

Narrative Information for Biennial Agencies—DA 400

Division of the Budget
State of Kansas

Agency Behavioral Sciences Regulatory Board_

I, David B. Fye, JD, Executive Director of the Kansas Behavioral Sciences Regulatory Board, do hereby submit to the Division of the Budget, our actual expenditures for FY 2024 and our realigned expenditures for FY 2025, and new budget request for FY 2026, and FY 2027, both in electronic form and paper. All statements and explanations contained in the requests submitted herewith are true and correct to the best of my knowledge and belief.

Kansas Behavioral Sciences Regulatory Board

Dated: September 16, 2024 (Corrected Oct. 1, 2024)



David B. Fye, JD
Executive Director

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BEHAVIORAL SCIENCES REGULATORY BOARD

(All appointed by the Governor)

David Anderson, Chair of the Board, WaKeeney, KS – Master’s Level Psychology Member

Laura Shaughnessy, Vice-Chair of the Board, Roeland Park, KS – Professional Counseling Member

Denise Cyzman, Lawrence, KS – Public Member

Jill Flessing, Lawrence, KS – Addiction Counseling Member

Linda Heitzman-Powell, McLouth, KS – Licensed Psychology Member

Donna Hoener-Queal, Pratt, KS – Public Member

Mary Jones, Wichita, KS – Marriage and Family Therapy Member

Jim Kilmartin, Shawnee, KS – Public Member

Richard Nobles, Overland Park, KS – Licensed Psychology Member

Andrea Perdomo-Morales, Kansas City, KS – Social Work Member

Cynthia Schendel, Overland Park, KS – Social Work Member

David Stevens, Roeland Park, KS – Public Member

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ADVISORY COMMITTEES

Addiction Counselor Advisory Committee – Jill Flessing, Chair, Lawrence, KS

Behavioral Analyst Advisory Committee – Linda Heitzman-Powell, Chair, McLouth, KS

Licensed Psychology Advisory Committee – Richard Nobles, Chair, Overland Park, KS

Marriage and Family Therapy Advisory Committee - Mary Jones, Chair, Wichita, KS

Master Level Psychology Advisory Committee - David Anderson, Chair, WaKeeney, KS

Professional Counseling Advisory Committee - Laura Shaughnessy, Chair, Roeland Park, KS

Social Work Advisory Committee - Andrea Perdomo-Morales, Co-Chair, Kansas City, KS

Social Work Advisory Committee - Cynthia Schendel, Co-Chair, Overland Park, KS

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**BEHAVIORAL SCIENCES REGULATORY BOARD STAFF
SUPERVISORY HIERARCHY (Total Staff 12.0 FTE/Non-FTE)**

Executive Director (1.0)

Licensing Staff

- Assistant Director/Licensing Manager (1.0)
- Assistant to E.D./Licensing Specialist (1.0)
- Clinical Licensing Specialist (0.6)

Investigation and Discipline Staff

- Lead Investigator (1.0)
- Special Investigator (0.4)

Assistant Director/Licensing Manager

Clerical Staff

- Senior Administrative Assistant (1.0)
- Administrative Specialist (1.0)

Licensing Staff

- Licensing Specialists (4.0)
- Renewal Specialist (1.0)

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AGENCY MISSION:

The agency's mission, as statutorily established by the Legislature through its enactment of K.S.A. 74-7501, which created the Kansas Behavioral Sciences Regulatory Board, 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.

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SUB-PROGRAMS ESTABLISHED TO ASSIST WITH AGENCY MISSION:

1. Licensing and Renewal activity for the following seven 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. Licensed Addiction Counselors (Baccalaureate, Masters, and Clinical)
 - g. Licensed Applied Behavioral Analysts and Assistant Behavioral Analysts

2. Investigation and Disciplinary actions from the following activity:
 - a. Investigation
 - b. Adjudication

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AGENCY GOALS

LICENSING AND RENEWAL SUB-PROGRAM GOAL:

To timely and accurately issue and renew licenses to individuals meeting the required qualifications.

OBJECTIVE #1:

To grant licensure to those applicants who demonstrate that they meet the statutorily established minimal levels of competence to provide mental health services to Kansas consumers.

Strategies for Objective #1:

1. Continually revise and update applications to ease completion by applicants and expedite processing by staff.
2. Utilize an increasing amount of information available through electronic means from other state boards, national associations and data banks to expedite receipt of credential verification and examination scores.
3. Maintain current staffing levels used to process new applications for licensure.
4. Enable applicants and select other persons and entities to obtain status of an application and determine missing requirements by electronic means.
5. Utilize online database to create up-to-date tracking system for licensure denials.
6. Explore the feasibility of an online application process.

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- 7. Create uniformity and clarity among all professional licensure forms.
- 8. Maintain timely review of all applications for licensure, renewal, and training plans.
- 9. Continue to review rules and regulations for all the BSRB professions and make any necessary changes.

OBJECTIVE #1

OUTPUT MEASURES:

	FY 2023 Actual	FY 2024 Actual	FY 2025 Estimate	FY 2026 Estimate	FY 2027 Estimate
1. Number of new permanent licenses issued	1,598	1,701	1,600	1,550	1,500

Note: Due to the passage of several multi-state compacts, it is anticipated that some individuals who may have chosen to become licensed from other states will begin to choose to practice under those compacts as an alternative to licensure.

