

BEHAVIORAL SCIENCES REGULATORY BOARD

FY 2023 – FY 2025 BUDGET ANALYSIS

FIGURE 1
BUDGET OVERVIEW, FY 2023 – FY 2025

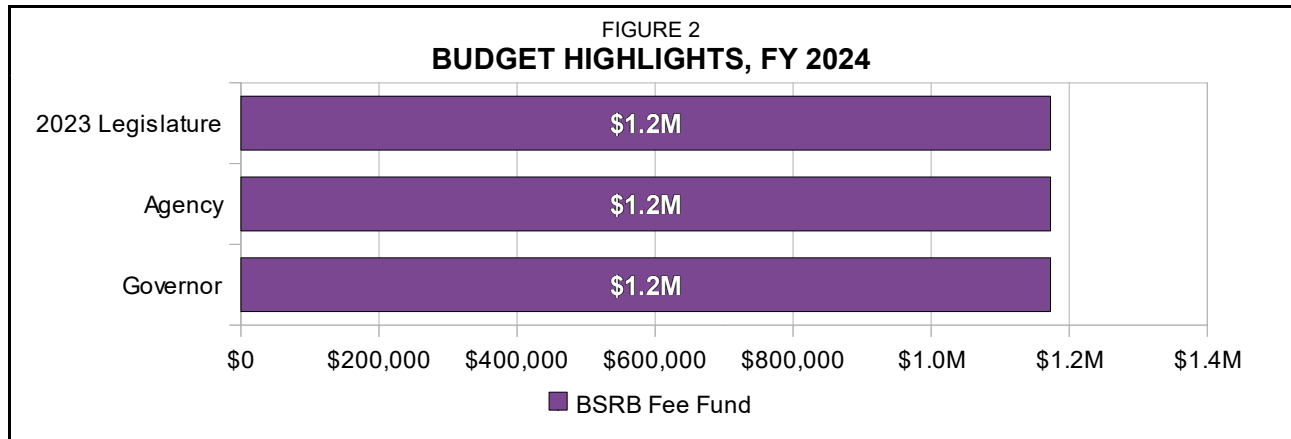
	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
Operating Expenditures:					
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	2,278	-	-	-	-
All Other Funds	1,010,079	1,173,036	1,173,036	1,195,945	1,195,945
<i>Subtotal</i>	<u>\$ 1,012,357</u>	<u>\$ 1,173,036</u>	<u>\$ 1,173,036</u>	<u>\$ 1,195,945</u>	<u>\$ 1,195,945</u>
Capital Improvements:					
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	-	-	-	-	-
All Other Funds	-	-	-	-	-
<i>Subtotal</i>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
TOTAL	<u>\$ 1,012,357</u>	<u>\$ 1,173,036</u>	<u>\$ 1,173,036</u>	<u>\$ 1,195,945</u>	<u>\$ 1,195,945</u>
Percentage Change:					
State General Fund	-- %	-- %	-- %	-- %	-- %
All Funds	21.2 %	15.9 %	15.9 %	2.0 %	2.0 %
FTE Positions	9.5	11.5	11.5	11.5	12.0

The mission of the Behavioral Sciences Regulatory Board (BSRB or Board), as established by KSA 74-7501, is to protect the public's health, safety, and welfare from unlawful or unprofessional practitioners who fall under the Board's jurisdiction. 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. The Board has also defined statutorily prohibited conduct through rules and regulations and has defined those acts that constitute unprofessional or incompetent practice.

The 12 members of the Board include 2 licensed psychologists, 2 licensed social workers, 1 licensed professional counselor, 1 licensed master's-level psychologist, 1 licensed marriage and family therapist, 1 licensed addiction counselor or licensed clinical addiction counselor, and 4 public members. The Governor appoints all Board members to serve four-year terms.

