

Behavioral Sciences Regulatory Board  
Board Minutes  
May 11, 2009

Called to order at 10:03

**Members Present:** Jody Patterson, Amory Lovin, Richard Maxfield, Ron McNish, Jean Hogan, Sharon Stuewe, Gary Price, Wes Jones, and Cathy Hubka.

**Staff Present:** Phyllis Gilmore, Camille Nohe, Marsha Schrempp, Roger Scurlock, Bruno Langer, Leslie Allen and Maryann Peerenboom

**Audience Present:** Sky Westerlund

**I. Minutes**

**Item:** Approval of March 9, 2008 Board meeting minutes.

**Action:** Wes Jones moved to accept the minutes. Jean Hogan seconded. The motion carried.

**III. Public Comments**

**Item:** Sky Westerlund appeared before the Board to request KNASW work with the BSRB over the summer to come to an agreement on safety continuing education for social workers. She commented that the BSRB's neutral stance this session was perceived as opposition on the legislation, and hoped that an agreement could be reached before next session.

**IV. Staff Reports**

Roger Scurlock

**Item:** Roger reported the Board received 6 Reports of Alleged Violations (RAV's) and closed 11 in March. The Board received 10 Reports of Alleged Violations (RAV's) and closed 6 in April.

**Item:** Roger reported that March recorded the lowest number of RAV's in quite some time; however this year will still be above last year for total number of complaints.

Leslie Allen

**Item:** Leslie reported that the web site was live and that she had been working with Adrian to make any final changes.

**Item:** Leslie reported due to the recent change in Social Work regulations regarding supervisors, an email was sent notifying all those possibly affected of the change. She has been fielding many questions about the change and changing forms as well.

**Item:** Leslie reported that the volume of applications has increased due to the season.

Phyllis Gilmore

**Item:** Phyllis reported that Chuck Frankenfeld passed away last week after a lengthy battle with colon cancer.

**Item:** Phyllis reported that while the web site was up and running it was not yet fine tuned. Marsha will be working on that task. Changes will also be made as to what is available for disciplinary action, the actual document (CAO, cautionary letter...) will be available. We are waiting to see where we stand on funds in this area.

**Item:** Phyllis reported that the University of Kansas had contacted the Board to see if it would accept transcripts from the University electronically via a secure web site starting with Fall 2009 graduates.

**Action:** Jean Hogan moved to accept the transcripts, Sharon Stuewe seconded. The motion passed.

## Wes Jones

**Item:** Wes Jones gave an overview of the last CRC meeting. They reviewed 11 cases, 2 cases were referred for consent orders, 3 cases were returned for further investigation, 1 case was sent a non-disciplinary letter and 5 cases were dismissed.

### **V. Psychology**

**Item:** Richard Maxfield reported that the LP committee had met the previous week. The committee continued the process of reviewing the statutes and regulations, and answered a question Leslie had regarding post doc internship. The committee is scheduled to meet again on July 7, 2009.

*Action:* None needed.

### **VI. Social Work**

**Item:** Jean Hogan reported the SW committee met on March 24th with the main topic being K.A.R. 102-2-6. None of the University members invited could attend the meeting. The committee will meet again on May 19, 2009.

*Action:* None needed.

### **VII. Professional Counseling**

**Item:** Gary Price reported the LPC committee met on April 17<sup>th</sup>. The next meeting is scheduled for June 19<sup>th</sup>. At that meeting a demonstration will be presented to the committee on on-line courses.

*Action:* None needed.

**Item:** Cara Barthelman was presented to the Board for a determination of ineligibility for a professional counselor license, due to a degree in art therapy, the program chair not having the proper degree, and the appraisal course was not broad enough.

*Action:* Gary Price moved that Cara Barthelman be found ineligible for a professional counselor license. Richard Maxfield seconded. The motion carried unanimously.

