



Public Comment to the Kansas Behavioral Sciences Regulatory Board

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Executive Director Mr. Fye, Board Chair Ms. Jones, and members of the board, good morning and thank you for the opportunity to speak with you today. My name is Andrew Secor and I am the President of the Kansas Counseling Association and I am here today to speak on behalf of the executive council of the Kansas Counseling Association. The Kansas Counseling Association is a Branch of the American Counseling Association, the world's largest association exclusively representing professional counselors in various practice settings and exists to promote the counseling profession through education and advocacy for both clients and professionals.

My purpose in being here today is to generate awareness and conversation about the counseling compact legislation that is being enacted in various states around the county. The issue of counselor mobility and a client's ability to continue services when moving outside their providers service area is an issue well known to people in the mental healthcare field. The American Counseling Association explored ways to increase portability and mobility for licensed professional counselors for many years. Ultimately, the decision was made approximately 4 years ago to pursue the compact option. The compact legislation was developed by the National Center for Interstate Compacts at The Council of State Governments. The Kansas Counseling Association is actively pursuing support for this legislation.

The counseling compact creates an agreement between member states to allow a privilege to practice in each other's state. Compacts are not unusual and are growing in use. Currently, compacts exist for nurses, physicians, physical therapists, psychologists, emergency management personnel, speech-language pathologists, and audiologists. License compact legislation is under development for occupational therapists and occupational therapy assistants, physician assistants, and advanced practice nurses. It is important to state that this compact does not grant a license to any professional.

The compact also does not impact the scope of practice as defined by any member state and, therefore, does not affect regulatory authority. The counseling compact leaves state-specific licensure requirements in place, therefore, not impacting a member state's existing licensing system. According to information provided about the compact legislation by The Council of State Governments, there will be no significant fiscal implications for states.

There are specific requirements for professionals to be eligible for the privilege to practice in another state. These requirements include the following:

- 60 hour master's degree,
- post-graduate counseling experience,
- Have a social security number or an NPI number,
- Hold a valid license in their home state, which must be a member of the compact
- Have no encumbrances on any state license currently, and no adverse actions or - restrictions against any license within the previous two years,
- Pass an FBI Fingerprint-Based Criminal Background Check,
- Meet any jurisprudence requirements for the member state in which they are seeking a privilege,
- Complete any continuing education requirements by their home state only,
- Pay any fees for the privilege to practice.

The goal of the counseling compact, like all counseling compacts, is to eliminate barriers to practice and to client care by ensuring cooperation among member-state regulatory boards.

Some advantages of the counseling compact include:

- Preserves existing licensure systems,
- Enhancing public safety through a shared interstate database of licensure and disciplinary information,
- Improving access to professional counseling services,
- Enhancing mobility of professional counselors,
- supporting relocating military spouses,
- and improving continuity of care when clients travel or relocate,
- greater control/ability to regulate the profession in the state.

One of the key benefits of the compact to consumers is the ability of the client to remain in treatment despite leaving the state the counselor is licensed to practice in at the onset of services. This is a continuous problem for many clients as people are not as location dependent for work and our society continues to be ever mobile. The legislation could also address the issue of professionals practicing in the state without a license as more people have moved to telehealth services.

At this time, the compact commission has begun meeting since they achieved the total number needed of 10 states that enacted the legislation. As of today, 17 states have enacted the counseling compact legislation, including Nebraska, Colorado, and Utah. The states of Missouri, Iowa, and Minnesota have introduced legislation with action not taken during the most recent legislative sessions in those states. Besides these states, the compact is also endorsed by the American Association of State Counseling Boards, the American Counseling Association, the American Mental Health Counselors Association, and the National Career Development Association.

The National Board for Certified Counselors also endorses the compact with the contingency that a graduate degree in counseling from an accredited institution be listed as a specific requirement. To address this issue, information was placed on the compact website which indicates the legislation mirrors current standards in each state with all states requiring an earned master's degree to obtain licensure. Therefore, for a state to be eligible to join the compact they must license the profession of counseling, require the passage of a national exam, and require a post-graduate clinical experience. A professional seeking a privilege to practice would not be eligible without a license from their home state, which requires an earned master's degree.

It is the hope of the Executive Council of the Kansas Counseling Association that if this legislation were to come forward, the BSRB Board would provide support of this legislation. As indicated earlier, the information provided is only a snapshot of the compact legislation. My hope this morning is to bring awareness to the compact legislation and begin conversation on the topic. I am happy to provide additional information for your review should it be desired. I want to thank you for your time this morning as well as for your service to the mental health profession and the citizens of the State of Kansas.

Thank you,

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KCA President