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OBJECTIVE #2:

To promptly process biennial renewals and ensure continued compliance with continuing education requirements by those practicing in this state.

Strategies for Objective #2:

1. Maintain current staffing levels used to process licensure renewals within current time frames.
2. Continue to provide electronic filing of renewal forms and deposit of renewal fees.
3. Regularly evaluate the online renewal process for effectiveness and ease of use.
4. Perform random audits of licensure renewal according to statistically sound auditing practices.

OBJECTIVE #2

OUTPUT MEASURES:

	FY 2023 Actual	FY 2024 Actual	FY 2025 Estimate	FY 2026 Estimate	FY 2027 Estimate
1. Number of renewal applications processed	5,789	6,714	5,500	6,300	5,100
2. Percent of license renewals processed within 14 days	98%	95%	98%	98%	98%
3. Percent of license renewals processed within 30 days	100%	99%	99%	99%	99%
4. Number of continuing education audits performed	587	676	555	635	515

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Note: All licensed psychologists renew licenses by the end of June in even numbered years, whereas other licenses have a two-year renewal cycle from original receipt of license, so the number of renewals and audits will be higher in even numbered fiscal years than in odd numbered fiscal years. While the agency has implemented new processes to encourage more licensees to renew and reinstate their licenses, the creation of several multi-state compacts will allow individuals the option to practice in Kansas through those compacts, rather than pursue traditional licensure. Currently, for some professions, as many as one-third of our licensees live out-of-state. We expect a portion of those individuals to begin to fail to renew their licenses and choose to practice through (1) authority from compact commissions (PSYPACT for licensed psychologists); (2) obtaining a privilege to practice rather than licensure (Professional Counseling Multi-State Compact); and (3) through obtaining a multi-state license in their home-state rather than a Kansas license (Social Work Multi-State Compact).

INFORMATION AND EDUCATION ACTIVITIES:

To increase awareness of the role and programs of the Behavioral Sciences Regulatory Board and to accurately and promptly provide information to all the board's customers, including the legislature, public, other states, government agencies, private entities, applicants, licensees and state and national data banks.

OBJECTIVE #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.

Strategies for Objective #3:

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1. Expand and make more user friendly the information available by electronic means to increase public accessibility to the Board’s public information related to licensees.
2. Continue development of methods to ensure accuracy of information maintained in the Board’s database.

OBJECTIVE #3

OUTPUT MEASURES:

	FY 2023 Actual	FY 2024 Actual	FY 2025 Estimate	FY 2026 Estimate	FY 2027 Estimate
1. Percent of open record requests initially responded to within 3 days.	100%	100%	100%	100%	100%

OBJECTIVE #3

OUTCOME MEASURES:

Increase in the number of reports generated through computer querying and decrease in the amount of staff time devoted solely to providing information on licensees and registrants which can be accessed electronically.

OBJECTIVE #4:

To continue accuracy and promptness in providing reports and information disseminated by the Board.

Strategies for Objective #4:

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1. Increase information for dissemination to the public and licensees and registrants of the Board by updating the information contained on the Board's website.
2. Continually review all database information and correct all inaccuracies.
3. Assure ADA compliance of agency website.

OBJECTIVE #4

OUTCOME MEASURES:

1. Assure information on agency website is current.
2. Provide timely announcements on the front page of agency website.
3. Post handouts and other materials from Board and Advisory Committee meetings on the agency website.

OBJECTIVE #5:

Develop and enhance internal and external relationships through effective communication with all stakeholders.

Strategies for Objective #5:

1. Maintain positive working relationships with other state agencies.
2. Inform and communicate with potential educators and licensees about Kansas licensure requirements.

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- 3. Involve appropriate Board members in legislative processes.
- 4. Continue to maintain effective communication with the professional associations related to professions licensed by BSRB.

OBJECTIVE #5

OUTPUT MEASURES:

	FY 2023 Actual	FY 2024 Actual	FY 2025 Estimate	FY 2026 Estimate	FY 2027 Estimate
1. Number of formal presentations made to educators, students, national organizations, and the public.	16	18	16	16	16
2. Board and Advisory Committee meetings broadcast live or uploaded to the BSRB YouTube channel.	50	46	48	48	48

OBJECTIVE #5

OUTCOME MEASURES:

- 1. Invite and encourage Board members to attend Budget Committee meetings during the Legislative Session.
- 2. Work to maintain a liaison relationships with state or professional associations to keep the association members aware of BSRB issues related to them.

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OBJECTIVE #6:

Establish and maintain regulatory procedures and standards reflective of the developing and emerging professional practice trends within each regulated discipline.

Strategies for Objective #6:

1. Identify emerging practices and determine applicability to current statutes and regulations.
2. Develop an annual legislative agenda for those items selected by the Board.
3. Involve appropriate Board members in legislative processes.

