

Laura Kelly, **Governor**  
Max L. Foster, Jr., **Executive Director**

**TESTIMONY ON SB 193  
HOUSE HEALTH AND HUMAN SERVICES COMMITTEE  
MARCH 13, 2019**

Good Afternoon Madam Chairperson and Committee Members:

Thank you for the opportunity to testify today as a proponent of SB 193. I am Max Foster, the Executive Director of the Behavioral Sciences Regulatory Board (BSRB).

The BSRB is the licensing board for most of the state's mental health professionals including: licensed psychologists, master level psychologists, clinical psychotherapists, bachelor, master and specialist clinical level social workers, master and clinical level professional counselors, master and clinical level marriage and family therapists, bachelor, master and specialist clinical level addiction counselors, assistant behavioral analysts and behavioral analysts. Currently, our agency has slightly more than 13,000 active licenses in the professions we regulate.

In response to the need for additional qualified licensed mental health professionals in underserved areas of the state of Kansas, the BSRB is sponsoring SB 193. The original focus of this legislation was to modify existing statutory requirements concerning licensure by reciprocity so that individuals who are currently licensed in another state may be able to be licensed in Kansas, while maintaining essential protection of the public – which is a bedrock principle of any regulatory board.

It should be noted that the statutory changes proposed for licensure by reciprocity for clinically licensed Social Workers will now mirror the current statutes for licensure by reciprocity for other professions licensed by BSRB. The following comments will serve to summarize the changes to the statutes authorized by the legislation.

A licensed clinical Social Worker from another state must show proof of the following:

- that the licensure requirements for the Master's level license from their state are substantially equivalent to those of the Master's level license in Kansas, and
- meet two of the three following requirements
  - Has passed the ASWB clinical exam
  - 3 years' experience of clinical practice which includes direct client contact diagnosing and treating mental health disorders
  - An attestation, signed by a professional licensed to diagnose and treat mental health disorders in independent practice, who can attest that the applicant has demonstrated competence in diagnosis or treatment of mental disorders.

For any individual desiring licensure in Kansas through reciprocity, who is coming from a state in which the licensing requirements are not substantially equivalent to Kansas, the applicant must show proof that they have been licensed for at least 48 of the last 54 months immediately preceding the date of the application. If an applicant is deficient in meeting licensure requirements, SB 193 provides for a Provisional license that can be issued to an applicant for up to one year while a licensee works to fulfill the requirements for licensure.

When SB 193 was being worked in the Senate Public Health and Welfare Committee, an amendment to the bill was offered. Current statutes for non-reciprocity clinically licensed Social Workers require that an individual obtain a total of 4,000 post graduate hours of supervised practice – as well as 150 hours of direct supervision. The amendment to SB 193 reduced the number of post graduate hours of supervised practice from 4,000 to 3,000 and reduced the number of hours of direct supervision from 150 to 100.

After becoming aware of the proposed amendment, the Behavioral Sciences Regulatory Board convened a special meeting of the board and voted in favor of the provisions of the amendment to SB 193.

SB 193 also contains several technical changes to standards for all professions. The Revisors office previously summarized these items, so I will not address them in my testimony.

In summary, Madam Chairperson and members of the Committee, we believe the provisions of SB 193 will allow additional qualified mental health professionals to obtain licensure in Kansas without sacrificing public protection. With that, I would be happy to answer any questions the committee members might have.