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BEHAVIORAL SCIENCES REGULATORY BOARD

**ECONOMIC IMPACT STATEMENT FOR
NEW ARTICLE 7
ADDICTIONS COUNSELORS TEMPORARY REGULATIONS**

K.A.R. 102-7-1 through 102-7-12

I. Brief Description of the Proposed Regulations and what is intended to be accomplished by their adoption.

K.A.R. 102-7-1 – 7-12 implement HB 2577, the Licensed Addictions Counselors Act, passed by the 2010 Legislature and SB 100 which was passed as part of Sub HB 2182 by the 2011 Legislature. SB 100 modified and corrected some licensure requirements of the original bill.

II. Whether or Not the Proposed Regulations are Mandated by Federal Law

- A. Federal law as a requirement for participating in or implementing a federally subsidized or assisted program does not mandate the proposed regulations.
- B. There is no applicable federal law related to the proposed regulations.

III. Anticipated Economic Impact of the Proposed Regulations

- A. There will be a positive economic impact to the Kansas Behavioral Sciences Regulatory Board (BSRB) from the proposed regulations. Revenue for BSRB and for the State of Kansas will increase as a result of licensure of Addictions Counselors. It is anticipated there will be 1000 new Addiction Counselors (LAC) and Clinical Addiction Counselors (LCAC): 800 LAC's and 200 LCAC's who submit applications and become licensed during the next year. This will generate approximately \$150,000 in revenue of which 20%, or \$30,000, is deposited in the State General Fund leaving the remaining 80%, or \$120,000, in the BSRB fee fund. Every two years there will be approximately \$110,000 in renewal license fees. At this time it is the administrative and Board plan of BSRB to absorb the extra work load of adding 1000 new licensees, an increase of 10%. The standard at BSRB for quick turnaround of applications and also of timely investigations with minimal to zero backlogs will be maintained. It is possible that one additional staff will need to be hired in the future to manage the increased workload. That could be a cost of \$40,000. At this time those positions were not requested and are not in the budget appropriations for FY2012.
- B. There would be an economic impact to other governmental agencies from the proposed regulation change. Currently, SRS contracts with KAAP (Kansas Association of Addiction Professionals) in the amount of \$56,000 for certification of Addiction Counselors with the AAPS (Addiction and Prevention Services) certification. Since the certification will not be available after licensure begins, all addiction counselors will now be regulated by the BSRB. With this movement to BSRB, SRS will save that \$56,000 expenditure. In addition, the State General Fund will receive an additional \$30,000 with

the 20% payment from new licenses this year and \$22,000 every two years on average with license renewals.

- C. There would be no economic impact to private citizens of Kansas from the proposed regulations. However, KAAP believes that addiction counselor licensure will have a positive impact for substance abuse programs that provide services reimbursed by Kansas Medicaid and/or the Federal Block Grant. Pursuant to State and Value Options requirements, beginning one year from the facility's re-credentialing date, all existing Value Options Kansas providers (providers who provide block grant and Medicaid substance use disorder services) must offer evidence that any diagnosis is made by an independently licensed behavioral health professional. Enactment of the new Addiction Counselor Licensure Act will enable many existing substance abuse counselors to qualify as licensed clinical addiction counselors and become authorized to diagnosis substance use disorders. Kansas addiction counselors did not have this authority by law prior to the implementation of licensure.
- D. There would be an economic impact to licensees of the Kansas Behavioral Sciences Regulatory Board from the proposed regulations. The current AAPS certification is being replaced by the Addiction Counselor (LAC) and Clinical Addiction Counselor (LCAC) licensure requirement. Licensees would be picking up this professional cost, like the other areas licensed by BSRB, with the \$50 application fee and the \$100 license fee for those current Addiction Counselors wishing to be grandfathered into the BSRB oversight. New members in the professional will be required to make application for licensure and pay the fees. All will be required to complete continuing education requirements and pay renewal fees every two years.

IV. Less Costly or Less Intrusive Methods Considered and Rejected.

- A. We are not aware of any less costly or less intrusive method.
- B. The proposed regulations have no economic impact related to environmental rules and regulations.
- C. The proposed regulations have no effect on revenues of cities, counties, or school districts.
- D. The proposed regulations have no effect on responsibilities of cities, counties, or school districts that will increase their expenditures or fiscal liability.