EXECUTIVE SUMMARY

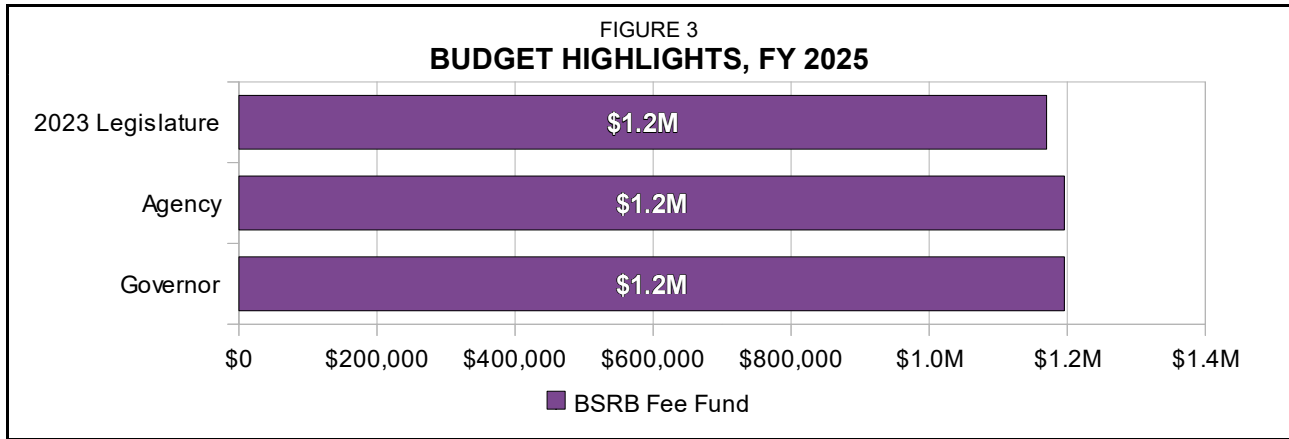
The 2023 Legislature approved a budget of \$1.2 million, all from the BSRB Fee Fund, for the Behavioral Sciences Regulatory Board in FY 2024. No changes were subsequently made to this amount.



The **agency** requests a revised estimate of \$1.2 million, all from the BSRB Fee Fund, in expenditures and 11.5 FTE positions in FY 2024. This is the same as the amount approved by the 2023 Legislature.

While the agency does not request an increase to its expenditure limitation, the agency's estimate does include changes within and between categories of expenditure within the amount approved by the 2023 Legislature. The revised estimate includes an increase of \$3,228 in salaries and wages due to increases in fringe benefits, and an increase of \$1,375 in commodities for office supplies for the two new licensing specialists approved by the 2023 Legislature. These increases are offset by an estimated decrease of \$3,163 in contractual services attributable to a decrease in legal services and other decreased expenditures.

The **Governor** concurs with the agency's revised estimate in FY 2024.



The **agency** requests a revised estimate of \$1.2 million, all from the BSRB Fee Fund, in expenditures and 11.5 FTE positions for FY 2025. This is an increase of \$22,909, or 2.0 percent, above the FY 2024 revised estimate and \$25,776, or 2.2 percent, above the amount approved by the 2023 Legislature. This increase is primarily to account for an increase in expenditure limitation that was inadvertently omitted from the Legislative Pay Plan in 2023 SB 25. This adjustment would achieve the intended effect of the pay plan and does not represent a substantive change from the salary adjustments approved by the 2023 Legislature.

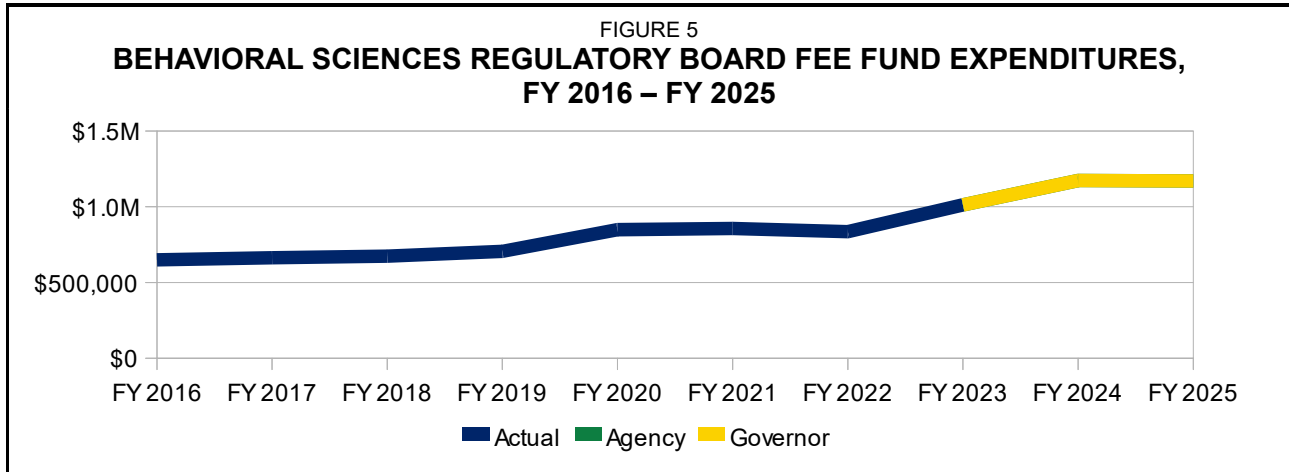
The **Governor** concurs with the agency's requested expenditure limitation for FY 2025. However, the Governor recommends the addition of 0.5 FTE position to convert a part-time position to full-time to assist with the agency's licensing responsibilities, which have expanded in recent years. The Governor recommends decreasing the agency's contracted labor budget by \$25,000 for FY 2025 and increasing the salaries and wages budget by the same amount. This results in no change to the expenditure limitation when compared with the agency's request for FY 2025.