OBJECTIVE #6

OUTCOME MEASURES:

1. Throughout the Legislative session, Board members whose professions are affected by any new legislation will be invited to attend relevant Legislative hearings.
2. Consult with the Reviser's Office regarding necessary legislation that could affect agency licensees and/or operation.
3. Continue to attend meetings of – and be an active member in national regulatory board meetings (Association of State and Provincial Psychology Boards (ASPPB), Association of Social Work Boards (ASWB), National Board for Certified Counselors (NBCC), Behavior Analyst Certification Board, and others). This will allow the BSRB to maintain effective communications concerning national trends of regulatory activity.
4. Continue to identify priority topics to be researched and/or implemented as new regulatory procedures.

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INVESTIGATION AND DISCIPLINE SUB-PROGRAM GOAL:

To provide public protection by ongoing evaluation and improvement of the disciplinary process of the Behavioral Sciences Regulatory Board.

OBJECTIVE #1:

Maintain an average length of time from receipt of alleged violations to completion of investigations of 120 days.

Strategies for Objective #1:

1. Keep to a maximum of 30 days the time from receipt of alleged violations until commencement of investigation.
2. Maintain current quality of investigations.
3. Prioritize complaints according to potential harm to the public.
4. Maintain current process for complainants to file complaints.

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OBJECTIVE #1

OUTPUT MEASURES:

	FY 2023 Actual	FY 2024 Actual	FY 2025 Estimate	FY 2026 Estimate	FY 2027 Estimate
1. New Reports of Alleged Violations reviewed	200	206	210	215	220
2. Percentage of investigations commencing within 15 days of receipt of complaint	94%*	96%	90%	90%	90%
3. Percentage of investigations commencing within 30 days of receipt of complaint	100%	100%	98%	98%	98%

*Note: Output measures in FY 2023 used “*within 10 days of receive of complaint,*” while output measures beginning in FY 2024 and going forward will use “*within 15 days of receipt of complaint.*”

OBJECTIVE #1

OUTCOME MEASURES:

1. Continue improvement in the efficiency and quality of disciplinary investigations through the provision of training, investigative techniques and report writing.
2. Maintain effort to decrease the number of pending investigative cases.

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OBJECTIVE #2:

To take swift and decisive action when investigations reveal probable cause of conduct for which disciplinary measures are appropriate. To effectively enforce orders of the Board and to identify and prevent individuals from unlawful and unauthorized practice of professions regulated by the Board.

Strategies for Object #2:

1. Maintain the speed and urgency associated with the process of sending cases to the Complaint Review Committee in a timely manner.
2. Review and evaluate the effectiveness of the Complaint Review Committee processes.
3. 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.
4. Refer those cases that cannot be resolved informally to the appropriate County/District Attorney.
5. Prosecute matters under the Administrative Procedure Act thoroughly and swiftly when voluntary stipulations cannot be reached.
6. Report all relevant disciplinary actions to National Practitioner Data Bank as required.

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OBJECTIVE #2

OUTPUT MEASURES:

	FY 2023 Actual	FY 2024 Actual	FY 2023 Actual	FY 2024 Estimate	FY 2025 Estimate
1. Percent of investigative reports finalized and submitted to Complaint Review Committee within 90 days of receipt of complaint	24%	29%	30%	30%	30%
2. Percent of investigative reports finalized and submitted to Complaint Review Committee within 180 days of receipt of complaint	81%	65%	80%	80%	80%

Note: Investigation of a complaint is a highly complex process, and the components of an investigation include, but are not limited to, clarifying the facts and circumstances for the complaint with the person who made the complaint; obtaining releases for the review of potentially confidential records; providing an opportunity for the licensee to respond in detail to any complaint filed; interactions with legal counsel for both complainants and licensee; granting of reasonable extensions of time (whenever requested) for individuals and legal counsel in order to respond to a formal complaint; and interviewing individuals who might have knowledge of the facts and circumstances associated with the complaint. During part of FY 2024, the staff member who splits their time between investigations and licensing was temporarily tasked to spend more time licensing, reviewing clinical training plans to make up for a backlog due to an increase in the number of training plans received. Also, this staff member spent time training a staff member in a new role focused on review and approval of training plans.

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BOARD ACTIONS

The Board has ensured compliance with the rules, regulations and State Statutes governing the practice of the behavioral sciences in the State of Kansas. The following are the statistics for Report of Alleged Violations (RAVs) received from FY 2015 through FY 2024:

Cases Open at the End of FY 2024: 206

COMPLAINTS/REPORTS OF ALLEGED VIOLATION (RAVs) RECEIVED

FY	TOTAL RAVs	LP	LMLP	LCP	LMFT	LCMFT	LPC	LCPC	LASW	LBSW	LMSW	LSCSW	LAC	LMAC	LCAC	LBA	NL
2015	141	10	2	4	5	1	9	6	0	21	34	22	12	0	6	0	9
2016	137	8	5	6	5	2	10	4	0	15	35	21	11	0	5	0	10
2017	139	14	1	0	6	10	5	7	1	20	29	21	14	1	4	0	6
2018	126	6	3	6	9	6	8	4	0	13	26	22	13	3	1	0	6
2019	201	17	9	3	8	11	9	12	0	21	35	48	8	2	3	2	13
2020	199	22	5	9	4	12	15	15	0	14	26	31	19	4	5	1	17
2021	132	9	3	7	3	10	14	10	0	20	16	19	7	2	0	0	12
2022	205	21	4	5	12	16	16	14	0	5	43	39	4	2	2	2	20
2023	200	25	9	11	5	18	24	8	0	3	39	31	7	2	1	0	17
2024	206	17	9	14	10	6	10	14	0	9	44	33	11	1	1	4	23
TOTAL	1,686	149	50	65	67	92	120	94	1	141	327	287	106	17	28	9	133

