



# BOARD TALK

Volume V, Issue I  
March 2004

## WELCOME NEW BOARD MEMBERS

### Board Members

- David Brull  
*Public Member*
- James Easter  
*Public Member*
- Patricia Grimwood  
*Professional Counselor*
- Jean Hogan  
*Social Work*
- Wesley Jones  
*Marriage & Family Therapy*
- Robert Maxfield  
*Psychology*
- Ron McNish  
*Psychology*
- Connie Morris  
*Public Member*
- Jody Patterson  
*Masters Level Psychology*
- Anna Silva Keith  
*Public Member*
- Jim Williams  
*Social Work*
- Executive Director  
Phyllis Gilmore

The Behavioral Sciences Regulatory Board received four new board members appointed by Governor Sebelius, David Brull, Jean Hogan, Richard Maxfield and Jody Patterson. **David Brull** joins us from Hays, Kansas. Mr. Brull has a degree in Mass Communications from Fort Hays State University and has just recently returned to school. He is appointed as a public member to the BSRB. **Jean Hogan** holds an LMSW and comes from Wichita, where she is the SRS Assistant Area Director responsible for Children and Family Services. Mrs. Hogan has worked for SRS for over 30 years and is appointed as a social work board member. **Dr. Richard Maxfield** is a Licensed Psychologist in private practice in the Topeka area. Dr. Maxfield has been working in the profession of psychology for over 25 years which includes time spent working at The Menninger Foundation. Dr. Maxfield is also appointed as a psychology member to the BSRB. **Jody Patterson** is appointed as the Masters Level Psychology member and comes from Concordia. Ms. Patterson holds an LMLP and is currently the Director of Community Based Services at Pawnee Mental Health Services in Concordia. All of these individuals bring a great deal of knowledge and expertise with them. Please help us welcome them to the BSRB and encourage them with their new endeavor.

## 2004 LEGISLATION

The BSRB has requested two bill introductions this year. SB 452 relates to the repeal of the portion of the psychology act related to unlicensed assistants working under the supervision of licensed psychologists. Those currently working as an unlicensed assistant would be protected under a grand parenting clause and the ability to perform and score psychological testing is not changed from current law. The second bill is SB 443 and relates to several areas of disciplinary authority of the board. The conditioning of a license, assessing the costs of disciplinary action to the unsuccessful party and requesting an injunction, restraining order, or other order from a court are areas of authority currently held by some of our professions, but not all. SB 443 would give this authority to all of them. The ability to assess a fine of up to \$1,000 per violation, to issue a cease and desist order and to revoke a license after it has been voluntarily surrendered would be new areas of authority for the BSRB. Both bills have passed through the Senate and should be having hearings in the House in the next few weeks.

<b>S</b>	Marsha Schremp	Roger Scurlock	Jennifer Springer
<b>T</b>	<i>Administrative Assistant</i>	<i>Special Investigator</i>	<i>Credentialing Specialist</i>
<b>A</b>			
<b>F</b>	Leslie Allen	Anitra Loftis	Wendy Peters
<b>F</b>	<i>Receptionist</i>	<i>Credentialing Assistant</i>	<i>Credentialing Assistant</i>

## Credentialing Corner

By Jennifer Springer, Credentialing Specialist

### RECIPROCITY IS HERE

Effective July 1, 2003, the BSRB has statutes and regulations that implement an application procedure for individuals who have been licensed and practicing in another state. In the past, individuals who have moved from another state have experienced delays in licensing or were not able to be licensed at all due to the differences in requirements from state to state. This law is intended to help those individuals who have been practicing in another state, for at least five years, to become licensed in Kansas with less burdens. Each profession has a different set of criteria or requirements for licensure through reciprocity. The requirements for each profession can be viewed on our website at [www.ksbsrb.org](http://www.ksbsrb.org).