EXPENDITURES AND FINANCING

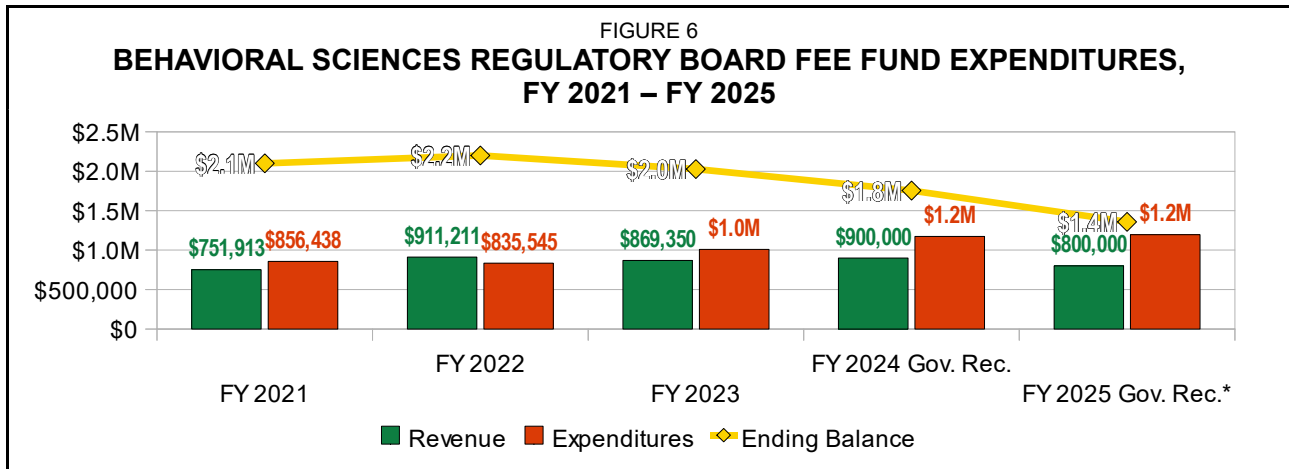
FIGURE 4
BUDGET SUMMARY BY CATEGORY OF EXPENDITURE, FY 2023 – FY 2025

	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
Category of Expenditure:					
Salaries and Wages	\$ 622,502	\$ 776,862	\$ 776,862	\$ 776,962	\$ 800,962
Contractual Services	357,684	378,411	378,411	405,958	381,958
Commodities	8,387	10,825	10,825	9,275	9,275
Capital Outlay	23,784	6,938	6,938	3,750	3,750
Debt Service Interest	-	-	-	-	-
<i>Subtotal</i>	<u>\$ 1,012,357</u>	<u>\$ 1,173,036</u>	<u>\$ 1,173,036</u>	<u>\$ 1,195,945</u>	<u>\$ 1,195,945</u>
Aid to Local Units	-	-	-	-	-
Other Assistance	-	-	-	-	-
<i>Subtotal—Operating</i>	<u>\$ 1,012,357</u>	<u>\$ 1,173,036</u>	<u>\$ 1,173,036</u>	<u>\$ 1,195,945</u>	<u>\$ 1,195,945</u>
Capital Improvements	-	-	-	-	-
Debt Service Principal	-	-	-	-	-
TOTAL	<u>\$ 1,012,357</u>	<u>\$ 1,173,036</u>	<u>\$ 1,173,036</u>	<u>\$ 1,195,945</u>	<u>\$ 1,195,945</u>
Financing:					
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	2,278	-	-	-	-
All Other Funds	1,010,079	1,173,036	1,173,036	1,195,945	1,195,945
TOTAL	<u>\$ 1,012,357</u>	<u>\$ 1,173,036</u>	<u>\$ 1,173,036</u>	<u>\$ 1,195,945</u>	<u>\$ 1,195,945</u>
FTE Positions	9.5	11.5	11.5	11.5	12.0

BEHAVIORAL SCIENCES REGULATORY BOARD FEE FUND



In accordance with KSA 74-7505, the BSRB 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 10.0 percent or \$100,000 of fee revenue to the State General Fund (SGF) for the cost of support services provided by other state agencies under KSA 74-3170a, and the remainder is held in the agency fee fund. These retained fees fund the agency.



* For FY 2025, the lowest month ending balance for the Behavioral Sciences Regulatory Board Fee Fund will occur in April, with a balance of \$1.8 million.

