



ANNUAL REPORT FOR FY 2009

**Edited by Phyllis Gilmore
Data Compiled by
Marsha Schrempp
Ashley Blake**

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BEHAVIORAL SCIENCES REGULATORY BOARD MEMBERS

(All appointed by the Governor)

Patty Bartell, PhD, Lawrence, KS

Jean Hogan, Wichita, KS

Kathy Hubka, Wichita, KS

Wesley Jones, PhD, Emporia, KS

Amory Lovin, Olathe, KS

Richard Maxfield, PhD, Topeka, KS

Ronald McNish, PhD, Mission, KS

Jody Patterson, Wichita, KS

Gary Price, PhD, Lawrence, KS

Lori Senne, Topeka, KS

Sharon Stuewe, Topeka, KS

Psychology Advisory Committee

Richard Maxfield, PhD, Chairperson

Charlene Donovan, PhD, Topeka, KS

Nancy Garfield, PhD, Topeka, KS

Larry Hays, PhD, McPherson, KS

James Jackson, PhD, Shawnee, KS

Dorinda Lambert, PhD, Manhattan, KS

James Lichtenberg, PhD, Lawrence, KS

Ron McNish, PhD, Mission, KS

Terrie Price, PhD, Kansas City, MO

Social Work Advisory Committee

Jean Hogan, Co-Chairperson

Sharon Stuewe, Co-Chairperson

Brenda Dacus, Junction City, KS

Chuck Frankenfeld, Larned, KS

Sheri Hilger, Overland Park, KS

Harold Murphy, Salina, KS

K. Jean Peterson, Lawrence, KS

Susan Sorem, Winfield, KS

Professional Counselor Advisory Committee

Gary Price, PhD, Chairperson

Fred Bradley, PhD, Manhattan, KS

Patricia Grimwood, Salina, KS

Carla Hattan, Hays, KS

Dennis Pelsma, Lawrence, KS

Jim Rodman, Girard, KS

Lloyd Stone, Emporia, KS

Master Level Psychology Advisory Committee

Jody Patterson, Chairperson

Steven Davis, Newton, KS

Shelley Duncan, Wichita, KS

Jay Mann, Wichita, KS

Susan Montague, Ellsworth, KS

Thomas Pletcher, Wichita, KS

Ronald Speier, Hays, KS

Marriage & Family Therapy Advisory Committee

Wes Jones, PhD, Chairperson

Mary Jones, Wichita, KS

C.R. Macchi, Topeka, KS

Jaime Richardson, Kansas City, KS

J. Michelle Robertson, Wichita, KS

Sandra Stith, Manhattan, KS

Alcohol & Other Drug Abuse Counselor Advisory Committee

Ron McNish, PhD, Chairperson

Barbara Burks, Olathe, KS

Debra O'Quinn, Topeka, KS

Deborah Stidham, Topeka, KS

BEHAVIORAL SCIENCES REGULATORY BOARD STAFF

Phyllis Gilmore	Executive Director
Marsha Schrempp	Executive Assistant
Roger Scurlock	Special Investigator II
Bruno Langer	Special Investigator II
Leslie Allen	Credentialing Specialist/Applications
Maryann Peerenboom	Credentialing Assistant/Applications
Anne Warner	Credentialing Assistant/Renewals
Ashley Blake	Senior Administrative Assistant
Dee Jirik	Temporary Assistant
Camille Nohe	General Counsel
Marty Snyder	Litigation Counsel

KANSAS BEHAVIORAL SCIENCES REGULATORY BOARD ORGANIZATIONAL CHART

BSRB BOARD

Phyllis Gilmore
Executive Director

Leslie Allen
Credentialing Specialist

Marsha Schrempp
Executive Assistant

Roger Scurlock
Special Investigator II

Maryann Peerenboom
Credentialing Assistant

Ashley Blake
Senior Administrative Assistant

Bruno Langer
Special Investigator II

Anne Warner
Administrative Assistant

Dee Jirik
Temporary Assistant

HISTORY OF THE BOARD

STATUTORY HISTORY:

The 1980 session Laws of Kansas, Chapter 242, for the purpose of certifying psychologists (changed to licensing in 1986) and licensing social workers created the Behavioral Sciences Regulatory board. The Board of Psychology Examiners and the Board of Social Work Examiners formerly regulated these two professional groups, respectively. The Legislative action to sunset each board as of July 1, 1980, occurred under the provisions of K.S.A. 74-7502 -K.S.A. 74-7505. Fee monies contained in the accounts of the former boards were transferred to the Behavioral Sciences Regulatory Board fee fund, pursuant to K.S.A. 74-7505.

The board's jurisdiction was expanded to include the registration of professional counselors and masters level psychologists by the 1987 Session Laws of Kansas, Chapter 315 and 306 respectively, amended by L. 1988, Ch.263, Ch.245, and Ch.304; and to include the registration of marriage and family therapists; and by the 1992 Legislature, (L.1992, Ch.184) to include the registration of alcohol and other drug abuse counselors.

The 1996 Legislation Session significantly amended the statutes governing the registration of professional counselors, master's level psychologists and marriage and family therapists. These credentialed groups, effective January 1, 1997, converted from "registration" to "licensure." The legislation also amended the requirements for credentialing in each of the following areas: Education, experience and examination. The Board was increased in size from seven members to eleven members by adding one member from each of the three new licensure groups and adding two public members.