### **VIII. Masters Level Psychology**

**Item:** Jody reported that an SPO had been forwarded to Carla Wade. Carla indicated she would accept it and would be providing names of supervisors shortly. The next committee meeting has not yet been scheduled

*Action:* None needed.

### **IX. Marriage and Family Therapy**

**Item:** Wes Jones reported the MFT committee has not met; the next scheduled meeting is May 20<sup>th</sup>.

*Action:* None needed.

**Item:** Kiersty Hyder and David Jenkins were presented to the Board for a determination of ineligibility for a Marriage and Family Therapy license, both attended Ambridge University whose program was presented via streaming video and does not meet per K.A.R 102-5-39(a)(2).

*Action:* Wes Jones moved that both Kiersty Hyder and David Jenkins be found ineligible for a marriage and family therapy license. Gary Priced seconded. The motion carried unanimously.

### **X. Registered Alcohol and Other Drug Abuse Counselors**

**Item:** Ron McNish reported that the professional association has submitted an application to KDHE to request determination regarding their qualifications for licensure. They are working on language to determine how this profession would be defined. The group plans to have a presentation for the Board this fall.

*Action:* None needed.

### **XI. Other Business**

#### **A. Old Business**

### **1. Supervision sub-committee**

**Item:** Sharon Stuewe reported that a meeting had been set for the sub-committee on June 11 at 9:00 a.m. The meeting will be held in Lawrence at the Perkins restaurant on 23 rd Street.

### **2. Legislative Report**

**Item:** Phyllis Gilmore reported that HB 2 162 has not passed, but will be alive next session with the language for the Autism task force attached.

*Action:* none needed

**Item:** Phyllis Gilmore reported that both the Fee fund and KSIP fund would be swept. She stated that some agencies did not get their funds swept, but that there was no reason offered as to why some agencies' funds were swept and others were not. Some of the agencies were going to request a line item veto to keep their funds in tact. She asked if the Board wished this to be done on the BSRB's behalf.

*Action:* There was no interest from the Board to request the line item veto.

**Item:** Phyllis Gilmore reported that the Budget for FY 2010 will be \$15,000.00 less than FY 2009

*Action:* none needed

### **3. Use of Office of Administrative Hearings for disciplinary action**

**Item:** Phyllis Gilmore discussed briefly some of the advantages and disadvantages of having Board members as members on hearing panels for disciplinary actions. She reported that the proviso that has been added to the 2010 budget would allow the Board to use the Office of Administrative Hearings to hear certain disciplinary cases. Discussion followed.

*Action:* Gary Price moved that without changing internal procedure, the Board try the Office of Administrative Hearings for a couple of hearings. The Board should then review the procedures and outcomes of these hearings before further action. Richard Maxfield seconded. The motion passed.

## **B. New Business**

### **1. Reinstatement Policy**

**Item:** Roger Scurlock presented two questions to the Board. Does the Board want a reinstatement policy and if so what should that policy contain. Roger provided the Board with background on reinstatement issues and discussion followed.

*Action:* Jean Hogan recommended that some additional guidelines need to be in place so that the CRC can continue to review reinstatement cases and make recommendations to the Board on reinstatement cases that include disciplinary issues. Phyllis will work on this and present to the CRC and eventually the full Board.

### **2. Discussion of Third Party complaints**

**Item:** Gary Price presented information on a situation where a third person made a complaint. He questioned whether a guideline or policy was in place as to how far down the line a complaint can be considered if it is third party. Discussion followed.

*Action:* The Board consensus was that all complaints are looked into as long as there is information that can be gathered.

### **3. Additional comments**

**Item:** Phyllis invited the full Board to partake in lunch as has become tradition for the May meeting.

**Item:** Phyllis announced that Roger Scurlock would be retiring soon and taking on a part time roll with the BSRB.

## **XII. Adjournment**

Ron McNish adjourned the meeting at 11:47 a.m.

**Next Meeting July 13, 2009.**