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LICENSURE KEY

- 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
- LAC Licensed Addiction Counselor
- LMAC Licensed Masters Addiction Counselor
- LCAC Licensed Clinical Addiction Counselor
- LBA Licensed Behavior Analyst
- NL No License

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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 six 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.

The 2010 Legislature created two new professions, the licensed addiction counselor and the licensed clinical addiction counselor, effective July 1, 2011. The 2010 Legislature (updated in L. 2011, Ch. 114, Sec. 12 of Session Laws of Kansas) passed the Licensed Addictions Counselors Act with HB2577 and then modified it with Sub HB2182 in the 2011 Legislature.

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The 2014 Legislature passed HB 2744 which established the applied behavior analysis licensure act. The agency promulgated rules and regulations to enforce this act effective July 1, 2016.

The 2018 Legislature passed SB 386, which amended the educational degree requirement for licensure of Professional Counselors. The new educational requirement allows a graduate degree in a field of study related to Professional Counseling as long as completion of 60 total graduate hours has been achieved with 45 of these graduate hours having been taken in specific courses in the discipline of Professional Counseling.

The 2019 Legislature passed SB 15 which amended in-state and out-of-state licensure requirements for clinically licensed social workers. This legislation aligned the Kansas standards with those of many other states. One of the many positive results of this legislation is that it is less cumbersome for an individual to be licensed as a clinical social worker by reciprocity with another state.

The 2021 Legislature passed Senate Sub. for HB 2208 which amended licensure requirements for several professions by decreasing the number of hours of required post-graduate supervised work experience towards a clinical license, lowering the total number of required direct supervision hours for a clinical license, authorizing clinical supervision hours to be completed over televideo for several professions, decreasing the number of direct-client contact practicum hours required for licensure as a clinical professional counselor and striking statutory language previously requiring 350 hours of direct client contact practicum hours for clinical social workers, and increasing the length of a temporary professional counselor license. The bill also made modifications to the BSRBs disciplinary statutes, set a fee cap to be a Board-approved clinical supervisor for professional counselors or marriage and family therapists, and made changes to the out-of-state temporary permit.

The 2022 Legislature enacted SB 453 which allowed most master's-level and clinical-level licensees to use their license to satisfy some of the educational requirements to test for a licensed addiction counselor license. Also, the bill added language allowing the BSRB to consider alternate requirements for applicants for a clinical-level social work license, if those applicants did not have a clinical practicum.

The 2023 Legislature enacted SB 131 which included significant changes to many professions regulated by the BSRB. The base bill was originally requested on behalf of the Board, though the Legislature made several changes were made to the final version. Sub for SB 131 included the following changes: (1) authorized the BSRB to issue two-year temporary licenses (rather than one-year temporary licenses) for four professions; (2) decreased the length of licensure necessary for certain reciprocity applicants

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from 48 of 54 months down to 12 months; (3) created a process for licensees in most professions to be able to request additional time to complete continuing education hours to allow licenses to remain active while those hours were finished; (4) decreased the cost for individuals to reinstate an expired license if their license had been expired for at least one year, as a method to motivate individuals to re-enter the professions; (5) created a new 6-month Temporary Reinstatement License to allow individuals to practice a limited amount of time under supervision while completing the continuing education hours necessary for their license to be fully reinstated; (6) created a new Student Temporary Addiction Counselor license as a pathway for individuals taking coursework towards the requirements for an addiction counseling license; (7) created a new Temporary Candidacy Social Work license for applicants from bachelor's and master's social work programs that are seeking accreditation and are in candidacy status, but are not yet accredited; (8) included statutory language for the BSRB to draft regulations to allow Behavior Analyst licenses to be reinstated, rather than those individuals needing to reapply if their license was expired; (9) added disciplinary remedies for the behavior analyst profession so that their remedies would be more consistent with other professions, rather than merely being able to suspend or revoke a license; (10) modernized the requirements for licensure for licensed psychologists from "good moral character" to "meriting the public trust," which is a criteria more consistent with the other professions and the requirements to be licensed as a psychologist in other jurisdictions; (11) created Community-Based Licenses for several professions as an alternative to traditional temporary licenses; (12) removed certain coursework and other requirements for applicants seeking to become clinical social workers; (13) added new license processing procedures; (14) added language for the Board to create an expedited application review process for an additional fee; and (15) other statutory cleanup.