Behavioral Sciences Regulatory Board Fee Fund expenditures began to decrease in FY 2023 and are estimated to continue to decrease in FY 2024 and for FY 2025. This is due to the approval by the 2023 Legislature to add \$96,352, all from the BSRB Fee Fund, and 2.0 FTE positions beginning in FY 2023. The FTE positions were approved following the passage of Senate Sub. for SB 131, which modified licensure requirements, added new temporary licensure categories, and established requirements for an expedited application process for several BSRB-licensed professions. This addition has resulted in expenditures above anticipated revenue. The agency states it will absorb the cost of fees for several years because the balance in the BSRB Fee Fund is high. If the balance appears to be decreasing too quickly, the agency states it will look to possible fee adjustments.

FIGURE 7
LICENSE FEES, FY 2024

License	Current Fee	Statutory Limit	Authority
Application Fees:			
Social Worker (Associate & Bachelor's)	\$ 50	\$ 150	KSA 65-6314
Social Worker (Master's)	50	150	KSA 65-6314
Social Worker (Specialist Clinical)	50	150	KSA 65-6314
Psychologist	175	225	KSA 74-5310
Psychologist (Master's)	50	200	KSA 74-5365
Psychotherapist (Clinical)	50	200	KSA 74-5365
Professional Counselor	50	100	KSA 65-5808
Professional Counselor (Clinical)	50	175	KSA 65-5808
Marriage and Family Therapist	50	150	KSA 65-6411
Marriage and Family Therapist (Clinical)	50	175	KSA 65-6411
Addiction Counselor	50	150	KSA 65-6618
Master's-Level Addiction Counselor	50	150	KSA 65-6618
Addiction Counselor (Clinical)	50	150	KSA 65-6618
Original Fees:			
Social Worker (Associate & Bachelor's)	\$ 150	\$ 150	KSA 65-6314
Social Worker (Master's)	150	150	KSA 65-6314
Social Worker (Specialist Clinical)	150	150	KSA 65-6314
Psychologist	50	150	KSA 74-5310
Psychologist (Master's)	150	200	KSA 74-5365
Psychotherapist (Clinical)	150	200	KSA 74-5365
Professional Counselor	150	175	KSA 65-5808
Professional Counselor (Clinical)	150	175	KSA 65-5808
Marriage and Family Therapist	150	175	KSA 65-6411
Marriage and Family Therapist (Clinical)	150	175	KSA 65-6411
Addiction Counselor	100	150	KSA 65-6618
Master's-Level Addiction Counselor	150	150	KSA 65-6618
Addiction Counselor (Clinical)	150	150	KSA 65-6618
Assistant Behavioral Analyst	70	N/A	KAR 102-8-2
Behavioral Analyst	70	N/A	KAR 102-8-2
Renewal Fees:			
Social Worker (Associate & Bachelor's)	\$ 50	\$ 150	KSA 65-6314
Social Worker (Master's)	75	150	KSA 65-6314
Social Worker (Specialist Clinical)	100	150	KSA 65-6314
Psychologist	150	200	KSA 74-5310
Psychologist (Master's)	100	200	KSA 74-5365
Psychotherapist (Clinical)	125	200	KSA 74-5365
Professional Counselor	100	150	KSA 65-5808
Professional Counselor (Clinical)	125	175	KSA 65-5808
Marriage and Family Therapist	100	175	KSA 65-6411
Marriage and Family Therapist (Clinical)	125	175	KSA 65-6411

FIGURE 7
LICENSE FEES, FY 2024

License	Current Fee	Statutory Limit	Authority
Addiction Counselor	50	150	KSA 65-6618
Master's-Level Addiction Counselor	75	150	KSA 65-6618
Addiction Counselor (Clinical)	50	150	KSA 65-6618
Assistant Behavioral Analyst	70	N/A	KAR 102-8-2
Behavioral Analyst	120	N/A	KAR 102-8-2
Temporary License Fees			
Social Worker (Associate & Bachelor's) \$	50	\$ 50	KSA 65-6314
Social Worker (Master's)	50	50	KSA 65-6314
Social Worker (Specialist Clinical)	50	50	KSA 65-6314
Psychologist	50	200	KSA 74-5316
Psychologist (Master's)	50	200	KSA 74-5316
Professional Counselor	50	175	KSA 65-5808
Marriage and Family Therapist	50	175	KSA 65-6405
Addiction Counselor	50	100	KSA 65-6618
Master's-Level Addiction Counselor	50	100	KSA 65-6618

