



Board Talk

Volume II, Issue II November, 2001

Newsletter of the Behavioral Sciences Regulatory Board

NEWS FROM THE DESK OF THE DIRECTOR:

September 10th and 11th found the Board and myself at the Board Retreat at Rock Springs 4-H Camp. On Monday the 10th, the board worked very hard and accomplished a great deal. We all went to bed that evening feeling good about the achievements of the day. The camp is a beautiful and peaceful setting away from the fast pace of the world where one could focus and concentrate on the issues before us. Of course, we were barely into the day on the 11th, when our country and the world were to never be the same again. The ease of focusing in a beautiful setting the day before, became a great effort. We were happy to be insulated from the busy pace of our lives on Monday. On Tuesday, we wanted to be connected with what was happening in the rest of our country.

The Board wishes to extend its sympathy to any of you, our licensees, who were personally affected by the terrorist attacks on September 11th. Additionally, though, we would like to acknowledge and express gratitude to our licensees and board members who have gone to serve in any of the areas affected by this day, as well as those who may now be serving in the US Military. We are proud to have licensees serving in many areas of need.

It is hard to believe such a short period of time will affect our lives for so many years to come and perhaps forever. However, I have been moved and inspired by the tremendous spirit, compassion and heroism of my fellow Americans. Truly, we are showing the best of what our country is about and you, our licensees, are doing no less. As we mourn for our country, we realize that hurt and sorrow cross all social and economic barriers and we know the reason we are united.

Sincerely,

Phyllis Gilmore
Executive Director

BSRB Supervisor's Workshop

The Behavioral Sciences Regulatory Board held a Supervisor's Workshop on September 29th, in Topeka. The workshop was designed for individuals who are supervising licensees working toward a clinical license. BSRB Board members, Chuck Frankenfeld, Dan Lord and Greg Valentine presented the workshop. The specific topic related to the BSRB statutes and regulations regarding supervision of licensees working toward clinical licensure. The overall consensus from those that attended the workshop felt the workshop was an excellent informational tool. The Supervisor Workshop was video taped and is available for check out. If you are interested in viewing the videotape of the Supervisor Workshop, please contact the BSRB office. There is an exam available to take if you are interested in receiving CEU's for viewing the videotape. Four CEU's will be given.

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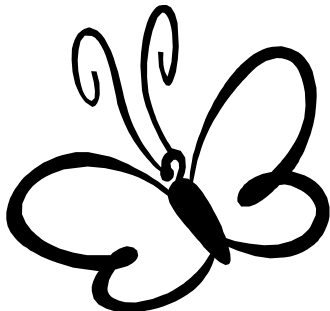


CREDENTIALING CORNER

By Jennifer Springer

Transition Reminder

Effective January 1, 2002! You must hold a clinical license (unless you are a Licensed Psychologist) in order to practice independently (be self-employed). Those clinical licenses are as follows: LSCSW, LCPC, LCP, LCMFT, LP.



If you were fully licensed before July 1, 2000, you should review the transition requirements to see if you qualify to transition to the clinical license of your profession.

The transition application packets are available on our website under the forms section of your profession.

You may also request the transition application packet by contacting the board office.

There is not a deadline in order to transition. You can transition at anytime. However, if you do not hold a clinical license by January 1, 2002, you cannot engage in private practice (self-employment).

General Information about the BSRB

By Jennifer Springer

Survey - The BSRB staff is sending out surveys to new applicants applying for licensure and all applicants renewing their BSRB license. The survey is to inform the BSRB what kind of service our customers are receiving from us. The survey started in July and will continue through out the 2002 fiscal year.

Timeliness - We would like to share with all of you the timeliness of processing applications through the BSRB office. New applications are on a one to two week turnaround time providing there are not

any problems with the application. **Pat Martin** reviews the majority of the new applications and is doing an outstanding job. Renewals of current licenses are being processed within two to three days providing there are not any problems with the application.

Wendy Peters processes the renewal applications and is doing an outstanding job as well.

On-Line Renewals - Have you renewed your license on-line? Several licensees are taking advantage of this fast and expedient service to renew their BSRB license. You can renew your license directly from our website www.ksbsrb.org or by www.aceskansas.org.



PRACTICE ALERT

By Jennifer Springer

We would like to share with you some of the questions we have addressed over the past months.

Dual relationship - How much time is required after a client/licensee relationship has ended in order to avoid dual relationship? *24 months is the required waiting period.*

QMHP Billing Information - It was determined by an Attorney General's opinion that the following licensees are qualified mental health professionals:
Licensed Clinical Marriage
& Family Therapist,
Licensed Clinical Professional Counselor,
Licensed Clinical Psychotherapist,
Licensed Psychologist
Licensed Specialist Clinical Social Worker
For additional information please refer to www.ksbsrb.org under new information.

If a BSRB licensee dies, how do you, as a client, get your client records? If the licensee works in an agency, the agency should have the records on file. If the licensee was in independent practice, first check to see if the office has an administrator/manager, second locate the administrator of the licensee's will to request the client records.