Also, the 2023 Legislature enacted HB 2288, which added Kansas to a multi-state compact for clinical professional counselors. By of September 15, 2023, sufficient states joined the Counseling Compact for the Compact Commission to hold meetings to determine rules for the Counseling Compact. As of September 2024, the Counseling Compact is not yet operational for the purpose of issuing privileges to practice in other Compact states and it is estimated that the data system and other items needed for the operation of the Professional Counseling Compact will be in place by late calendar year 2025.

The 2024 Legislature enacted HB 2484, which added Kansas to a multi-state compact for social work. By the summer of 2024, sufficient states passed the model language, which authorizes the Social Work Compact Commission to begin to hold meetings to determine rules for the Social Work Compact, however the Social Work Compact is not yet operational for the purpose of allowing states to issue multi-state licenses. At this time, the earliest the Social Work Compact may be operational is the very end of calendar year 2025.

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Overview of Agency Total Budget at Each Level

Current Year FY 2025 Revised Estimate

The agency's **FY 2025** revised estimate totals **\$1.2 million**, all from the Behavioral Sciences Regulatory Board (BSRB) Fee Fund, which is a decrease of \$36,490 below the amount approved by the 2024 Legislature. The decrease is primarily attributable to a decrease in salaries and wages and contractual services expenditures. The agency's budget previously included a temporarily unclassified position to assist if the agency experienced an unexpected increasing in applications, however the agency will utilize contract staffing if this should occur. Adjustments in contractual services expenditures are primarily due to the agency re-estimating costs for FY 2025, based on recent actual expenditures. This level of expenditure funds the agency's twelve permanent positions. The FY 2025 revised estimate does not include any supplementals in FY 2025.

Budget Year FY 2026 Total Budget Request

The agency's **FY 2026** request totals **\$1.2 million**, all from the BSRB Fee Fund, which is an increase of \$20,254 above the FY 2025 revised estimate. The increase is primarily attributable to an increase in salaries and wages and contractual services expenditures. The salary and wage expenditures are linked to projected increased costs for fringe benefits. The increase in contractual services primarily links to projected inflationary costs beyond FY 2025.

Budget Year FY 2027 Total Budget Request

The agency's **FY 2027** request totals **\$1.2 million**, all from the BSRB Fee Fund, which is an increase of \$7,325 above the FY 2026 Request. The increase is attributable to an increase contractual services expenditures, offset by a decrease in salary expenditures. The increase in contractual services links to projected inflationary increases or certain contracted services. The projected decrease in salary expenditures links to decreased fringe benefit costs.

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NARRATIVE INFORMATION JUSTIFICATION OF EXPENDITURES

Account Code 100 – Salaries and Wages

Summary: Traditionally, expenditures in this category include salary and fringe benefit costs for the agency’s employees and expenditures for Board members to attend meetings. In FY 2024, the agency had 11.5 FTE positions. The BSRB received authority to convert a 0.5 FTE licensing specialist position to a 1.0 FTE position beginning in FY 2025. Therefore, as of July 1, 2024, the agency’s budget includes 12.0 FTE positions to administer all the programs that are necessary for licensing, regulating, and providing information on the seven (7) behavioral science professions for which the Board is statutorily responsible. The agency’s two sub-programs are (1) Licensing and Renewal and (2) Investigation and Discipline. Temporary staff to help with credentialing new applicants for licensure, as well as assisting with the application renewal process, could be utilized during a very busy licensure periods.

FY 2025 Total Agency Revised Estimate for Salaries and Wages – \$804,013

The **FY 2025** agency-wide revised estimate for **salary and wages** totals **\$804,013**, all from the Behavioral Sciences Regulatory Board (BSRB) Fee Fund. This is a decrease of \$45,518 below the amount approved by the 2024 Legislature. The decrease is primarily attributable to the agency eliminating a temporary unclassified position. If the agency has an unanticipated influx of applications, the agency will use temporary staffing support. Overall, expenditures in this category include salary and wages and fringe benefits for 12.0 FTE positions, as well as payments to Board members for attending authorized meetings.

FY 2025 Revised Estimate – Licensing and Renewal Sub-Program– \$703,256

The **FY 2025** revised estimate for **salary and wages** for the **Licensing and Renewal sub-program** totals **\$703,256**, which is a decrease of \$45,518 below the amount approved by the 2024 Legislature. The decrease is primarily attributable to the agency eliminated a temporary unclassified licensing staff position.

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FY 2025 Revised Estimate – Investigation and Discipline Sub-Program– \$100,757

The **FY 2025** revised estimate for **salary and wages** for the **Investigation and Discipline sub-program** totals **\$100,757**, which is an increase of \$1,068 above the amount approved by the 2024 Legislature. The increase is primarily attributable to a revised estimate for fringe benefit costs. One employee works full-time in this sub-program and another employee splits their time between this sub-program and the Licensing and Renewal sub-program.

FY 2026 Total Agency Request for Salaries and Wages – \$813,682

The **FY 2026** agency-wide request for **salary and wages** expenditures totals **\$813,682**, all from the Behavioral Sciences Regulatory Board (BSRB) Fee Fund. This is an increase of \$9,669 above the FY 2025 Revised Estimate. The increase is primarily attributable to an increase in fringe benefit costs. Overall, expenditures in this category include salary and wages and fringe benefits for 11.5 FTE positions as well as payments to Board members for attending authorized meetings.