### REDUCTION OF CEU'S

July 7, 2003 regulations took effect that lower the required number of continuing education hours in order to renew your BSRB license or registration. The following number of CEU's is required for each profession:

Psychology – 50	Masters Level Psychology – 50
Marriage & Family Therapy – 40	Social Work – 40
Professional Counselor – 30	RAODAC – 30

Please be sure to review the NEW continuing education regulation for your profession which can be found on our website. There

have been some changes to the CEU regulations such as new ways to complete CEU's as well as changes in the maximum number of CEU's allowed for each type of activity.

### WE HAVE A NEW LOOK

Our wallet cards have a "new look". The next time you renew your license you will receive a wallet card that is different from what you have been receiving in the past. The new card is made out of more durable card stock and does not tear or rip easily. It is also a bit bigger which allows for a larger printed text. We have also combined the renewal letter with the new wallet card. Now you will receive the letter and wallet card combined as one. You will no longer receive two separate items. You, the licensee, will be detaching the wallet card from the new card stock. This will hopefully prevent wallet cards from being lost in the mail and slipping out of envelopes. Thank you to those individuals who have already renewed and have stated how well they like the new wallet cards.

### FORWARDING CONTINUING EDUCATION UNITS

Please remember CEU's can NOT be carried over from one renewal period to the next. Also, if you receive a new higher level of license within your same profession, your new license constitutes a new two year license period. Therefore you will start over on your CEU's. For example if you hold an LMSW and receive the LSCSW, your CEU's start over once you have obtained the LSCSW.

### WE WANT TO HEAR FROM YOU !!!

If you are licensed at an independent/clinical level, the board would like to hear from you. The board is conducting a survey regarding postgraduate supervision work experience. The survey is in regards to the 4000 hours of supervision you were required to complete after graduation for clinical licensure or the 1800 hours of postdoctoral supervision for psychology licensure. The board would appreciate your feedback regarding the supervision you received during your postgraduate training. If you have completed postgraduate supervision in the past or are currently doing so, the board is asking for your input by completing the survey for informational use. The survey can be found on our website [www.ksbsrb.org](http://www.ksbsrb.org) under "What You Can Do"/ "Postgraduate Supervision Survey". The survey is geared to assist the board in evaluating the current status of postgraduate supervision in the state of Kansas. Thank you for taking the time to complete the survey, your input is appreciated.

## ATTORNEY GENERAL OPINION

Re: Probate Code--Care and Treatment for Mentally Ill Persons--Care and Treatment Act for Mentally Ill Persons; Voluntary Admission to Treatment Facility; Voluntary Out-Patient Treatment of Minors

*Synopsis:* A *mature* minor has the legal capacity to consent to outpatient mental health services. Such consent must be an informed consent in relation to the potential risks and benefits of the type of mental health treatment provided. In this context, "maturity" means having the intellectual capacity, experience, and knowledge necessary to substantially understand the situation at hand and the consequences of the choices that can be made. The risk to a therapist if a parent were to disapprove of their unemancipated minor accessing outpatient mental health services would be potential liability in a civil law suit, the outcome of which would turn on the court's evaluation of whether the minor child was sufficiently mature to consent to treatment and whether the consent was sufficiently informed. Cited herein: K.S.A. 38-123; 38-123b; 23-501; K.S.A. 2002 Supp. 59-2949; K.S.A. 65-448; 65-2891; 65-2892; 65-2892a; 65-6704.

Re: State Boards, Commissions and Authorities--Regulation of Psychologists-- Grounds for Suspension, Limitation, Revocation or Refusal to Issue or Renew License; Unprofessional Conduct; Psychologist's Records when Practice Sold

*Synopsis:* The sale of a psychologist's practice may legitimately include client records. Once such a sale has occurred, the selling psychologist is no longer the owner or custodian of client records and thus is no longer bound by the Behavioral Sciences Regulatory Board's regulation that requires the owner or custodian to retain those client records. Under regulations adopted pursuant to the Health Insurance Portability and Accountability Act (HIPAA), a psychologist may use or disclose protected health information for "health care operations," which includes the sale of a practice to another covered entity, without client authorization. Cited herein: K.S.A. 74-5324; K.A.R. 102-1-20; 42 C.F.R. §§ 160.103; 164.501; 164.506.

