-- %
All Funds	(1.3) %	(6.7) %		19.3 %	4.2 %
FTE Positions	7.6	8.1		8.1	8.1

\* The Governor's Office does not utilize this measure for evaluation purposes.

## BUDGET ANALYSIS

Due to the agency's size, both programs share resources and the budget increases have been divided between the two programs according to usage of the resources.

### FY 2023 REVISED ESTIMATE

The **agency** estimates revised expenditures of \$870,826, all from the BSRB Fee Fund, for the Licensing and Renewal Program in FY 2023. This is a decrease of \$385 below the agency's approved amount in FY 2023. The decrease is due to a shift in expenditures from the Licensing and Renewal program to the Investigation and Discipline program.

The **Governor** recommends expenditures of \$858,626, all from the BSRB Fee Fund, for the Licensing and Renewal program in FY 2023. This is a decrease of \$12,200 below the agency's revised estimate in FY 2023. The decrease is due to the Governor not recommending the agency's supplemental

request to cover the increased rate for legal services provided by the Office of the Attorney General. *Staff Note:* The Office of the Attorney General terminated its agreement with the agency, effective December 31, 2022.

### FY 2024 REQUEST

The **agency** requests Licensing and Renewal program expenditures of \$894,828, all from the BSRB Fee Fund, for FY 2024. This is an increase of \$24,002, or 2.7 percent, above the FY 2023 revised estimate. This increase is primarily due to increased expenditures for legal services from the Office of the Attorney General, increased expenditures for the Kansas State Board of Healing Arts for maintaining the licensing system, and resumed travel following the COVID-19 pandemic.

The **Governor** concurs with the agency's request for FY 2024.

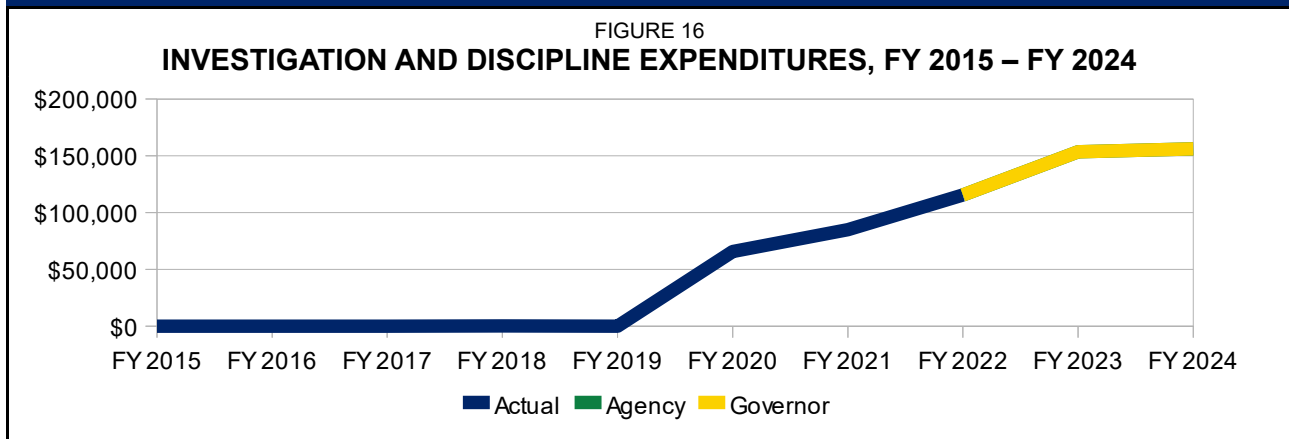
*FY 2025 REQUEST*

The **agency** requests Licensing and Renewal program expenditures of \$915,184 for FY 2025. This is an increase of \$20,356, or 2.7 percent, above the FY 2024 request. The increase is primarily due to increased expenditures for legal services from the Office of the Attorney

General, increased expenditures for the Kansas State Board of Healing Arts for maintaining the licensing system, and resumed travel following the COVID-19 pandemic.

The **Governor** concurs with the agency's request for FY 2025.