FY 2026 Request – Licensing and Renewal Sub-Program– \$711,417

The **FY 2026** request for **salary and wages** for the **Licensing and Renewal sub-program** totals **\$711,417**, which is an increase of \$8,161 above the FY 2025 Revised Estimate. The increase is primarily attributable to an increase in fringe benefit costs.

FY 2026 Request – Investigation and Discipline Sub-Program– \$102,265

The **FY 2026** request for **salary and wages** for the **Investigation and Discipline sub-program** totals **\$102,265**, which is an increase of \$1,508 above the FY 2025 Revised Estimate. The increase is primarily attributable to an increase in fringe benefit costs.

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FY 2027 Total Agency Revised Estimate for Salaries and Wages – \$811,468

The **FY 2027** agency-wide request for **salary and wages** expenditures totals **\$811,468**, all from the Behavioral Sciences Regulatory Board (BSRB) Fee Fund. This is a decrease of \$2,214 below the FY 2026 Request. The decrease is primarily attributable to a projected decrease in KPERS employer contributions for state employees and a decrease in health insurance costs. Overall, expenditures in this category include salary and wages and fringe benefits for 12.0 FTE positions as well as payments to Board members for attending authorized meetings. The budget also includes funding for a part-time temporary position that helps to combat seasonal fluctuations in workload.

FY 2027 Request – Licensing and Renewal Sub-Program– \$714,982

The **FY 2027** revised estimate for **salary and wages** for the **Licensing and Renewal sub-program** totals **\$714,982**, which is an increase of \$3,565 above the FY 2026 Request. The increase is primarily attributable to a projected increase in fringe benefit costs.

FY 2027 Request – Investigation and Discipline Sub-Program– \$96,486

The **FY 2027** revised estimate for **salary and wages** for the **Investigation and Discipline** sub-program totals **\$96,486**, which is a decrease of \$5,779 below the FY 2026 Request. The decrease is primarily attributable to projected decrease in KPERS employer contributions for state employees and a decrease in health insurance costs.

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Account Codes 200 – 290 Contractual Services

Summary: Traditionally, the majority of the anticipated expenses in this category are fixed costs that are essential for agency operation. These fixed costs include expenses for office rent, copy machine rent, communication, data storage, information technology infrastructure, network user services, the monumental building surcharge, and cyber security fees. The BSRB launched a new licensing database on August 31, 2020, hosted by the Board of Healing Arts, and funding for expenses associated with the operation of this database are included in this expense category. The Board of the BSRB recently voted to move the agency’s licensure system under the state’s new enterprising licensing system, through Accela. However, the agency is uncertain whether the timeline for moving to access will be completed over the next two years, so the agency has budgeted for continuation of the existing MOU with the Board of Healing Arts through the end of FY 2027.

The agency budgets in-state travel expenditures for reimbursement of Board member mileage to attend some meetings in person and for BSRB staff to drive to educational institutions in Kansas to discuss the licensure requirements and unprofessional conduct regulations for licensees, which is especially important for new graduates who have degrees in professions licensed by the agency. The agency is seeking to take another step forward, assisting Board members who are starting to volunteer on committees for national associations. Legal expenses associated with expert witness fees, court reporter fees, contract litigators (if necessary), and anticipated expenses for administrative hearings are included in this category. Memberships in national board associations – which are essential to the success of licensing activities – are funded at this level of expenditure. A hospitality fund of \$1,000 is also included in this expenditure category.

In an effort to reflect shared costs between the agency’s two sub-programs, the agency attempts to apportion expenditures for large items between the sub-programs. Currently, about 85% of expenditures for large items are apportioned to the Licensing and Renewal sub-program and 15% of expenditures to the Investigation and Discipline sub-program. These shared costs include the agency’s contract for legal services, the memorandum of understanding with the Board of Healing Arts for hosting the agency’s licensing system, office space and storage rent, and the monumental building surcharge.

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Recently, the agency has experienced unusual fluctuations in expenditures for legal services, but the agency is optimistic that it will be able to keep legal fees lower in the future. Previously, the agency received legal services from the Attorney General’s office, however that agency began raising fees significantly on the agency, was not receptive to guarantees against future increase, and so the BSRB entered into a short-term agreement for legal services through an MOU with representatives from the Kansas Department for Aging and Disability Services, then put out an RFP for legal services. The agency awarded the contract to Frieden and Forbes and has seen legal fees begin to stabilize.

While the agency anticipates some continuing increases in costs due to recent inflationary factors, the agency is budgeting conservatively concerning increase in FY 2026 and FY 2027 and will readjust the budget estimates in future years if it continues to see rising costs for certain services, though some costs have been re-estimated based on recent actual expenditures. Also, adjustments to rent expenditures and storage expenditure reflect the rising cost indices in FY 2026 and FY 2027.

FY 2025 Total Agency Revised Estimate for Contractual Services – \$387,918

The **FY 2025** agency-wide revised estimate for **contractual services** totals **\$387,918**, all from the Behavioral Sciences Regulatory Board (BSRB) Fee Fund. This is a decrease of \$18,040 below the amount approved by the 2024 Legislature. Overall, expenditures primarily include contracted services noted in the summary of contractual services for the agency.