FY 2024 ANALYSIS

FIGURE 8

SUMMARY OF BUDGET REQUEST, FY 2024

	SGF	All Funds	FTE
Legislative Approved:			
Amount Approved by 2023 Legislature	\$ -	\$ 1,173,036	11.5
1. No Changes	-	-	--
<i>Subtotal—Legislative Approved</i>	\$ -	\$ 1,173,036	11.5
Agency Revised Estimate:			
2. Office Supplies	-	1,375	--
3. Legal Services	-	(11,920)	--
4. Temporary Staff	-	13,257	--
5. All Other Adjustments	-	(2,712)	--
<i>Subtotal—Agency Revised Estimate</i>	\$ -	\$ 1,173,036	11.5
Governor’s Recommendation:			
6. No Changes	-	-	--
TOTAL	\$ -	\$ 1,173,036	11.5

LEGISLATIVE APPROVED

Subsequent to the 2023 Session, no adjustment was made to the \$1.2 million appropriated to the Behavioral Sciences Regulatory Board for FY 2024.

1. **NO CHANGES.** There were no adjustments to the amount approved by the 2023 Legislature.

AGENCY ESTIMATE

The **agency** requests a revised estimate of \$1.2 million, all from the BSRB Fee Fund, in expenditures and 11.5 FTE positions in FY 2024. This is the same as the amount approved by the 2023 Legislature. However, the agency’s revised estimate includes changes within its approved expenditure limitation:

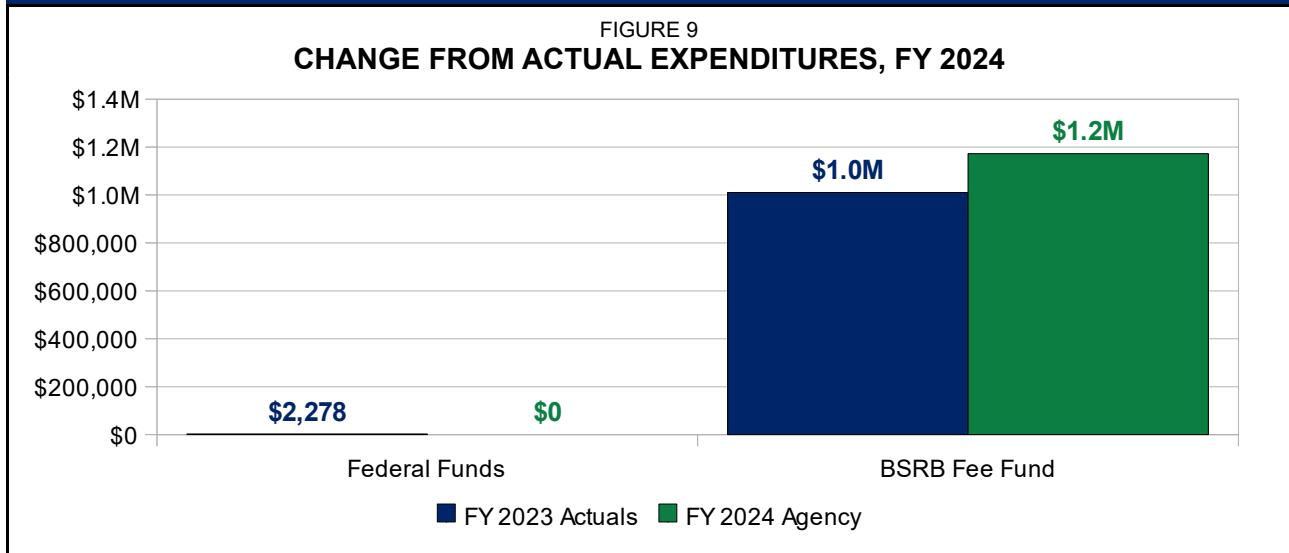
2. **OFFICE SUPPLIES.** The agency estimates an increase of \$1,375 in commodities for office supplies for the two new licensing specialists approved by the 2023 Legislature.
3. **LEGAL SERVICES.** The agency estimates a decrease of \$11,920 in legal services as the agency has transitioned from receiving legal services from the Office of the Attorney General to a contract with a third-party law firm. This is a 12.0 percent decrease below the amount included in the agency’s approved budget in FY 2024.
4. **TEMPORARY STAFF.** The agency estimates an increase of \$13,257 in temporary staffing expenditures. The agency has revised its document-retention policy, and the temporary staff will be used to digitize paper records that no longer need to be physically retained.
5. **ALL OTHER ADJUSTMENTS.** The agency estimates other adjustments to the agency’s budget resulting in a decrease of \$2,712.

GOVERNOR’S RECOMMENDATION

The **Governor** concurs with the agency’s revised estimate in FY 2024.