The Governor makes all board appointments for staggered four-year terms.

The 1999 Legislature (Ch.117 in the 1999 Session Laws of Kansas) created three new clinical levels of licensure for the master level psychologists, marriage and family therapists and professional counselors, effective July 1, 2000. These new clinical level practitioners are given the right to diagnose and treat mental disorders in independent practice.

The 2007 Legislature (Ch.13 in the 2007 Session Laws of Kansas) created a temporary out of state permit for professionals to work in Kansas for 15 days and a one-time renewal of that permit which allows a total of 30 days annually.

BSRB MISSION & PHILOSOPHY

AGENCY MISSION:

The agency's mission, as statutorily established by the Legislature through its enactment of the Kansas Credentialing Act [K.S.A. 65-5001 et seq], is to protect the public's health, safety and welfare from unlawful or unprofessional practitioners who fall under the board's jurisdiction. To this end, 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. Also to this end, the board has defined statutorily prohibited conduct through rules and regulations and has defined those acts that constitute unprofessional or incompetent practice.

AGENCY PHILOSOPHY:

The agency will act in accordance with the statutes and regulations and will ensure that standards are applied uniformly to all applicants and credentialed professionals and will act in accordance with the highest standards of ethics, accountability, efficiency and openness. The agency will also ensure that its regulated professionals and the public are treated in a respectful, helpful and nondiscriminatory manner.

PROGRAMS ESTABLISHED TO ASSIST WITH AGENCY MISSION:

1. Administration and Regulation of the following six credentialed professional groups:
 - a. Licensed Marriage and Family Therapists, (Masters and Clinical)
 - b. Licensed Masters Level Psychologists, (Masters and Clinical)
 - c. Licensed Professional Counselors, (Masters and Clinical)
 - d. Licensed Psychologists,
 - e. Licensed Social Workers (Associate, Baccalaureate, Masters and Specialist Clinical),
 - f. Registered Alcohol and Other Drug Abuse Counselors.

2. Enforcement of Law through:
 - a. Investigation; and
 - b. Adjudication.

AGENCY OBJECTIVES:

1. To grant licensure/registration to those applicants who demonstrate that they meet the statutorily established minimal levels of competence to provide mental health services to Kansas consumers.
2. To promptly process biennial renewals and insure continued compliance with continuing education requirements by those practicing in this state.
3. To meet statutory time limit in responding to open records requests and, when appropriate, to disseminate accurate information to all those who request such.
4. To continue accuracy and promptness in providing reports and information disseminated by the Board and to begin archiving expired licensure files with the ultimate goal of destroying paper files.
5. To process alleged violations within an average of 180 days.
6. To take swift and decisive action when investigations reveal probable cause of conduct for which disciplinary measures are appropriate.
7. To employ appropriate monitoring and surveillance methods to ensure compliance by those subject to limitations imposed by Board order and to identify and take immediate steps against those not in compliance.
8. To identify and take prompt action to prevent unauthorized and unlawful practice of professions regulated by the Board including practice by unlicensed persons.
9. To report disciplinary action to the public on our website and in the Healthcare Integrity and Protection Data Bank.

EXAMINATION INFORMATION

There are several different exams used by the BSRB. They are as follows:

The Professional Examination Service gives the Examination for Professional Practice in Psychology or EPPP. This exam is used for Psychologists, Masters Level Psychologists and Clinical Psychotherapists. The pass rate is dependant upon the level of licensure sought.

The Professional Examination Service also gives the Examination in Marital and Family Therapy. This exam is used for both levels of Marriage and Family Therapists license. The pass rate is dependant upon the level of licensure sought.

The Association of Social Work Boards or ASWB gives the Social Work Licensing Examinations. There are three exams used depending on the level of licensure sought, Bachelors for LBSW, Masters for LMSW and Clinical for LSCSW.

The National Board for Certified Counselors gives the examinations for both levels of Counselors license. The National Counselor Exam (NCE) is given for the LPC and the National Clinical Mental Health Counseling Examination (NCMHCE) is given for the LCPC.

The Professional Testing Corporation gives the National Certification Examinations for Addiction Counselors. This exam is used for the RAODAC.

Examination Results

EPPP for LP

EXAM - EPPP	FY 09	FY 08	FY 07	FY 06
Passed	67	57	54	47
Failed	17	15	15	7
Total	84	72	69	54

EPPP for LMLP and LCP

EXAM - EPPP	FY 09	FY 08	FY 07	FY 06
Passed at Masters Level	29	32	17	13
Passed at Clinical Level	10	14	15	12
Failed at Masters Level	26	17	17	17
Failed at Clinical Level	4	4	3	0
Total	69	67	52	42

ASWB for LCSW

EXAM – ASWB Clinical	FY 09	FY 08	FY 07	FY 06
Passed	47	49	49	52
Failed	18	20	19	14
Total	65	69	68	66

ASWB for LMSW

EXAM – ASWB Masters	FY 09	FY 08	FY 07	FY 06
Passed	249	252	230	260
Failed	142	182	148	138
Total	391	434	378	398