FY 2025 Revised Estimate – Licensing and Renewal Sub-Program—\$327,422

The **FY 2025** revised estimate for **contractual services** for the **Licensing and Renewal sub-program** totals **\$327,422**, which is an increase of \$5,385 above the amount approved by the 2024 Legislature. The increase is primarily attributable to an increase in temporary staffing expenditures, partially offset by decreases in legal services expenditures and re-estimating other contracted services, based on recent actual costs.

FY 2025 Revised Estimate – Investigation and Discipline Sub-Program– \$60,496

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The **FY 2025** revised estimate for **contractual services** for the **Investigation and Discipline sub-program** totals **\$60,496**, which is an increase of \$575 above the amount approved by the 2024 Legislature. The increase is primarily attributable to re-estimating expert witness fees.

FY 2026 Total Agency Request for Contractual Services – \$398,503

The **FY 2026** agency-wide request for **contractual services** expenditures totals **\$398,503**, all from the Behavioral Sciences Regulatory Board (BSRB) Fee Fund. This is an increase of \$10,585 above the FY 2025 revised estimate. The increase is primarily attributable to inflationary costs, such as increases in building and storage rent by the cost indices increasing; an increase in the contracted fee for the hosting of the agency’s licensing system, an increase in expenditures for computer services, and increase in other contracted services. Overall, expenditures primarily include contracted services noted in the summary of contractual services for the agency.

FY 2026 Request – Licensing and Renewal Sub-Program — \$337,015

The **FY 2026** revised estimate for **contractual services** for the **Licensing and Renewal sub-program** totals **\$337,015**, which is an increase of \$9,593 above the FY 2025 Revised Estimate. The increase is primarily attributable to increases in building and storage costs, contracted services to host the agency’s licensing system, computer services expenditures, and costs for board members and staff to attend association meetings for the professions regulated by the agency.

FY 2026 Request – Investigation and Discipline Sub-Program– \$61,488

The **FY 2026** revised estimate for **contractual services** for the **Investigation and Discipline sub-program** totals **\$61,488**, which is a increase of \$992 above the FY 2025 Revised Estimate. The increase is primarily attributable to increases in building and storage rental costs, costs associated with the hosting of the agency’s licensing system, and services for expert witnesses.

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FY 2027 Total Agency Request for Contractual Services – \$408,042

The **FY 2027** agency-wide revised estimate for **contractual services** expenditures totals **\$408,042**, all from the Behavioral Sciences Regulatory Board (BSRB) Fee Fund. This is an increase of \$9,539 above the FY 2026 Request. The increase is primarily attributable to inflationary cost increases, such as building and storage space rental, computer services expenditures, and costs for board members and staff to attend meetings of the associations for the professions regulated by the Board. Overall, expenditures primarily include contracted services noted in the summary of contractual services for the agency.

FY 2027 Revised Estimate – Licensing and Renewal Sub-Program — \$345,717

The **FY 2027** revised estimate for **contractual services** for the **Licensing and Renewal sub-program** totals **\$345,717**, which is an increase of \$8,702 above the FY 2026 Request. The increase is primarily attributable to an increase in expenditures on building and storage space rental, computer services, and costs for board members and staff to attend meetings for the professions regulated by the Board.

FY 2027 Revised Estimate – Investigation and Discipline Sub-Program– \$62,325

The **FY 2027** revised estimate for **contractual services** for the **Investigation and Discipline sub-program** totals **\$62,325**, which is an increase of \$837 above the FY 2026 Request. The increase is attributable to an increase in building and storage space rent, costs associated with hosting the agency’s licensing system, and expert witness fees.

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Commodities Expenditures

Summary: Traditionally, expenses in this budget category include office supplies (paper, envelopes, staples, pens, etc.), professional supplies (replacement phone cords, small shredders, small scanners, label makers, printer ink, etc.), and other miscellaneous items needed for day-to-day operations of the office (cleaning supplies, paper towels, tissues, first aid kit, etc.)

FY 2025 Total Agency Revised Estimate for Commodities – \$9,275

The **FY 2025** agency-wide revised estimate for **commodities** expenditures totals **\$9,275**, all from the BSRB Fee Fund. This is the same amount approved by the 2024 Legislature. Overall, the revised estimate includes stationery, office supplies, and data processing supplies.

FY 2025 Revised Estimate – Licensing and Renewal Sub-Program—\$7,350

The **FY 2025** revised estimate for **commodities** for the **Licensing and Renewal sub-program** totals **\$7,350**, which is the same amount approved by the 2024 Legislature.

FY 2025 Revised Estimate – Investigation and Discipline Sub-Program—\$1,925

The **FY 2025** revised estimate for **commodities** for the **Investigation and Discipline sub-program** totals **\$1,925**, which is the same amount approved by the 2024 Legislature.

FY 2026 Total Agency Request for Commodities – \$9,275

The **FY 2026** agency-wide request for **commodities** expenditures totals **\$9,275**, all from the BSRB Fee Fund. This is the same amount as the FY 2025 Revised Estimate. Overall, the request includes stationery, office supplies, and data processing supplies.