6. **NO CHANGES.**

FY 2024 CHANGE FROM ACTUAL EXPENDITURES



The **agency** estimates revised expenditures of \$1.2 million, all from the BSRB Fee Fund, in FY 2024. This is an increase of \$160,679, or 15.9 percent, above FY 2023 actual expenditures. This is primarily due to the addition of \$96,352, all from the BSRB Fee Fund, and 2.0 FTE positions for FY 2024. The FTE positions were approved by the 2023 Legislature following the passage of Senate Sub. for SB 131, which modified licensure requirements, added new temporary licensure categories, and established requirements for an expedited application process for several BSRB-licensed professions. Increases in fringe benefits, temporary staff, and other miscellaneous changes contribute to the change.

FY 2025 ANALYSIS

FIGURE 10

SUMMARY OF BUDGET REQUEST, FY 2025

	SGF	All Funds	FTE
Agency Revised Estimate*:			
Revised Estimate without Major Changes	\$ -	\$ 1,170,169	11.5
Enhancement Requests:			
1. Pay Plan Shortfall	\$ -	\$ 25,776	--
<i>Subtotal—Agency Revised Estimate</i>	\$ -	\$ 1,195,945	11.5
Governor’s Recommendation:			
2. Additional 0.5 FTE Position	-	-	0.5
TOTAL	\$ -	\$ 1,195,945	12.0

* *Staff note:* The 2023 Legislature approved a budget of \$1,170,169, all from special revenue funds, and 11.5 FTE positions for FY 2025.

AGENCY ESTIMATE

The **agency** requests a revised estimate of \$1.2 million, all from the BSRB Fee Fund, in expenditures and 11.5 FTE positions for FY 2025. This is an increase of \$22,909, or 2.0 percent, above the FY 2024 revised estimate and \$25,776, or 2.2 percent, above the amount approved by the 2023 Legislature. The request includes the following enhancement request:

1. **PAY PLAN SHORTFALL.** The agency requests \$25,776 to continue funding the pay plan implemented by the 2023 Legislature. This increase is primarily to account for an increase in expenditure limitation that was inadvertently omitted from the Legislative Pay Plan in 2023 SB 25. This adjustment would achieve the intended effect of the pay plan and does not represent a substantive change from the salary adjustments approved by the 2023 Legislature.

GOVERNOR’S RECOMMENDATION

The **Governor** concurs with the agency's requested expenditure limitation for FY 2025 with the following adjustment:

2. **ADDITIONAL 0.5 FTE POSITION.** The Governor recommends the addition of 0.5 FTE position. This would convert an existing part-time position into a full-time position. The position would assist with the agency's licensing responsibilities, which have expanded in recent years. The Governor recommends reducing contractual services expenditures for contracted labor by \$25,000 and increasing salaries and wages by the same amount. This results in no funding increase when compared with the agency's request for FY 2025.

SUPPLEMENTAL AND ENHANCEMENT REQUESTS

FIGURE 11
SUPPLEMENTAL AND ENHANCEMENT REQUESTS, FY 2024 – FY 2025

Request	Agency			Governor		
	SGF	All Funds	FTE	SGF	All Funds	FTE
FY 2025 Enhancements:						
1. Pay Plan Shortfall	\$ -	\$ 25,667	-	\$ -	\$ 25,667	-
2. Additional 0.5 FTE Position	-	-	-	-	-	0.5
TOTAL	\$ -	\$ 25,667	-	\$ -	\$ 25,667	0.5

- PAY PLAN SHORTFALL.** The agency requests \$25,667 for FY 2025 to account for an increase in expenditure limitation that was inadvertently omitted from the Legislative Pay Plan in 2023 SB 25. This adjustment would achieve the intended effect of the pay plan and does not represent a substantive change from the salary adjustments approved by the 2023 Legislature.

The Governor recommends adoption of this request.