ASWB for LBSW

EXAM – ASWB Bachelors	FY 09	FY 08	FY 07	FY 06
Passed	105	152	143	152
Failed	46	55	57	40
Total	151	207	198	192

NCE for LPC

EXAM – NBCC Clinical	FY 09	FY 08	FY 07	FY 06
Passed	51	52	41	34
Failed	8	6	7	8
Total	59	58	48	42

NCMHCE for LCPC

EXAM – NBCC Clinical	FY 09	FY 08	FY 07	FY 06
Passed	12	11	5	15
Failed	2	4	4	5
Total	14	15	9	20

AMFTRB for LMFT AND LCMFT

EXAM – AMFTRB	FY 09	FY 08	FY 07	FY 06
Passed at Masters Level	13	21	19	11
Passed at Clinical Level	41	38	48	28
Failed at Masters Level	20	37	34	13
Failed at Clinical Level	9	9	10	5
Total	83	105	101	57

Licensure Totals for Kansas as of July, 2009

License Type LP

Total Number of Licenses License Term

771 PERM

21 TEMP

License Type LASW

Total Number of Licenses License Term

36 PERM

License Type LBSW

Total Number of Licenses License Term

1892 PERM

19 TEMP

License Type LMSW

Total Number of Licenses License Term

2684 PERM

40 TEMP

License Type LSCSW

Total Number of Licenses License Term

1776 PERM

License Type LPC

Total Number of Licenses License Term

429 PERM

16 TEMP

License Type *LCPC*
Total Number of Licenses License Term
359 PERM

License Type *LMLP*
Total Number of Licenses License Term
281 PERM
91 TEMP

License Type *LCP*
Total Number of Licenses License Term
297 PERM

License Type *LMFT*
Total Number of Licenses License Term
262 PERM
29 TEMP

License Type *LCMFT*
Total Number of Licenses License Term
329 PERM

License Type *RAODAC*
Total Number of Licenses License Term
59 PERM

Grand Total **9391**

BSRB Application and Licensure Statistics

Applications Received

<u>FY</u>	<u>06</u>	<u>07</u>	<u>08</u>	<u>09</u>
LP	71	74	90	95
LBSW	217	208	209	157
LMSW	344	365	377	353
LSCSW	99	91	91	96
LPC	59	84	87	96
LCPC	26	30	25	27
LMLP	52	62	75	50
LCP	7	7	13	8
LMFT	66	79	75	51
LCMFT	26	16	22	21
RAODAC	0	5	1	1

Temporary Licenses Issued

<u>FY</u>	<u>06</u>	<u>07</u>	<u>08</u>	<u>09</u>
LP	10	18	20	13
LBSW	25	41	45	28
LMSW	24	66	70	56
LPC	16	18	26	28
LMLP	45	47	49	44
LMFT	35	46	52	34

Permanent Licenses Issued

<u>FY</u>	<u>06</u>	<u>07</u>	<u>08</u>	<u>09</u>
LP	30	51	45	64
LBSW	142	188	202	159
LMSW	262	283	311	316
LSCSW	83	80	110	85
LPC	45	67	44	80
LCPC	21	36	11	23
LMLP	26	23	26	34
LCP	7	7	5	13
LMFT	36	61	37	69
LCMFT	26	17	16	19
RAODAC	1	5	5	2