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FY 2026 Revised Estimate – Licensing and Renewal Sub-Program—\$7,350

The **FY 2026** request for **commodities** for the **Licensing and Renewal sub-program** totals **\$7,350**, which is the same amount as the FY 2025 Revised Estimate.

FY 2026 Revised Estimate – Investigation and Discipline Sub-Program—\$1,925

The **FY 2026** request for **commodities** for the **Investigation and Discipline sub-program** totals **\$1,925**, which is the same amount as the FY 2025 revised estimate.

FY 2027 Total Agency Request for Commodities – \$9,275

The **FY 2027** agency-wide request for **commodities** expenditures totals **\$9,275**, all from the BSRB Fee Fund. This is the same amount as the FY 2026 Request. Overall, the request includes stationery, office supplies, and data processing supplies.

FY 2027 Request – Licensing and Renewal Sub-Program—\$7,350

The **FY 2027** request for **commodities** for the **Licensing and Renewal sub-program** totals **\$7,350**, which is the same amount as the FY 2026 Request.

FY 2027 Request – Investigation and Discipline Sub-Program—\$1,925

The **FY 2027** request for **commodities** for the **Investigation and Discipline sub-program** totals **\$1,925**, which is the same amount as the FY 2026 request.

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Capital Outlay Expenditures

Summary: Traditionally, expenses in this budget category included replacement of computers, office furniture, and other large items. Recently, the agency began replacing aging computer technology with leasing agreements for laptops through the state’s “Desktop as a Service” program. This process involves paying a monthly fee to the Office of Information Technology Services (OITS) or an approved vendor who furnishes computer equipment to a state agency. Future capital outlay expenses for the Behavioral Sciences Regulatory Board will include the replacement certain board room furniture, network printers, scanners, shredders, FAX machine, and desktop printers. These items will be replaced over a rotating basis, depending on the items. The agency anticipates other small purchases of computer equipment to better support the staff’s remote work now and in the future. The agency replaced seating for some staff members and replaced all Boardroom seating in FY 2023, using the state’s agreement with Kansas Correctional Industries. Replacement of other seating and furniture will be staggered, based on condition of items. The agency has started to experience an increased number of issues with some desktop printers, so the agency anticipates replacing more of these printers and other devices in the next few years. Therefore, capital outlay expenditures to replace printers and office chairs has been increased.

FY 2025 Total Agency Revised Estimate for Capital Outlay – \$5,750

The **FY 2025** agency-wide revised estimate for **capital outlay** totals **\$5,750**, all from the BSRB Fee Fund. This is an increase of \$2,000 above the amount approved by the 2024 Legislature. The increase is attributable to an increase in printing equipment to replace desktop printers and an increase in office furniture, to continue replacing chairs for staff members and other office furniture. Overall, this capital outlay revised estimate generally includes replacement of equipment and office furniture on a rotational basis.

FY 2025 Revised Estimate – Licensing and Renewal Sub-Program—\$5,200

The **FY 2025** revised estimate for **capital outlay** for the **Licensing and Renewal sub-program** totals **\$5,200**, which is an increase above the amount approved by the 2024 Legislature. The increase is attributable to an increase in printing equipment and office furniture.

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FY 2025 Revised Estimate -- Investigation and Discipline Sub-Program—\$550

The **FY 2025** revised estimate for **capital outlay** for the **Investigation and Discipline sub-program** totals **\$550**, which is the same amount approved by the 2024 Legislature.

FY 2026 Total Agency Revised Estimate for Capital Outlay – \$5,750

The **FY 2026** agency-wide request for **capital outlay** totals **\$5,750**, all from the BSRB Fee Fund. This is the same amount as the FY 2025 revised estimate. Overall, this capital outlay request will include the replacement of office equipment and office furniture on a rotational basis.

FY 2026 Request – Licensing and Renewal Sub-Program—\$5,200

The **FY 2026** request for **capital outlay** for the **Licensing and Renewal sub-program** totals **\$5,200**, which is the same amount as the FY 2025 revised estimate.

FY 2026 Request -- Investigation and Discipline Sub-Program—\$550

The **FY 2026** request for **capital outlay** for the **Investigation and Discipline sub-program** totals **\$550**, which is the same amount as the FY 2025 revised estimate.

FY 2027 Total Agency Revised Estimate for Capital Outlay – \$5,750

The **FY 2027** agency-wide revised estimate for **capital outlay** totals **\$5,750**, all from the BSRB Fee Fund. This is the same amount as the FY 2026 request. Overall, this capital outlay request will include the replacement of office equipment and office furniture on a rotational basis.

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FY 2027 Request – Licensing and Renewal Sub-Program—\$5,200

The **FY 2027** request for **capital outlay** for the **Licensing and Renewal sub-program** totals **\$5,200**, which is the same amount as the FY 2026 request.

FY 2027 Request -- Investigation and Discipline Sub-Program—\$550

The **FY 2027** request for **capital outlay** for the **Investigation and Discipline sub-program** totals **\$550**, which is the same amount as the FY 2026 request.