

BEHAVIORAL SCIENCES REGULATORY BOARD

Expenditure	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Operating Expenditures:					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Other Funds	649,634	730,635	730,635	737,043	737,043
TOTAL	\$ 649,634	\$ 730,635	\$ 730,635	\$ 737,043	\$ 737,043
Capital Improvements:					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0	0	0
TOTAL	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
GRAND TOTAL	\$ 649,634	\$ 730,635	\$ 730,635	\$ 737,043	\$ 737,043

Percentage Change:

Operating Expenditures					
State General Fund	-- %	-- %	-- %	-- %	(100.0) %
All Funds	4.0	12.5	12.5	0.9	0.9
FTE Positions	4.0	6.0	6.0	6.0	6.0
Non-FTE Perm.Uncl.Pos.	5.0	5.0	5.0	5.0	5.0
TOTAL	9.0	11.0	11.0	11.0	11.0

AGENCY OVERVIEW

The Behavioral Sciences Regulatory Board was created by the 1980 Legislature to regulate the practice of psychology and social work in Kansas. The Board's jurisdiction has expanded to include the licensing of professional counselors, master level psychologists, psychotherapists, marriage and family therapists, alcohol and other drug abuse counselors, and, beginning on July 1, 2016, behavior analysts. The Board derives its funding entirely through licensing and registration fees assessed to its credentialed practitioners.

The 12 members of the Board include two licensed psychologists, two licensed social workers, one licensed professional counselor, one licensed master level psychologist, one licensed marriage and family therapist, one licensed addiction counselor or licensed clinical addiction counselor, and four public members. The Governor appoints all board members to serve four-year terms.

MAJOR ISSUES FROM PRIOR YEARS

The **2006 Legislature** passed SB 470, which amended current law requirements for temporary licenses issued by the Board for the four master level professions regulated by the Board: licensed professional counselors, clinical-level social workers, licensed marriage and family therapists and licensed master level psychologists.

The **2007 Legislature** 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 **2009 Legislature** passed HB 2162, which amended the licensing requirements for marriage and family therapists in Kansas by removing the requirement of completing a program of study with standards consistent with those of state universities in Kansas. The bill also increased the statutory maximum the Board is permitted to charge for the application fee for the licensure of a psychologist, from \$150 to \$225, and reduced the statutory maximum of the original license fee, from \$200 down to \$150.

The **2010 Legislature** changed alcohol and other drug abuse counselors from registrants to licensees. The two categories created by this legislation are: the licensed addiction counselor and the licensed clinical addiction counselor. It also increased the size of the Board from 11 to 12 members.

The **2013 Legislature** changed how fees are paid for licensure examinations under the Licensure of Psychologists Act, requiring individuals to pay testing costs directly to the examination service in FY 2014.

The **2014 Legislature** passed HB 2744, which includes the Applied Behavior Analysis Licensure Act. This Act establishes a new category of licensure for behavioral analysts and changes rules related to insurance coverage for treatment of autism spectrum disorders. The Board must begin licensing behavioral analysts on July 1, 2016.

BUDGET SUMMARY AND KEY POINTS

FY 2016 – Current Year. The **agency** requests a revised estimate of \$730,635, all from special revenue funds. There are no changes from the approved amount.

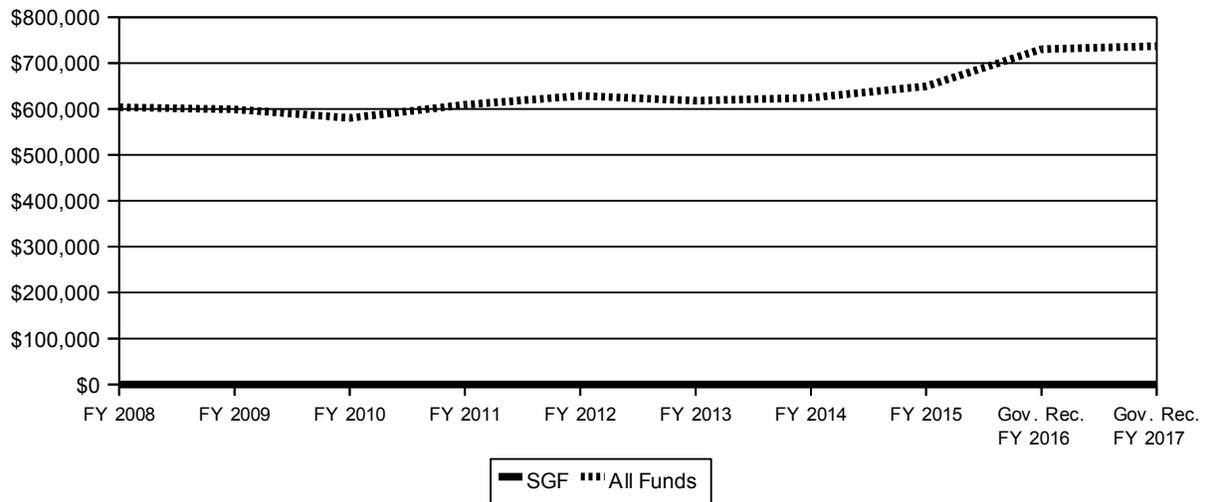
The **Governor** concurs with the agency's revised estimate.