For a complete reading of the two attorney general opinions see our website [www.ksbsrb.org](http://www.ksbsrb.org) under "Whats New".

### A NEW FACE

The BSRB has a new face around the office. Please help us welcome **Anitra Loftis**, our new Credentialing Assistant. Anitra joined the BSRB this fall. She is processing new applications, clinical supervision training plans and reciprocity applications. The next time you contact the board you may be talking with Anitra. She is doing a great job and we are glad to have her as a part of our team.

Welcome aboard Anitra !!

### ATTENTION LP's:

A reminder that your Psychology license is due for renewal no later than June 30, 2004. Renewal notices should go out around April 1, 2004.

The number of CEU's in order to renew is now 50 rather than 100. Be sure to review your CEU regulation which has been revised effective 7-7-03. These can be viewed on our website [www.ksbsrb.org](http://www.ksbsrb.org).

Starting in 2004 all CEU's completed for the 2006 renewal will need to be completed between July 1, 2004 and June 30, 2006.

If you have any questions, contact Jennifer Springer or Wendy Peters at the board office

### SAYING GOODBYE

Billie Crow who is one of our Credentialing Assistants, retired from the BSRB on February 27th.

Billie started with the board in July of 2000 in the midst of several changes. She worked with new applications, assisted with investigative procedures, paid the bills and helped the entire staff in many, many ways.

We are sad to lose Billie, however we are very excited for her. We wish her the best with her retirement.

**Congratulations Billie !**

**FOOD FOR THOUGHT ??** A BSRB licensee is working in a nursing home with some of the residents in individual therapy. One day he/she made a presentation to a local organization about depression and the elderly. He/she mentioned the name of a resident he/she had seen in individual therapy who had been a prominent member of the community. The person's children heard about this disclosure and sought

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## Open Cases Breakdown

February 29, 2004

Profession	Number Of Cases Open	Number of Licensees
LP	03	680
LMLP	00	356
LCP	01	286
LMFT	00	208
LCMFT	00	276
LPC	00	294
LCPC	02	277
LASW	01	53
LBSW	05	1896
LMSW	08	2013
LSCSW	06	1581
RAODAC	00	81
No License	01	0
<b>Total</b>	<b>27</b>	<b>8001</b>

*Food for thought continued from page 3*

legal action against the BSRB licensee. Did the licensee violate any statute or regulation in disclosing the name of a person he/she had seen in treatment?

## LISTINGS BY PROFESSION

Lists are available by profession. If you are interested in requesting a list please contact Leslie Allen through e-mail at: [Leslie.Allen@bsrb.state.ks.us](mailto:Leslie.Allen@bsrb.state.ks.us)

<a href="mailto:Leslie.Allen@bsrb.state.ks.us">Leslie.Allen@bsrb.state.ks.us</a>	Receptionist, Verifications
<a href="mailto:Anitra.Loftis@bsrb.state.ks.us">Anitra.Loftis@bsrb.state.ks.us</a>	New applications
<a href="mailto:Wendy.Peters@bsrb.state.ks.us">Wendy.Peters@bsrb.state.ks.us</a>	Renewals, CEU's
<a href="mailto:Jennifer.Springer@bsrb.state.ks.us">Jennifer.Springer@bsrb.state.ks.us</a>	Credentialing Specialist
<a href="mailto:Roger.Scurlock@bsrb.state.ks.us">Roger.Scurlock@bsrb.state.ks.us</a>	Investigations, Complaints
<a href="mailto:Marsha.Schrempp@bsrb.state.ks.us">Marsha.Schrempp@bsrb.state.ks.us</a>	Personnel, budget
<a href="mailto:Phyllis.Gilmore@bsrb.state.ks.us">Phyllis.Gilmore@bsrb.state.ks.us</a>	Executive Director

## Contact Us

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