COUNTY STATISTICS FOR FY 09

		LP	LASW	LBSW	LMSW	LSCSW	LCPC	LPC	LCP	LMLP	LCMFT	LMFT	RAODAC	TOTAL
AL	ALLEN	3	0	11	11	2	2	1	4	1	0	0	0	35
AN	ANDERSON	1	0	0	4	0	0	1	0	0	0	0	0	6
AT	ATCHISON	3	0	9	5	6	2	3	2	2	0	1	0	33
BA	BARBER	0	0	3	1	0	0	0	0	1	1	0	0	6
BB	BOURBON	0	0	12	6	2	0	2	1	4	1	0	0	28
BR	BROWN	0	0	5	7	2	0	1	0	1	1	0	0	17
BT	BARTON	2	0	27	14	4	1	3	7	4	1	4	0	67
BU	BUTLER	7	1	34	28	11	8	13	7	5	9	8	1	132
CA	CLARK	0	0	0	0	0	0	0	1	1	0	0	0	2
CD	CLOUD	2	0	17	4	3	1	0	2	1	4	1	0	35
CF	COFFEY	0	0	2	3	1	0	0	1	0	0	0	0	7
CK	CHEROKEE	0	0	11	2	2	1	3	3	0	0	0	0	22
CL	COWLEY	2	0	41	22	16	2	2	2	4	1	0	0	92
CM	COMANCHE	0	0	0	1	0	0	1	0	0	0	0	0	2
CN	CHEYENNE	0	0	0	0	0	0	1	0	0	0	0	0	1
CQ	CHAUTAUQUA	1	0	1	1	0	0	0	0	0	0	0	0	3
CR	CRAWFORD	9	2	66	11	7	7	10	14	9	6	2	2	145
CS	CHASE	0	0	0	1	0	1	0	0	1	0	0	0	3
CY	CLAY	0	0	6	2	2	0	0	0	0	0	0	0	10
DC	DECATUR	0	0	2	0	2	1	0	0	0	0	0	0	5
DG	DOUGLAS	80	2	75	203	140	17	23	16	13	11	5	4	589
DK	DICKINSON	0	1	15	8	3	0	1	0	1	0	0	0	29
DP	DONIPHAN	0	0	1	4	0	0	0	0	1	0	0	0	6
ED	EDWARDS	0	0	1	0	2	1	0	0	0	0	0	0	4
EK	ELK	0	0	2	0	1	0	0	0	0	0	0	0	3
EL	ELLIS	4	0	42	21	11	8	14	16	19	3	1	1	140
EW	ELLSWORTH	2	0	6	3	0	0	3	0	0	0	0	0	14
FI	FINNEY	0	0	21	17	7	6	7	4	3	1	0	0	66
FO	FORD	1	3	15	11	12	0	2	1	1	0	0	1	47
FR	FRANKLIN	0	1	10	10	6	1	4	4	2	0	0	1	39
GE	GEARY	2	0	12	18	10	0	1	3	2	1	2	0	51
GH	GRAHAM	0	0	3	0	0	0	0	0	0	0	0	0	3
GL	GREELEY	0	0	1	2	0	0	0	0	1	0	0	0	4
GO	GOVE	0	0	1	1	0	1	0	0	0	0	0	0	3
GT	GRANT	0	0	3	3	2	0	0	1	1	0	0	0	10
GW	GREENWOOD	0	0	3	1	0	1	1	0	1	0	0	0	7
GY	GRAY	0	0	4	1	2	0	1	1	0	0	0	0	9
HG	HODGEMAN	0	0	0	0	0	1	1	1	0	0	1	0	4
HM	HAMILTON	0	0	1	1	1	0	0	0	0	0	0	0	3
HP	HARPER	0	0	6	2	0	0	0	0	0	0	0	0	8
HS	HASKELL	0	0	0	1	0	0	0	0	0	0	0	0	1
HV	HARVEY	9	1	49	45	45	4	5	3	1	7	3	2	174
JA	JACKSON	1	0	6	7	5	0	2	1	4	1	0	0	27
JF	JEFFERSON	3	0	10	20	6	0	2	0	1	0	1	0	43
JO	JOHNSON	189	1	194	513	433	121	103	33	29	69	54	15	1754
JW	JEWELL	0	0	2	0	0	0	0	0	0	0	0	0	2
KE	KEARNY	0	0	0	2	0	0	0	0	0	0	0	0	2
KM	KINGMAN	0	0	0	6	0	0	1	1	1	0	0	0	9
KW	KIOWA	0	0	0	0	1	0	0	2	2	1	1	0	7
LB	LABETTE	3	0	23	9	8	3	1	2	5	0	0	0	54
LC	LINCOLN	0	0	2	0	1	0	0	0	0	0	0	0	3
LE	LANE	0	0	0	0	0	0	0	0	0	0	0	0	0