FY 2017 – Budget Year. The **agency** requests a revised estimate of \$737,043, all from special revenue funds. There are no changes from the approved amount. This is an increase of \$6,408, or 0.9 percent, all from special revenue funds, above the FY 2016 revised estimate. The increase is primarily due to an increase in salaries and wages and contractual services, slightly offset by a decrease in capital outlay expenditures.

The **Governor** concurs with the agency's revised estimate.

BUDGET TRENDS

OPERATING EXPENDITURES FY 2008 – FY 2017



OPERATING EXPENDITURES FY 2008 – FY 2017

Fiscal Year	SGF	% Change	All Funds	% Change	FTE
2008	\$ 0	-- %	\$ 603,731	15.0 %	8.0
2009	0	--	599,289	(0.7)	8.0
2010	0	--	580,536	(3.1)	8.0
2011	0	--	609,218	4.9	8.0
2012	0	--	628,603	3.2	8.0
2013	0	--	618,070	(1.7)	9.0
2014	0	--	624,529	1.0	4.0
2015	0	--	649,634	4.0	4.0
2016 Gov. Rec.	0	--	730,635	12.5	6.0
2017 Gov. Rec.	0	--	737,043	0.9	6.0
Ten-Year Change Dollars/Percent	\$ 0	-- %	\$ 133,312	22.1 %	(2.0)

Summary of Operating Budget FY 2015 - FY 2017

Behavioral Sciences Regulatory Board

	Actual 2015	Agency Estimate				Governor's Recommendation			
		Estimate FY 2016	Estimate FY 2017	Dollar Change from FY 16	Percent Change from FY 16	Rec. FY 2016	Rec. FY 2017	Dollar Change from FY 16	Percent Change from FY 16
By Program:									
Administration	\$ 649,634	\$ 730,635	\$ 737,043	\$ 6,408	0.9 %	\$ 730,635	\$ 737,043	\$ 6,408	-- %
By Major Object of Expenditure:									
Salaries and Wages	\$ 507,808	\$ 538,304	\$ 545,824	\$ 7,520	1.4 %	\$ 538,304	\$ 545,824	\$ 7,520	1.4 %
Contractual Services	119,888	162,431	170,019	7,588	4.7	162,431	170,019	7,588	4.7
Commodities	9,252	10,150	10,700	550	5.4	10,150	10,700	550	5.4
Capital Outlay	12,686	19,750	10,500	(9,250)	(46.8)	19,750	10,500	(9,250)	(46.8)
Debt Service	0	0	0	0	--	0	0	0	--
Subtotal - Operations	\$ 649,634	\$ 730,635	\$ 737,043	\$ 6,408	0.9 %	\$ 730,635	\$ 737,043	\$ 6,408	0.9 %
Aid to Local Units	0	0	0	0	--	0	0	0	--
Other Assistance	0	0	0	0	--	0	0	0	--
TOTAL	\$ 649,634	\$ 730,635	\$ 737,043	\$ 6,408	0.9 %	\$ 730,635	\$ 737,043	\$ 6,408	0.9 %
Financing:									
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	-- %	\$ 0	\$ 0	\$ 0	-- %
BSRB Fee Fund	649,634	730,635	737,043	6,408	0.9	730,635	737,043	6,408	0.9
TOTAL	\$ 649,634	\$ 730,635	\$ 737,043	\$ 6,408	0.9 %	\$ 730,635	\$ 737,043	\$ 6,408	0.9 %

BUDGET OVERVIEW

A. FY 2016 – Current Year

Adjustments to Approved Budget

	CHANGE FROM APPROVED BUDGET				
	Legislative Approved FY 2016	Agency Estimate FY 2016	Agency Change from Approved	Governor Rec. FY 2016	Governor Change from Approved
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
All Other Funds	730,635	730,635	0	730,635	0
TOTAL	\$ 730,635	\$ 730,635	\$ 0	\$ 730,635	\$ 0
FTE Positions	6.0	6.0	0.0	6.0	0.0

The **agency** requests a revised estimate of \$730,635, all from special revenue funds. There are no changes from the approved amount and no major shifts in spending.