## INVESTIGATION AND DISCIPLINE



**STATUTORY BASIS:** • KSA 74-7508

- PROGRAM GOALS:**
- All complaints/Report of Alleged Violations (RAVs) from licensees and members of the public will be reviewed in a timely manner, a determination will be made whether the agency has jurisdiction to investigate the RAVs, and the agency will begin investigations in a timely manner.
  - Investigative staff will attempt to maintain an average length of time from receipt of RAV to completion of investigation in 180 days, when it is appropriate to end the investigation.
  - Spend agency funding responsibly in the Investigation and Discipline program to effectively investigate RAVs, while avoiding unnecessary expenditures.

The Investigation and Discipline program protects the public through timely investigation of allegations of misconduct and implementation of disciplinary actions.

Beginning in FY 2019, Investigation and Discipline program expenditures were separated from the expenditures for the Licensing and Renewal program.

In addition, the program enforces the orders of the BSRB and prevents individuals from unlawful and unauthorized practice of the professions regulated by the Board.



FIGURE 17  
**INVESTIGATION AND DISCIPLINE, PERFORMANCE MEASURES**

	Actual FY 2021	Actual FY 2022	Actual 3-Year Avg.	Target FY 2023	Target FY 2024
<b>Outcome Measure:</b>					
1. Percent of investigations commencing within 10 days of receipt of a complaint*	89 %	90 %	86 %	90 %	90 %
2. Percent of investigative reports finalized and submitted to Complaint Review Committee within 180 days of receipt of complaint/report of violation (RAV)*	23 %	40 %	31 %	35 %	35 %
3. Program cost of RAV reviewed using RAV per dollar spent by program*	\$645	\$564	\$513	\$731	\$726
<b>Output Measure:</b>					
4. Number of RAV Reviewed*	132	205	179	210	215
<b>Financing</b>	Actual FY 2021	Actual FY 2022		Governor FY 2023	Governor FY 2024
SGF	\$ -	\$ -		\$ -	\$ -
Federal Funds	-	-		-	-
All Other Funds	85,094	115,562		153,606	156,080
<b>TOTAL</b>	<b>\$ 85,094</b>	<b>\$ 115,562</b>		<b>\$ 153,606</b>	<b>\$ 156,080</b>
<b>Percentage Change:</b>					
SGF	-- %	-- %		-- %	-- %
All Funds	29.3 %	35.8 %		32.9 %	1.6 %
FTE Positions	1.4	1.4		1.4	1.4

\* The Governor's Office does not utilize this measure for evaluation purposes.

**BUDGET ANALYSIS**

Due to the agency's size, both programs share resources, and the budget increases have been divided between the two programs according to usage of the resources.

**FY 2023**

The **agency** estimates revised expenditures of \$153,606, all from the BSRB Fee Fund, for the Investigation and Discipline program in FY 2023. This is an increase of \$12,585 above the agency's approved amount in FY 2023. This increase is due to the agency's supplemental request for \$12,200 to cover the increased rate for legal services provided by the Office of the Attorney General.

The **Governor** concurs with the agency's revised estimate for Investigation and Discipline program expenditures in FY 2023. The Governor does not recommend adoption of the agency's supplemental request, but the associated decrease in expenditures is

reflected in the Licensing and Renewal program.

**FY 2024**

The **agency** requests Investigation and Discipline program expenditures of \$156,080, all from the BSRB Fee Fund, for FY 2024. This is an increase of \$2,474, or 1.6 percent, above the FY 2023 revised estimate. This increase is primarily due to increased expenditures for legal services from the Office of the Attorney General, increased expenditures for the Kansas State Board of Healing Arts for maintaining the licensing system, and resumed travel following the COVID-19 pandemic.

The **Governor** concurs with the agency's request for FY 2024.

**FY 2025**

The **agency** requests Investigation and Discipline program expenditures of \$158,633

for FY 2025. This is an increase of \$2,553, or 1.6 percent, above the FY 2024 request. This increase is primarily due to increased expenditures for legal services from the Office of the Attorney General, increased expenditures for the Kansas State Board of Healing Arts for

maintaining the licensing system, and resumed travel following the COVID-19 pandemic.

The **Governor** concurs with the agency's request for FY 2025.