

SENATE PUBLIC HEALTH AND WELFARE COMMITTEE
PROPONENT TESTIMONY ON HB 2288
MARCH 20, 2023

Chair Gossage and Committee Members,

Thank you for the opportunity to provide proponent testimony on HB 2288. I am David Fye, Executive Director for the Behavioral Sciences Regulatory Board (BSRB). The BSRB is the state agency that licenses most of the state's mental health professionals, including the professions of Professional Counseling, Social Work, Marriage and Family Therapy, Addiction Counseling, Licensed Psychology, Master's Level Psychology, and Behavior Analysis. The Board is supportive of HB 2288 being enacted and Kansas joining this multi-state compact for the clinical level of professional counseling.

HB 2288 would add Kansas to a multi-state compact for practitioners at the clinical level of the professional counseling profession. Currently, there are 1,104 licensees practicing at that level in Kansas (and 1,014 licensees practicing at the non-clinical level). If enacted, clinical professional counselors in Kansas would be able to apply to the Commission to receive a privilege to practice in another compact state. A privilege would be equivalent to a license, permitting the practice of clinical professional counseling in another compact state. Additionally, clinical level licensees in other compact states would be able to apply to the Commission to receive a privilege to practice in Kansas. Kansas would retain the authority to continue to offer single-state licenses.

The BSRB is aware two states passed the compact legislation during the 2021 Legislative session and several other states passed compact legislation during the 2022 Legislative session. During that time, the Professional Counseling Advisory Committee and the Board studied the contents of the model legislation. On August 1, 2022, representative from the American Counseling Association (ACA) and the Council on State Governments (CSG) National Center for Interstate Compacts presented information on the compact to the Professional Counseling Advisory Committee, encouraging support of the compact. On October 3, 2022, the Advisory Committee voted to recommend the Board support legislation for the compact. On November 14, 2022, the Board received the recommendation from the Advisory Committee and received public comment from a representative of the Kansas Counseling Association (KCA), encouraging the Board's support of compact legislation. On January 6, 2023, the Board of the BSRB voted to support compact legislation if it was requested before the 2023 Legislature.

The Board is encouraged by language in the model act which includes standards for member-states to be able to join the compact. It is the understanding of the BSRB that if Kansas joins this compact, it should not have a significant impact on revenues to the agency, as it is anticipated that utilization of the privilege model for individuals practicing under the compact will result in revenue equivalent to the amount the agency current receives through licensure. It is uncertain at this time whether there will be an additional charge to the BSRB for membership in the compact/annual dues, though the language in the model legislation provides authority for that to be charged.

The Board encourages passage of HB 2288 as it believes the bill would increase the number of services available to citizens in Kansas, provide additional opportunities for licensees under the BSRB, and would not endanger the public protection mission of the Board.