The **Governor** concurs with the agency's revised estimate.

Governor's Allotments

The 2015 Legislature, through the enactment of Senate Sub. for HB 2135, authorized the Director of the Division of the Budget to lapse appropriations or transfer funding from special revenue funds to the State General Fund (SGF), up to a total of \$100.0 million, at any time during FY 2016 if the Director determines the unencumbered ending balance of the SGF for FY 2016 will be less than \$100.0 million. This authority does not apply to appropriations for the Judicial Branch, Legislative Branch agencies, debt service, employer contributions to the Kansas Public Employees Retirement System (KPERs), the Department of Education (except the agency's operating expenditures account), or demand transfers to the school district capital improvements fund. On July 30, 2015, the Director announced various SGF lapses and transfers totaling \$60.7 million of which \$17.7 million require legislative approval.

On November 6, 2015, the Consensus Revenue Estimating Group met to revise the SGF Revenue Estimate for FY 2016. The estimate was decreased by \$159.1 million, for FY 2016. Excluding Governor recommended legislative adjustments, the ending balance for FY 2016 was estimated to require \$135.9 million in adjustments to achieve a zero ending balance. This estimate assumes that human services caseloads are funded at the recommended level and school finance KPERs contributions are reduced to reflect current estimates. As a result, on November 6, 2015 the Director exercised his authority under Senate Sub. for HB 2135 to make an additional \$56.9 million in revenue adjustments. The Governor further made \$52.6 million in expenditure reductions under the Governor's allotment authority. Finally, the Governor recommended the Legislature make an additional \$14.3 million in revenue adjustments.

Between the July and November adjustments, the Governor has reduced expenditures by a total of \$73.2 million, made \$79.4 million in revenue adjustments, and recommended the Legislature enact an additional \$32.0 million through the allotment authority and authority under 2015 Senate Sub. for HB 2135 or the special allotment statute. These adjustments, including the recommended Legislative adjustments, would result in a State General Fund ending balance of approximately \$5.6 million in FY 2016. This estimate excludes monthly SGF receipts subsequent to the November 6, 2015 consensus revenue estimate and any further adjustments made within the FY 2016 Governor's Budget Recommendation. The impact of these adjustments on this agency is described below.

GOVERNOR'S ALLOTMENTS			
Allotment	SGF	All Funds	FTE
July Special Allotment			
BSRB Fee Fund Transfer	\$ 0	\$ (500,000)	0.0
TOTAL	\$ 0	\$ (500,000)	0.0

B. FY 2017 – Budget Year

Adjustments to Approved Budget

CHANGE FROM APPROVED BUDGET					
	Legislative Approved FY 2017	Agency Estimate FY 2017	Agency Change from Approved	Governor Rec. FY 2017	Governor Change from Approved
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
All Other Funds	737,043	737,043	0	737,043	0
TOTAL	\$ 737,043	\$ 737,043	\$ 0	\$ 737,043	\$ 0
FTE Positions	6.0	6.0	0.0	6.0	0.0

The **agency** requests a revised estimate of \$737,043, all from special revenue funds. There are no changes from the approved amount and no major shifts in spending. This is an increase of \$6,408, or 0.9 percent, all from special revenue funds, above the FY 2016 revised estimate. The increase is primarily due to an increase in salaries and wages and contractual services, slightly offset by a decrease in capital outlay expenditures. The increase in salaries and wages is necessary to maintain the staffing patterns of the agency. The increase in contractual services is due to increased rent and surcharges, Office of Administrative Hearings charges, and OITS fees. The decrease in capital outlay is due to additional funding necessary in the previous fiscal year for the replacement of computers and iPads.

The **Governor** concurs with the agency's revised estimate.

