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February 14, 2023

The Honorable Chairperson Landwehr
House Committee on Health and Human Services
Kansas State Legislature
State Capitol 300 SW 10th St.
Topeka, Kansas 66612

RE: HB 2288 - Interstate Licensed Professional Counselors Compact - Support

Dear Chairperson Landwehr, Vice-Chair Eplee, Ranking Minority Member Ruiz, and honorable members of the House Committee on Health and Human Services:

On behalf of the American Counseling Association (ACA), I am writing to express our strong support for HB 2288 which will allow Kansas to join the 17 states that have enacted the Compact as well as the 19 states that have introduced this legislative session. Founded in 1952, ACA is the world's largest association exclusively representing over 62,000 professional counselors in all fifty states including Kansas.

The Counseling Compact utilizes a "mutual recognition" model of interstate practice, whereby Compact member states agree to recognize valid licenses issued by other member states. To utilize the Compact, a professional counselor must have a license in good standing in their home state—their primary state of residence—and the home state must be a member of the Compact. When a licensee wants to work in another member state, the licensee must obtain a "privilege to practice" from the Counseling Compact Commission, the public administrative entity composed of a state counseling board representative from each member state. Commission regulatory power is strictly confined to administration of the compact and does not interface or interfere in anyway with individual state practice acts or a state's scope of practice.

A privilege to practice is simply an additional privilege that a Kansas counselor can opt into after being licensed by your state. The Compact is not an alternate license nor pathway to licensure. It is an optional privilege for current licensees in your state. Furthermore, like single state licensure processes, counselors provided a privilege to practice must abide by the laws of the state they are practicing within (where their client is located). The Counseling Compact preserves the authority and sovereignty of each state through the existing state regulatory structure unlike national licensure which supersedes state regulatory authority.

The Compact is revenue and cost neutral. We do not anticipate substantial additional costs for states because the Counseling Compact allows member states to offset nominal administrative costs by charging an appropriate fee for the privilege to practice. These fees will substantially reduce the cost of practice across state lines for counselors. The compact streamlines processing thereby saving state boards further time and money.

Privilege to practice through the Compact will be available to counselors by early 2024 allowing for rapid verification and immediate access to all compact member states. This enhances the workforce, ensures AR remains competitive, meets increasing demand, broadens patient choice, and creates a national database and network for the first time allowing for advancements in behavioral health while optimizing patient safety.

Much like the existing licensure compacts for nurses, physical therapists, physicians, psychologists and EMS personnel, the Counseling Compact will increase licensure portability for practitioners while allowing member state regulatory boards to better protect consumers through enhanced sharing of licensure information. Similarly, the Counseling Compact will benefit clients and the counseling profession by:

- Modernizing data sharing between states which optimizes public protections for children, families, and vulnerable clients.
- Simplifying current interstate licensure processes with a near instant verification system.
- Providing an expedited licensure mechanism for counselors moving from one member state to another member state.
- Strengthening telehealth access for each member state.
- Easing workload for state regulatory boards through modernized verification systems.
- Enhancing mobility for counselors who meet uniform requirements.
- Increasing access to care for clients.
- Ensuring continuity of care when clients or counselors relocate or travel.
- Allowing military personnel and spouses to maintain their certifications when relocating.
- Preserving and strengthening the current system of state licensure.

According to the Department of Defense, military families move every three years on average. The Compact helps military spouses relocate and begin work without delay by reducing the time and effort needed to gain authorization to practice in a new state, even when compared to expedited licensure laws for military spouses. The Counseling Compact will support military families, improve access to and continuity of care and increase licensure portability for professional counselors while maintaining the current system of state licensure.

The Counseling Compact is the only viable, sustainable, and long-term solution to the issue of licensure portability, practice across state lines, and workforce shortages in behavioral health. With these benefits in mind, the American Counseling Association is excited to endorse the Counseling Compact and urges your support in the passage of this critical legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Boynes". The signature is fluid and cursive, with a large initial "S" and "B".

Shawn Boynes
CEO