		LP	LASW	LBSW	LMSW	LSCSW	LCPC	LPC	LCP	LMLP	LCMFT	LMFT	RAODAC	TOTAL
LG	LOGAN	0	0	4	0	0	0	0	0	0	0	0	0	4
LN	LINN	1	1	2	3	3	0	0	0	0	0	1	1	12
LV	LEAVENWORTH	8	1	15	49	19	9	10	2	6	2	0	2	123
LY	LYON	2	1	15	14	11	6	19	10	11	1	2	2	94
MC	MITCHELL	0	0	8	3	2	0	0	0	2	0	0	0	15
ME	MEADE	0	0	4	2	0	0	0	0	0	0	1	0	7
MG	MONTGOMERY	0	0	16	13	6	0	1	10	14	2	0	1	63
MI	MIAMI	4	0	11	20	11	1	3	2	2	1	2	0	57
MN	MARION	0	0	10	9	4	1	1	1	0	0	1	0	27
MP	MCPHERSON	2	0	23	27	13	3	2	3	0	4	3	0	80
MR	MORRIS	0	0	2	4	3	0	1	0	0	0	0	0	10
MS	MARSHALL	0	1	7	3	0	0	0	0	0	0	0	0	11
MT	MORTON	0	0	1	0	0	0	0	0	0	0	0	0	1
NM	NEMAHA	0	0	8	3	0	0	0	0	1	0	0	0	12
NO	NEOSHO	2	0	21	16	2	0	2	0	0	0	0	0	43
NS	NESS	0	0	1	0	0	0	1	0	0	0	0	0	2
NT	NORTON	3	0	1	2	1	1	3	0	1	0	1	0	13
OB	OSBORNE	0	0	1	0	0	0	2	0	1	0	1	1	6
OS	OSAGE	0	0	7	10	2	1	2	0	0	0	1	0	23
OT	OTTAWA	0	0	7	0	2	0	0	0	0	0	0	0	9
PL	PHILLIPS	0	0	6	2	1	0	1	1	2	0	1	0	14
PN	PAWNEE	4	2	14	12	5	2	2	8	5	0	0	1	55
PR	PRATT	0	2	4	4	1	0	1	1	2	0	0	0	15
PT	POTTAWATOMIE	1	1	18	11	5	1	2	2	0	1	5	0	47
RA	RAWLINS	0	0	2	0	0	1	0	0	0	0	0	0	3
RC	RICE	0	0	3	2	0	0	1	0	1	1	0	0	8
RH	RUSH	0	0	2	2	1	0	0	1	1	0	0	0	7
RL	RILEY	21	0	61	48	38	8	8	4	7	20	16	0	231
RN	RENO	4	0	65	41	35	6	6	8	7	12	5	1	190
RO	ROOKS	0	0	4	1	1	0	1	0	0	0	0	0	7
RP	REPUBLIC	0	0	4	0	0	0	0	0	0	0	0	0	4
RS	RUSSELL	0	0	6	0	0	0	2	1	1	0	1	0	11
SA	SALINE	7	2	48	41	31	4	9	9	5	10	4	3	173
SC	SCOTT	0	0	3	2	0	0	0	1	1	1	0	0	8
SD	SHERIDAN	0	0	3	0	0	0	0	0	1	0	0	0	4
SF	STAFFORD	1	0	0	1	0	0	0	0	0	1	0	0	3
SG	SEDGWICK	91	5	313	451	226	28	42	37	33	103	85	10	1424
SH	SHERMAN	0	0	2	1	2	0	0	1	1	1	0	0	8
SM	SMITH	0	0	3	2	2	0	0	0	0	0	0	0	7
SN	SHAWNEE	49	5	184	268	227	10	12	23	29	19	7	4	837
ST	STANTON	1	0	0	0	1	0	0	0	0	0	0	0	2
SU	SUMNER	2	0	17	14	0	1	0	3	2	3	3	0	45
SV	STEVENS	0	0	1	0	0	0	0	0	0	0	0	0	1
SW	SEWARD	3	0	4	1	3	0	0	3	1	1	2	0	18
TH	THOMAS	0	0	11	1	2	3	0	1	1	0	0	0	19
TR	TREGO	0	0	4	0	2	0	0	1	1	0	0	0	8
WA	WALLACE	0	0	0	0	0	0	0	0	0	1	0	0	1
WB	WABAUNSEE	1	1	4	4	7	0	2	0	0	0	0	0	19
WH	WICHITA	0	0	3	2	1	0	0	0	0	0	0	0	6
WL	WILSON	0	0	3	3	2	0	0	0	0	0	0	0	8
WO	WOODSON	0	0	4	3	0	0	0	0	0	0	1	0	8
WS	WASHINGTON	0	1	4	1	1	0	0	0	0	0	0	0	7
WY	WYANDOTTE	14	0	32	68	36	8	13	6	0	1	4	0	182
	TOTAL	545	35	1751	2196	1465	284	362	272	261	303	231	53	7758

CONTINUING EDUCATION

All professions regulated by the Behavioral Sciences are required to complete continuing education during each renewal cycle. Following is a list of the hours required for each profession:

LP – 50 hours every two years

LASW - 40 hours every two years

LBSW - 40 hours every two years

LMSW - 40 hours every two years

LSCSW - 40 hours every two years

LPC – 30 hours every two years

LCPC – 30 hours every two years

LMLP – 50 hours every two years

LCP – 50 hours every two years

LMFT – 40 hours every two years

LCMFT – 40 hours every two years

RAODAC – 30 hours every two years

All licensees are required to complete 3 hours of ethics in each renewal cycle.

All Masters level licensees and above are required to complete 6 hours of diagnosis and treatment in each renewal cycle.

Following is a list of Pre-approved Providers for Social Work Continuing Education:

Provider Number	Provider Name
02-001	Seminars 2000
02-004	Pace Seminars
02-005	Johnson County Community College
02-008	Area Mental Health Center
02-009	Two Rivers Psychiatric Hospital
02-010	Medical Educational Services, Inc
02-011	Kansas University-School of Social Work
02-013	KNASW
02-014	Prairie View Learning Institute
03-001	Peach Tree Professional Education, Inc
03-003	Lorman Education Services
04-001	Institute for Natural Resources
04-003	HEALTH Education Network
04-009	Wyandot Center for Community Behavioral Healthcare
04-010	Quality Educational Resources
05-001	Wichita State University
05-003	Association for Advanced Training
05-004	UMKC School of Social Work
06-002	Hospice Care of Kansas
06-004	Janet A Beverley Counseling & Consultation
06-005	Midwest Health Management, Inc
06-006	The Saint Francis Academy
07-002	The Guidance Center
07-003	Geriatric Education Resource & Training Institute
07-004	Institute for Geriatric Social Work
08-001	Ofer Zur, PhD.
08-002	Sunflower House
08-003	Elite CME
08-004	Excel Full Circle CEUS
08-005	McKissock 100% Education
08-006	Katherine C Eike
08-007	Steven R Vazquez, PhD
08-008	Kansas Health Solutions LLC
08-009	Robert J Dole VA Medical & Regional Office
09-001	Social Work PRN
09-002	Wichita Treatment Center

The following courses have single program pre-approval for social work continuing education:

Provider Number	Provider Name
SP07-011	Kansas Dept of SRS
SP07-012	MARI Level 1 Art for Clinical Assessment
SPO7-013	Kansas Association for the Blind & Visually Impaired
SPO7-014	Shawnee Mission Medical Center
SPO7-015	Dorothy & Associates
SPO7-016	SIVA, LLC
SPO8-001	Tallgrass Education
SP08-002	SRS
SP08-003	Mid America Rehabilitation Hospital
SP08-004	Wesley Medical Center
SP08-005	Kansas Department on Aging
SP08-006	Parkinson Foundation of the Heartland
SP08-007	2008 Governor's Conference on Juvenile Justice
SP08-008	KC Metro CRN Practice Group in ADA
SP08-009	Recovery Conference 2008 "Prevention to Recovery
SP08-010	Eating Disorders Center of Denver
SPO8-011	University of Nebraska Lincoln Academic Conference
SPO8-012	Kaylyn Carlson, LMSW
SPO8-013	Summit Professional Education
SPO8-014	The Elder & Disability Law Firm
SPO8-015	Addiction and Prevention Services
SPO8-016	Dorothy & Associates
SPO8-017	Penwell-Gabel Funeral Homes, Crematories & Cemet
SPO8-018	Dorothy & Associates
SPO9-001	Hospice Foundation of Am Erica/Dignity Memorial
SPO9-002	Adrian & Pankratz, P.A.
SPO9-003	Parkinson Foundation of the Heartland
SPO9-004	Kansas Fatherhood Coalition
SPO9-005	2009 Governor's Conference on Juvenile Justice

Investigations: Policy and Procedures

Revised and approved by the
Board on July 13, 2009.

I. Initial Office Process

A. An investigation may be initiated by a report of alleged violation (RAV) which is received by the Behavioral Sciences Regulatory Board:

- 1. Which may be a complaint lodged by a person.**
- 2. Other reasonably reliable written information (e.g., court decision, newspaper article, yellow pages ad, etc.).**
- 3. Information that a licensee has failed to comply with the conditions of a disciplinary or non-disciplinary consent agreement and order, or initial or final order.**

B. Request for Forms:

- 1. Upon receiving a request for a RAV/complaint form, Staff shall obtain all information necessary for mailing the forms to the requester and updating the RAV Sent/Received Ledger.**
- 2. The information obtained for updating the Ledger should include the name of the requester, the address to which the RAV was sent and the date sent to the requester.**
- 3. Anyone wishing to file a complaint by telephone shall be informed that the Report of Alleged Violation form should be completed in full and returned to the Board.**

C. Receipt of report of alleged violation, other reasonably reliable written

information, and information regarding non-compliance with a disciplinary or non-disciplinary consent agreement and order, or initial or final order:

- 1. Date stamp the first page of the RAV or of the other information received.**
- 2. Assign a Case Number in sequence.**
- 3. Update the RAV Sent/Received Ledger.**

4. **Print out a copy of the licensee's information located in the Licensure Data Base.**
5. **Send an acknowledgement letter to the complainant or other reporter indicating receipt of the information.**
6. **Complaints in Letter Form: In cases in which the complaint is received in letter form and not accompanied by the BSRB RAV Form, Staff shall send a RAV form, along with a letter requesting that the RAV form be completed with the exception of the Narrative Section, to the individual submitting the letter of complaint.**
7. **Place the completed RAV form in the Special Investigator's IN box.**
8. **When the Special Investigator receives the complaint, the licensee will be notified in writing, in a timely manner, of the receipt of the complaint, a brief description of the allegations contained therein, and the identity of the complainant.**

II. COMPLAINT REVIEW COMMITTEE

- A. **The review and evaluation of the investigated reports of alleged violations (RAV) will be performed by a standing Complaint Review Committee comprised of the following persons who will serve in a decision making capacity:**
 1. **a psychologist Board member,**
 2. **a social worker Board member,**
 3. **a Board member who is:**
 - a. **a marriage and family therapist or clinical marriage and family therapist,**
 - b. **a professional counselor or a clinical professional counselor, or**
 - c. **a masters level psychologist or clinical psychotherapist**
 4. **Two public Board members.**
- B. **The following persons shall serve as members of the Complaint Review Committee in an advisory capacity:**
 1. **the Board's Special Investigator**
 2. **the Board's Executive Director, as needed.**
- C. **Additionally, the Board's Disciplinary Counsel will be requested to serve as a member of the Complaint Review Committee in an advisory capacity.**

- D. The terms of the Complaint Review Committee for Board members shall be two years on a staggered basis. Terms are from July 1st to June 30th.**
- E. The remaining six Board members will be available to serve on hearing panels (preferably 3-person hearing panels) for any case that proceeds to an administrative disciplinary hearing. The Executive Director is authorized to appoint hearing panel members who will be Board members not associated with the investigative phase and who do not have any conflict of interest.**
- F. The Board delegates the authority to take the following actions to the Complaint Review Committee:**
- 1. To issue summary proceeding orders:**
 - (a) to revoke, suspend, condition, or limit a license,**
 - (b) to assess fines in the amount of the maximum of \$ 1,000 per violation,**
 - (c) to assess costs in the amount of \$ 200 maximum,**
 - (d) to censure a licensee, and/or**
 - (e) to revoke the license or registration of any licensee or registrant who voluntarily surrender such person's license or registration pending investigation of misconduct or while charges of misconduct against the licensee or registrant are pending;**
 - 2. To issue cease and desist orders to any person who has practiced without a valid license in a profession for which practitioners are required by law to be licensed; and**
 - 3. To apply to any court of competent jurisdiction for an order enjoining any licensed or unlicensed person who has engaged, or is about to engage, in any acts or practices that will constitute a violation of any practice act under the Board's jurisdiction.**
 - 4. To approve any consent agreement and order over the signature of the chair of the Complaint Review Committee.**