Funding Sources

Funding Source	Agency Est. Percent of Total FY 2017	Gov. Rec. Percent of Total FY 2017
State General Fund	0.0 %	0.0 %
BSRB Fee Fund	100.0	100.0
TOTAL	100.0 %	100.0 %

Note: Details may not add to totals due to rounding.

Behavioral Sciences Regulatory Board Fee Fund Analysis

In accordance with KSA 74-7505, the Behavioral Sciences Regulatory Board Fee Fund replaced the Psychologists Fee Fund and the Social Work Examiners Fee Fund in 1980. The new Board inherited the previous Boards' authorities to set, charge, and collect fees. As a fee funded agency, the Board currently contributes the lesser of 10 percent or \$100,000 of fee revenue to the State General Fund for the cost of support services provided by other state agencies under KSA 75-3170a and remainder is held in the agency fee fund. These retained fees fund the agency.

Beginning in FY 2016, the Board has approved a reduction in all fees for all licensees. All application and renewal fees will be reduced by \$30 and original licensure fees will be eliminated. The changes should be through the rules and regulations process by March 2016. The Board instituted these fee reductions to reduce the fund's carry forward balance. The transfers out in FY 2016 reflect a \$500,000 transfer to the State General Fund, which was part of the Governor's July Special Allotment.

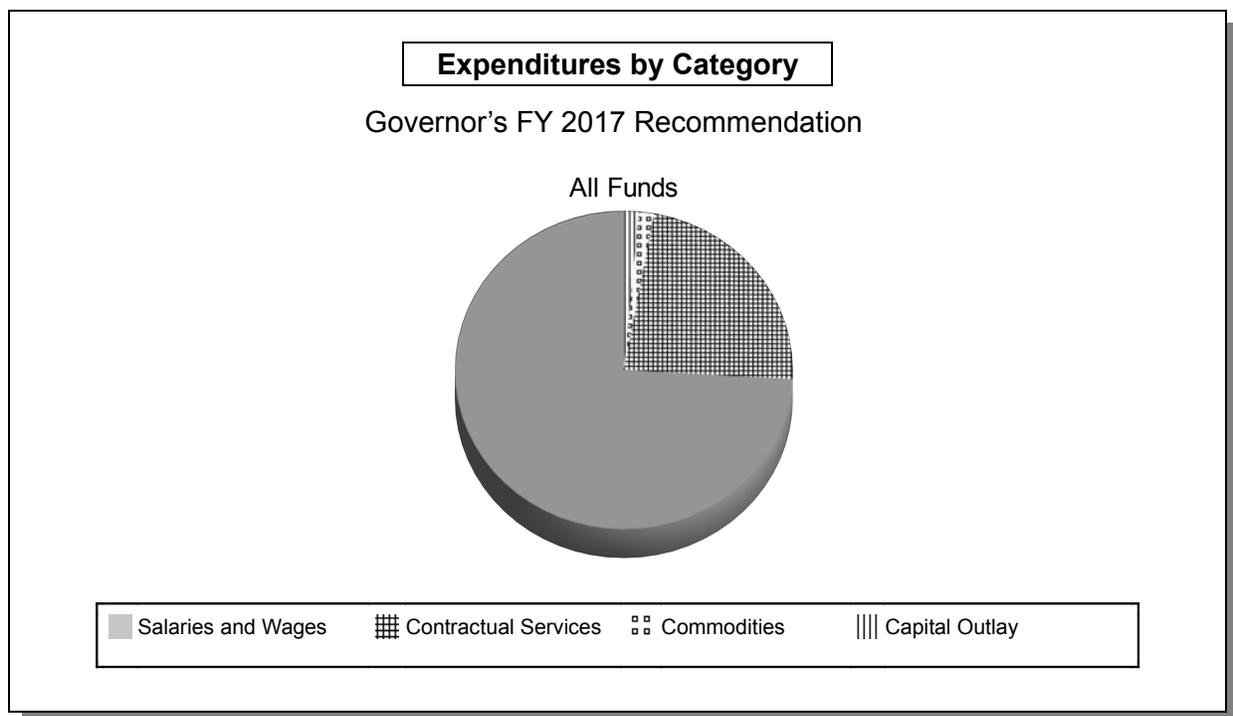
Resource Estimate	Actual FY 2015	Agency Estimate FY 2016	Gov. Rec. FY 2016	Agency Estimate FY 2017	Gov. Rec. FY 2017
Beginning Balance	\$ 1,074,666	\$ 1,387,674	\$ 1,387,674	\$ 882,678	\$ 882,678
Revenue	962,642	725,639	725,639	617,756	617,756
Transfers in	783,708	0	0	0	0
Total Funds Available	\$ 2,821,016	\$ 2,113,313	\$ 2,113,313	\$ 1,500,434	\$ 1,500,434
Less: Expenditures	649,634	730,635	730,635	737,043	737,043
Transfers Out	783,708	500,000	500,000	0	0
Off Budget Expenditures	0	0	0	0	0
Ending Balance	<u>\$ 1,387,674</u>	<u>\$ 882,678</u>	<u>\$ 882,678</u>	<u>\$ 763,391</u>	<u>\$ 763,391</u>
Ending Balance as Percent of Expenditures	213.6%	120.8%	120.8%	103.6%	103.6%
Month Highest Ending Balance	June <u>\$ 1,390,678</u>	June <u>\$ 1,795,728</u>	June <u>\$ 1,795,728</u>	June <u>\$ 1,142,235</u>	June <u>\$ 1,142,235</u>
Month Lowest Ending Balance	February <u>\$ 1,045,317</u>	February <u>\$ 1,349,777</u>	February <u>\$ 1,349,777</u>	February <u>\$ 858,572</u>	February <u>\$ 858,572</u>