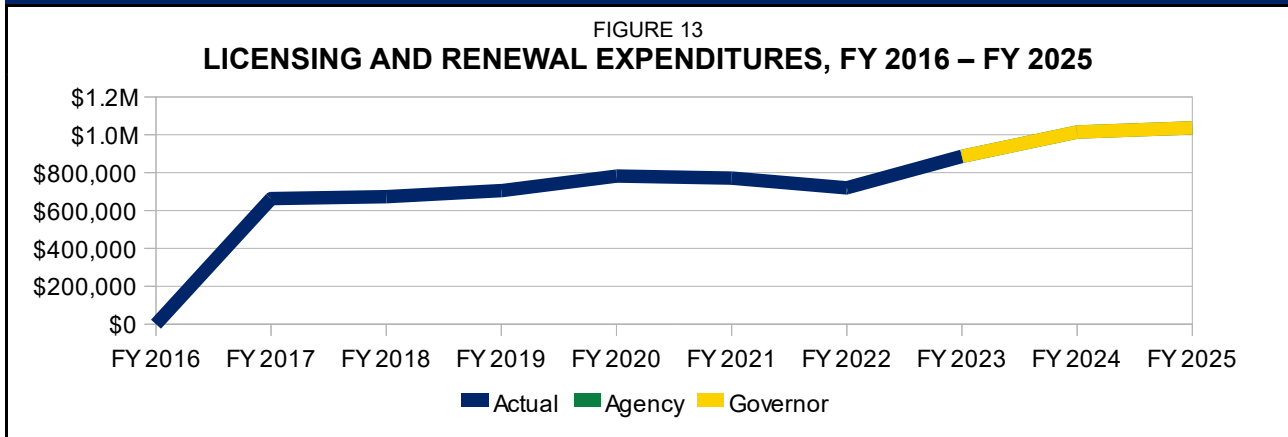
- ADDITIONAL 0.5 FTE POSITION.** The Governor recommends the addition of 0.5 FTE position. This would convert an existing part-time position into a full-time position. The position would assist with the agency's licensing responsibilities, which have expanded in recent years. The Governor recommends reducing contractual services expenditures for contracted labor by \$25,000 and increasing salaries and wages by the same amount. This results in no funding increase when compared with the agency's request for FY 2025.

PROGRAM OVERVIEW

FIGURE 12
EXPENDITURES AND FTE POSITIONS BY PROGRAM, FY 2023 – FY 2025

Programs	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
Expenditures:					
Licensing and Renewal	\$ 885,907	\$ 1,014,719	\$ 1,014,719	\$ 1,036,650	\$ 1,036,650
Investigation and Discipline	126,450	158,317	158,317	159,295	159,295
TOTAL	\$ 1,012,357	\$ 1,173,036	\$ 1,173,036	\$ 1,195,945	\$ 1,195,945
FTE Positions:					
Licensing and Renewal	8.1	10.1	10.1	10.1	10.6
Investigation and Discipline	1.4	1.4	1.4	1.4	1.4
TOTAL	9.5	11.5	11.5	11.5	12.0

LICENSING AND RENEWAL



STATUTORY BASIS: • KSA 74-7507

PROGRAM GOALS:

- Grant licensure to applicants who meet the statutory standards by reviewing applications in a timely manner, determining whether sufficient information has been provided to evaluate necessary criteria, and following up for additional information when necessary.
- Renew licenses for applicants who meet the statutory standards by reviewing materials in a timely manner, determining whether sufficient information has been provided to evaluate necessary criteria, and following up for additional information when necessary.
- Spend agency funding responsibly in the Licensing and Renewal program to effectively process licensure requests while avoiding unnecessary expenditures.

The Licensing and Renewal program issues and renews licenses and registrations to those individuals meeting the qualifications. The program also provides information to the Legislature, the public, and other interested parties.

FIGURE 14
LICENSING AND RENEWAL FINANCING, FY 2023 – FY 2025

Fund	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
SGF	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	2,278	-	-	-	-
BSRB Fee Fund	883,629	1,014,719	1,014,719	1,036,650	1,036,650
TOTAL	\$ 885,907	\$ 1,014,719	\$ 1,014,719	\$ 1,036,650	\$ 1,036,650
Percent Change:					
SGF	-- %	-- %	-- %	-- %	-- %
All Funds	23.0 %	14.5 %	-- %	2.2 %	-- %
FTE Positions	8.2	10.1	10.1	10.1	10.6

BUDGET ANALYSIS

Due to the agency's small size, both programs share resources, and the budget increases have been divided between the two programs according to usage of the resources.

FY 2024 REVISED ESTIMATE

The **agency** estimates revised expenditures of \$1.0 million, all from the BSRB Fee Fund, for

the Licensing and Renewal program in FY 2024. This is an increase of \$445 above the amount approved by the 2023 Legislature. This increase is due to the factors noted above in salaries and wages and commodities, and the overall increase is partially offset by the decreases in contractual services expenditures noted above.

The **Governor** concurs with the agency's revised estimate in FY 2024.