III. Initial Review and Determination

- A. When the Behavioral Sciences Regulatory Board receives a completed Report of Alleged Violation, the Special Investigator and/or the Executive Director reviews the complaint and an initial determination is made as to whether to proceed with opening the case for investigation.**
- B. Making the initial jurisdictional determination:**
 - 1. For an RAV against a person licensed by BSRB, two criteria are used to determine whether the BSRB has jurisdiction:**
 - a. The complaint pertains to a profession or scope of practice regulated by the Board.**
 - b. The complaint alleges facts constituting non-compliance with, or violations of the rules, regulations, and/or Statutes, and/or Board ordered conditions governing the practice or conduct of the professional on whom the report is being filed.**
 - 2. If the Special Investigator and/or Executive Director find that jurisdictional criteria are met, the case shall be docketed and an investigation shall be initiated.**
 - 3. When the Special Investigator and/or the Executive Director need consultation to determine jurisdiction, the following procedure shall apply:**
 - a. If during the initial jurisdictional determination process the Special Investigator and/or the Executive Director find that one or both of the two criteria are not met, the Special Investigator shall consult with a member of the Complaint Review Committee. When possible the Committee member shall be of the same profession as the person complained against. The Consultation may be in person, by telephone, fax or by E-mail. The Special Investigator shall document the decision made in consultation.**

- 1. The purpose of an administrative investigation is to uncover facts and to facilitate the Board's regulatory goals and compliance with the law. In consideration of that goal and the nature of the investigative function, the Special Investigator is hereby given discretionary procedural authority in determining which manner a licensee under investigation is be notified of the allegations charged against them.**
 - 2. Licensee Notification can include but is not limited to:**
 - a. An initial notification of complaint, if there will be a delay between the receipt of the complaint and the request for a written response.**
 - b. Notification in writing with a request for a written response due in the Board office on or before a date indicated by the Special Investigator, usually a period of 30 days from the date of notification.**
 - c. At the conclusion of a personal interview with the licensee at which time the licensee is presented with written notification of the allegations.**
 - d. A combination of (b) and (c).**
 - 3. In any case, the respondent/licensee shall be notified of the allegations in writing and asked to provide a written response to the Board.**
 - 4. At the discretion of the Executive Director and/or Special Investigator, the respondent may receive one 15-day extension to prepare the response. At the discretion of the Executive Director, the respondent may receive a second 15-day extension on a showing of good cause.**
- B. During the investigation process, the Special Investigator should explore the strengths of the case, along with the weaknesses.**
- C. The Special Investigator should interview witnesses, collect documents and other evidence relevant to the allegation, and explore all avenues for the basis or motive of the complaint.**
- D. If warranted, during the course of the investigation the Special Investigator may provide copies of documents obtained in the investigation and consult with:**

1. a Complaint Review Committee member,
2. a member of the Board who is not on the Complaint Review Committee,
3. a former Board member of the profession involved, and/or
4. another professional who has specialized expertise.

E. The Special Investigator should possess a working knowledge of the rules, regulations, and State Statutes governing the professions licensed by the Board.

F. Written Reports:

1. The Special Investigator shall generate a written narrative report outlining the facts of the case as found in the investigation in relation to applicable statutes and/or regulations.
2. Supplemental reports can be generated when necessary.

G. The Special Investigator will notify the complainant and licensee by letter when the RAV enters each next stage in the process.

H. Investigative subpoenas will be signed by the Executive Director or by the Board Chairperson if the Executive Director is unavailable.

I. Pursuant to K.S.A. 74-7508(c)(3), the Special Investigator may advise proper authorities or state agencies of information gathered during the investigation.

V. Complaint Review Committee Procedure

A. Upon completion of the investigation, the Special Investigator shall:

1. Prior to the Complaint Review Committee's meeting, provide a copy of the completed Narrative Report to each member of the Committee.
2. Have the complete investigation file available at Complaint Review Committee meetings.
3. Have Consent Agreement and Order Referral forms available at Complaint Review Committee meetings, for completion at the Committee's direction if warranted.

B. Complaint Review Committee Evidentiary Determinations:

- 1. Prior to the Complaint Review Committee's meeting, each member of the Committee should read and preliminarily evaluate whether the narrative summary indicates that non-compliance or violation(s) of statute(s), regulation(s), or Board ordered conditions have occurred.**
- 2. At its meetings the Complaint Review Committee will discuss, evaluate, and determine whether sufficient evidence exists to support a determination of non-compliance or a violation of statute(s) and/or regulation(s), and/or Board ordered conditions. (In making this determination, Committee members should bear in mind that a preponderance of the evidence which easily understood and conclusive in nature, is needed to establish violation(s) of law at any subsequent disciplinary hearing).**
- 3. The Committee may direct the Special Investigator to conduct further interviews and/or to obtain additional documents.**
- 4. At its discretion, the Committee may invite the licensee to a Committee meeting to discuss the report of alleged violation and/or terms of any proposed Consent Agreement and Order.**
- 5. For a disciplinary case, if the Committee determines sufficient evidence exists to support a determination of a violation of statute(s) and/or regulation(s), Committee members will complete the Aggravating/Mitigating Factors form to assess the seriousness of the violation(s). The purpose of this assessment is to guide the Committee in forming a basis for terms and conditions of any proposed Consent Agreement and Order that may be offered to the licensee and/or to serve as recommendations to Disciplinary Counsel for appropriate discipline should the case proceed to hearing.**
- 6. The Committee may direct the Special Investigator to obtain a Victim Impact Statement prior to finalizing the Aggravating/Mitigating Factors form.**