Staff Note: Due to reductions in agency fees made after the final budget submission, current agency revenue projections vary from those detailed in the chart above.

BEHAVIORAL SCIENCES REGULATORY BOARD FEES: FY 2016

Fee	Current Fees	Proposed Fees	Statutory Maximum
Renewal Fees			
Social Worker (Bachelors)	\$ 125	\$ 95	\$ 150
Social Worker (Masters)	125	95	200
Social Worker (Specialist Clinical)	150	120	150
Masters Level Psychologist	150	120	200
Clinical Psychotherapist	175	145	200
Psychologist	200	170	200
Professional Counselor	150	120	150
Clinical Professional Counselor	175	145	175
Marriage and Family Therapist	150	120	175
Clinical Marriage and Family Therapist	175	145	175
Addiction Counselor	100	70	150
Clinical Addiction Counselor	150	120	150
Application Fees			
Social Worker (Bachelors)	\$ 100	\$ 70	\$ 150
Social Worker (Masters)	100	70	150
Social Worker (Specialist Clinical)	100	70	150
Masters Level Psychologist	100	70	200
Clinical Psychotherapist	100	70	200
Psychologist	225	195	225
Professional Counselor	100	70	100
Clinical Professional Counselor	100	70	175
Marriage and Family Therapist	100	70	150
Clinical Marriage and Family Therapist	100	70	175
Addiction Counselor	100	70	150
Clinical Addiction Counselor	100	70	150
Original License Fees			
Social Worker (Bachelors)	\$ 100	\$ 0	\$ 150
Social Worker (Masters)	150	0	150
Social Worker (Specialist Clinical)	150	0	150
Masters Level Psychologist	150	0	200
Clinical Psychotherapist	150	0	200
Psychologist	50	0	150
Professional Counselor	150	0	175
Clinical Professional Counselor	150	0	175
Marriage and Family Therapist	150	0	175
Clinical Marriage and Family Therapist	150	0	175
Addiction Counselor	100	0	150
Clinical Addiction Counselor	150	0	150

PROGRAM DETAIL



Category	Gov. Rec. All Funds FY 2017	Percent of Total	Gov. Rec. SGF FY 2017	Percent of Total
Salaries and Wages	\$ 545,824	74.1 %	\$ 0	-- %
Contractual Services	170,019	23.1	0	--
Commodities	10,700	1.5	0	--
Capital Outlay	10,500	1.4	0	--
TOTAL	\$ 737,043	100.0 %	\$ 0	-- %

FTE POSITIONS BY PROGRAM FY 2015 – FY 2017

Program	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Administration	4.0	6.0	6.0	6.0	6.0

PERFORMANCE MEASURES

Measure	Gov. Rec. for FY 2015	Actual FY 2015	Gov. Rec. FY 2016	Gov. Rec. FY 2017
Number of new licenses:				
Licensed Clinical Psychologists	216	90	77	113
Professional Counselors	184	147	134	157
Marriage and Family Counselors	95	89	90	95
Licensed Social Workers	725	565	569	599
Licensed Addictions Counselors	115	90	92	84
Licensed Behavioral Analysts	--	--	--	110
Number of audits for continuing education requirements performed	416	456	545	444