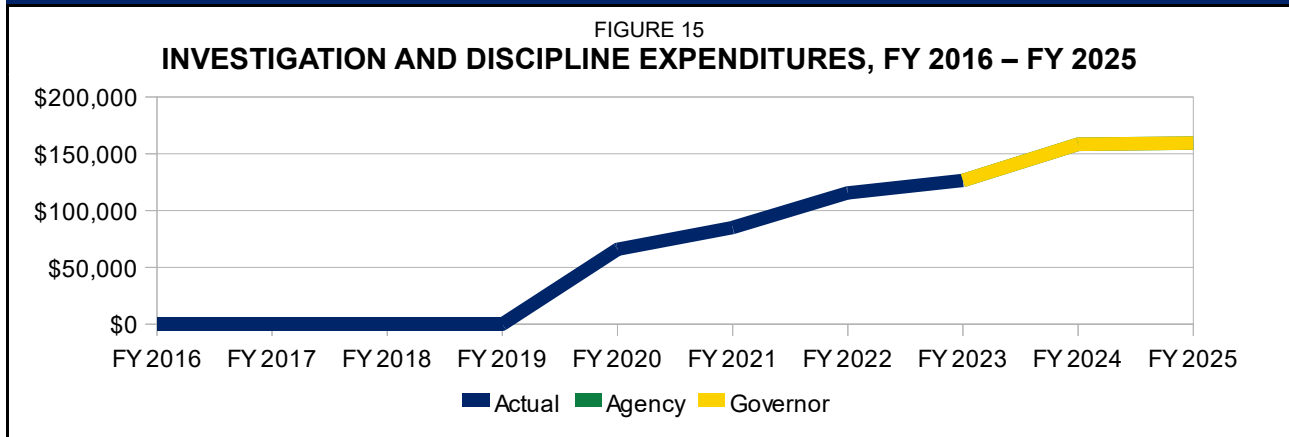
FY 2025 REVISED ESTIMATE

The **agency** estimates revised expenditures of \$1.0 million, all from the BSRB Fee Fund, for the Licensing and Renewal program for FY 2025. This is an increase of \$25,114 above the amount approved by the 2023 Legislature. This increase is due to the agency's enhancement request to increase its expenditure limitation. This increase was inadvertently omitted in the Legislative Pay Plan in 2023 SB 25. This adjustment would achieve the intended effect of the pay plan and does not represent a substantive change from the salary adjustments approved by the 2023 Legislature. Additionally, small increases in contractual services

expenditures are partially offset by small decreases in salaries and wages and commodities expenditures.

The **Governor** concurs with the agency's requested expenditure limitation for FY 2025. However, the Governor recommends the addition of 0.5 FTE position to convert a part-time position to full-time to assist with the agency's licensing responsibilities, which have expanded in recent years. The Governor recommends decreasing the agency's contracted labor budget by \$25,000 for FY 2025 and increasing the salaries and wages budget by the same amount. This results in no change to the expenditure limitation when compared with the agency's request for FY 2025.

INVESTIGATION AND DISCIPLINE



STATUTORY BASIS: • 74-7508

- PROGRAM GOALS:**
- All complaints/Report of Alleged Violations (RAVs) from licensees and members of the public will be reviewed in a timely manner, a determination will be made whether the agency has jurisdiction to investigate the RAVs, and the agency will begin investigations in a timely manner.
 - Investigative staff will attempt to maintain an average length of time from receipt of RAV to completion of investigation in 180 days, when it is appropriate to end the investigation.
 - Spend agency funding responsibly in the Investigation and Discipline program to effectively investigate RAVs, while avoiding unnecessary expenditures.

The Investigation and Discipline program protects the public through timely investigation of allegations of misconduct and implementation of disciplinary actions. In addition, the program enforces the orders of the BSRB and prevents individuals from unlawful

and unauthorized practice of the professions regulated by the Board. Beginning in FY 2019, Investigation and Discipline program expenditures were separated from the expenditures for the Licensing and Renewal program.

FIGURE 16
INVESTIGATION AND DISCIPLINE FINANCING, FY 2023 – FY 2025

Fund	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
SGF	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	-	-	-	-	-
BSRB Fee Fund	126,450	158,317	158,317	158,633	159,295
TOTAL	\$ 126,450	\$ 158,317	\$ 158,317	\$ 158,633	\$ 159,295
Percent Change:					
SGF	-- %	-- %	-- %	-- %	-- %
All Funds	9.4 %	25.2 %	-- %	0.2 %	0.4 %
FTE Positions	1.4	1.4	1.4	1.4	1.4

BUDGET ANALYSIS

Due to the agency's small size, both programs share resources, and the budget increases have been divided between the two programs according to usage of the resources.

FY 2024 REVISED ESTIMATE

The **agency** estimates revised expenditures of \$158,317, all from the BSRB Fee Fund, in expenditures for the Investigation and Discipline program in FY 2024. This is a decrease of \$445 below the amount approved by the 2023 Legislature. This decrease is due to changes in

contractual services expenditures and is partially offset by increased salaries and wages expenditures.

FY 2025 REVISED ESTIMATE

The **agency** estimates revised expenditures of \$156,613, all from the BSRB Fee Fund, in

expenditures for the Investigation and Discipline program for FY 2025. This is a decrease of \$2,020 below the amount approved by the 2023 Legislature. This decrease is related to contractual services expenditures and is slightly offset by small increases in salaries and wages expenditures.