7. For a case involving asserted non-compliance or violation of a Board ordered condition, Committee members will assess the seriousness of the non-compliance or violation(s). The purpose of this assessment is to guide the Committee in forming a basis for terms and conditions of any proposed or extended Consent Agreement and Order that may be offered to the licensee and/or to serve as recommendations to Disciplinary Counsel for appropriate discipline should the case proceed to hearing.

C. Complaint Review Committee action determinations:

1. If at least 3 members of the Complaint Review Committee determine that there is insufficient evidence to proceed:
 - a. The Special Investigator will close the case.
 - b. The Complaint Review Committee may authorize sending an educational letter or non-disciplinary letter of caution in order to alert the licensee that he/she may want to modify his/her conduct to avoid further complaints.
 - c. The Special Investigator will notify complainant and respondent of the determination.
2. If at least 3 members of the Complaint Review Committee determine that there is sufficient evidence to proceed:
 - a. Direct disciplinary counsel to initiate an administrative hearing by filing a disciplinary petition or show cause petition, as applicable.
 - b. Direct disciplinary counsel to propose resolution of the case by a Consent Agreement and Order (CAO) upon such terms and conditions as determined by the Committee.
 - c. If authorized by law, recommend county or district attorney initiate criminal proceedings.

- D. CAO not approved: If Consent Agreement and Order negotiations are not successful in resolving the case, a petition will be filed and the case scheduled for hearing.**
- E. The Special Investigator will monitor the receipt of reports as required by the CAO and take steps to obtain those reports if not received as ordered.**
- F. The Special Investigator will monitor terms and/or conditions and the receipt of reports as required by the CAO or Final Order and take steps to obtain these reports if not received as ordered.**

VII. Case Disposition Authority

- A. The Complaint Review Committee retains the authority to negotiate or settle the case until the close of the presentation of evidence in the hearing.**
- B. The Hearing Panel assumes authority regarding the disposition of the case after the close of the presentation of evidence in the hearing.**

DISCIPLINARY STATISTICS

The Board ensures compliance with the Kansas Statutes, Rules, and Regulations governing the practice of the behavioral sciences. Below are the case statistics for FY 1999 through FY 2009:

Total Complaints Received: 890
 Total Complaints Completed: 788
 Current Cases Open: 102

Complaints Received by FY/License

- RAV Report of Alleged Violation
- LP Licensed Psychologist
- LMLP Licensed Masters Level Psychologist
- LCP Licensed Clinical Psychotherapist
- LMFT Licensed Marriage and Family Therapist
- LCMFT Licensed Clinical Marriage and Family Therapist
- LPC Licensed Professional Counselor
- LCPC Licensed Clinical Professional Counselor
- LASW Licensed Associate Social Worker
- LBSW Licensed Bachelor Social Worker
- LMSW Licensed Masters Social Worker
- LSCSW Licensed Specialist Clinical Social Worker
- RAODAC Registered Alcohol & Other Drug Abuse Counselor
- NL No License

FY	TOTAL RAVs	LP	LMLP	LCP	LMFT	LCMFT	LPC	LCPC	LASW	LBSW	LMSW	LSCSW	RAODAC	NL
1999	40	10	0	*	4	*	0	*	0	10	5	8	0	3
2000	65	21	8	*	0	*	2	*	0	13	3	11	0	7
2001	73	12	4	2	1	1	0	2	0	22	11	14	0	4
2002	88	20	5	3	0	2	1	2	0	19	9	19	0	8
2003	61	11	1	5	0	2	1	1	0	12	7	15	0	6
2004	62	15	1	2	0	2	0	1	1	13	13	9	0	5
2005	77	14	4	2	2	1	1	6	0	16	8	14	1	8
2006	63	10	1	1	3	3	3	4	0	6	11	13	0	8
2007	108	22	2	2	1	4	1	9	0	23	20	11	2	11
2008	115	17	0	1	6	5	2	4	0	11	22	30	2	15
2009	138	18	4	6	3	5	4	3	2	18	27	33	0	15
Total	890	170	30	24	20	25	15	32	3	163	136	177	5	90

LEGISLATIVE ACTION

2009 Session

There were changes in the fee structure for licensure as a psychologist which were effective June 26, 2009. The application fee increased to \$225, up from the previous cost of \$100. The fee for an original license decreased from \$175 to \$50. The fees for renewals and duplicate and temporary licenses were unchanged. This change allows for increased revenue if someone files an application, but then does not proceed with applying for a Kansas license.

A change was also made to allow marriage and family therapist applicants the opportunity to complete additional supervised hours if they did not complete enough client contact hours in their practicum while in graduate school.