Investigative Information

By Roger Scurlock

K.S.A. 38-1522 is the statute that deals with reporting abuse to and/or neglect of children. The language in the statute was amended in the last legislative session. The amended statute went into effect on July 1, 2001. All licensees and registrants of the board are now specifically listed as mandated reporters.

The statute reads:

38-1522. (a) When any of the following persons has reason to suspect that a child has been injured as a result of physical, mental or emotional abuse or neglect or sexual abuse, the person shall report the matter promptly as provided in subsection (c) or (e): Persons licensed to practice the healing arts or dentistry; persons licensed to practice optometry; persons engaged in postgraduate training programs approved by the state board of healing arts; licensed psychologists; licensed masters level psychologists; licensed clinical psychotherapists; licensed professional or practical nurses examining, attending or treating a child under the age of 18; teachers, school administrators or other employees of a school which the child is attending; chief administrative officers of medical care facilities; licensed marriage and family therapists; licensed clinical marriage and family therapists; licensed professional counselors; licensed clinical professional counselors; registered alcohol and drug abuse counselors; persons licensed by the secretary of health and environment to provide child care services or the employees of persons so licensed at the place where the child care services are being provided to the child; licensed social workers; firefighters; emergency medical services personnel; mediators appointed under K.S.A. 23-602 and amendments thereto; juvenile intake and assessment workers; and law enforcement officers. The report may be made orally and shall be followed by a written report if requested. When the suspicion is the result of medical examination or treatment of a child by a member of the staff of a medical care facility or similar institution, that staff member shall immediately notify the superintendent, manager or other person in charge of the institution who shall make a written report forthwith. Every written report shall contain, if known, the names and addresses of the child and the child's parents or other persons responsible for the child's care, the child's age, the nature and extent of the child's injury (including any evidence of previous injuries) and any other information that the maker of the report believes might be helpful in establishing the cause of the injuries and the identity of the persons responsible for the injuries.

(b) Any other person who has reason to suspect that a child has been injured as a result of physical, mental or emotional abuse or neglect or sexual abuse may report the matter as provided in subsection (c) or (e).

(c) Except as provided by subsection (e), reports made pursuant to this section shall be made to the state department of social and rehabilitation services. When the department is not open for business, the reports shall be made to the appropriate law enforcement agency. On the next day that the state department of social and rehabilitation services is open for business, the law enforcement agency shall report to the department any report received and any investigation initiated pursuant to subsection (a) of K.S.A. 38-1524 and amendments thereto. The reports may be made orally or, on request of the department, in writing.

(d) Any person who is required by this section to report an injury to a child and who knows of the death of a child shall notify immediately the coroner as provided by K.S.A. 22a-242, and amendments thereto.

(e) Reports of child abuse or neglect occurring in an institution operated by the secretary of social and rehabilitation services or the commissioner of juvenile justice shall be made to the attorney general. All other reports of child abuse or neglect by persons employed by or of children of persons employed by the state department of social and rehabilitation services or the juvenile justice authority shall be made to the appropriate law enforcement agency.

(f) Willful and knowing failure to make a report required by this section is a class B misdemeanor.

(g) Preventing or interfering with, with the intent to prevent, the making of a report required by this section is a class B misdemeanor.

One of the more common complaints that we have received since I started is about a licensed professional who has failed to report child abuse as required in K.S.A. 38-1522. In the typical complaint, a person from SRS makes the report. The allegations are generally that the licensee became aware of the abuse/neglect either through professional activities or otherwise and either failed completely to report the act or delayed in reporting. A mandated reporter is required to report and to make the report "promptly" by the statute. SRS may become aware of the alleged violation when the licensee finally reports to them or when they are made aware of the omission on the part of the licensee at a later time. The board investigates these complaints. The most common reason given for delaying or not reporting is the licensee feels the information available to him/her does not rise to the level of "reason to suspect..." If the board finds that the statute was violated, it can recommend sanctions ranging from a cautionary letter to the revocation of the professional's license. In addition, the board may furnish the results of its investigation to the district attorney having jurisdiction over the locale where the alleged violation occurred. The complainant may also furnish information to the local law enforcement agency and/or the district attorney.

Open Cases Breakdown
10-30-2001

Profession	Number Of Cases Open	Number of Licensees
LP	07	657
LMLP	01	461
LCP	02	268
LMFT	00	185
LCMFT	01	235
LPC	02	333
LCPC	00	209
LASW	00	57
LBSW	18	2027
LMSW	12	1901
LSCSW	11	1493
RAODAC	00	89
No License	02	0
Total	56	7915

CREDIT CARD INFORMATION

On July 1, 2001 we began accepting the following credit cards:

American Express Discover
Mastercard Visa

They are accepted in person, by mail, telephone or online.



Thank You Luncheon

A special "thank you" luncheon for the BSRB Advisory Committee Members was held on October 8th at the BSRB. This luncheon allowed the board as a whole to personally thank all the Advisory Committee Members for their time and commitment to the public and the professions, as well as to the Behavioral Sciences Regulatory Board. "Thank you" again, to each of you.

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