

Kansas Prevention Certification Board
Policies and Procedures
2017

1.0 ORGANIZATION

1.1 Status of the Kansas Prevention Certification Board

The Kansas Prevention Certification Board (herein referred to as the Board) is a member Board nominated by Kansas prevention professionals and elected by a majority vote of the Board. The Board is responsible for oversight of prevention certification in Kansas.

1.2 Composition of the Board

- a) The Board shall consist of at least three members, including the Chair, who are Kansas prevention professionals in good standing.
- b) The Chair is appointed by the presiding Board members and charged with oversight of the Board and its duties.
- c) Any Board member may resign at any time by giving written notice to the Chair, or in the case of the Chair's resignation written notice will be given to the Board Administrator. Such resignation shall take effect at the time specified therein or, if no time is specified, at the time of acceptance thereof as determined by the Chair of the Board the Board Administrator.
- d) Any member may be removed from the Board by a majority vote of the Board at any regular meeting at which a quorum is present. Reasons for removal include but are not limited to violation of these Policies and Procedures; engaging in any conduct prejudicial to the best interest of the Board; unexcused absence from the annual meeting or any called meeting of the Board; a substantiated ethical violation; or a conflict of interest.
- e) A simple majority shall constitute a quorum.
- f) The highest ethical standard must guide the members of the Board during their service. Membership on the Board requires signing the "Ethical Guidelines for the Kansas Prevention Certification Board." (See Attachment 1.0)

1.3 Board Authority and Duties

- a) The Board has no authority over matters as individuals, except as may be authorized by action of the majority of the Board.
- b) The Board functions as an autonomous body in matters pertaining to certification. All policies, procedures and standards relating to certification are the sole decision of the Board and not subject to approval by any other body so long as it acts within the

standards set forth by International Certification & Reciprocity Consortium (herein referred to as IC&RC).

- c) Matters over which the Board has full authority include certification eligibility and examination qualification; examination administration; certification test sites; frequency of testing; testing fees and administrative fees; approval or disapproval of certification, recertification and reciprocity; training requirements within the core performance domains; ethical standards for professionals certified by the Board; appeals and appeal processes for ethical violations; quality assurance; rules of procedure for meetings including site, frequency and agenda; and standing and/or Ad Hoc committees (i.e. Ethics Committee, Appeals Committee, Hearing Committee).
- d) The Board shall coordinate with the entity designated to provide administrative services for certification and recertification of prevention professionals in Kansas.
- e) The Board shall adopt and abide by policies and procedures for its operation.
- f) The Board shall receive and review certification, recertification, and reciprocity applications that are deemed by the administrative agency to be complete and shall determine if the criteria for the Kansas prevention professional set forth in the IC&RC approved Kansas plan are fulfilled.
- g) At least one meeting of the Board shall be held each year. The Board shall maintain electronic records of the meeting minutes and the results of the annual review of certification and recertification of eligible candidates. The Board may participate in additional meetings by means of a conference call whereby all persons participating in the meeting can hear each other, and participation by such means shall constitute presence in person at such meeting. Voting may occur in person during a regular meeting, via phone during a regular meeting or electronically outside of a regular meeting so long as members are advised of the vote prior to the electronic call for a vote.

2.0 CERTIFICATION

2.1 Certification and Recertification

- a) The Board will administer programs related to all certification levels offered by the Board. There will be three levels of prevention certification available for candidates who meet the eligibility requirements. Candidates must meet all eligibility requirements in order to qualify for certification or recertification. (See Attachment 2.0)

- b) Initial certification is valid for a period of two years from the date of certification. After two years, the candidate will be required to recertify. To do so, he or she must submit a completed application form and all supporting documents by December 31 of the expiration year.
- c) Recertification is valid for a period of two years. A completed application form and all supporting documents must be submitted by December 31 of the expiration year.
- d) Certification and recertification must be approved by the Board and will occur by January 31 following the certifying period. All eligible candidates will be notified of their certification or recertification status following the January 31 deadline.
- e) Candidates who are unable to meet their recertification deadline may request a six month extension. The candidate shall submit a request in writing to the Board by December 31 of their certifying period. Approval by the Board will extend the period in which the candidate may submit renewal documents. An extension will not alter the recertification date.
- f) All applicants for initial certification or reciprocity will be required to adhere to the Kansas Prevention Professional Code of Ethical Conduct. A violation of any of the foregoing standards of ethical conduct by a person certified by the Kansas Board or an applicant may result in disciplinary action. (See Attachment 3.0)

2.2 Reciprocity

The uniform minimum standards of IC&RC Member Boards allow certified professionals to reciprocate their credentials between IC&RC Member Boards. Member Boards may offer reciprocity to certified professionals in other jurisdictions. The credential is reciprocal only with boards that offer the same credential.

Kansas allows professionals certified with an IC&RC Prevention Specialist credential to transfer their credential from one certifying body to another certifying body that offers the specific credential they hold and wish to transfer.

- a) The candidate will complete and sign an application form. This form, and non-refundable application fee, is mailed to the applicant's current certifying body. The certifying body will complete the IC&RC Verification Report and mail the application, Verification Report and fee to IC&RC within ten business days. The original certifying body will hold the reciprocity applicant's test scores indefinitely.
- b) Upon receipt of the Reciprocity Approval Notification from IC&RC, the new certifying body will notify the reciprocity applicant either by letter or certificate of his or her

reciprocal certification within ten business days. The new certifying body will also provide the recertification requirements and any other pertinent credential information.

- c) The requested certifying body must maintain the expiration date granted to the applicant by the original certifying body.
- d) Once the applicant has been granted reciprocity, he or she has the option to maintain the prevention professional credential with more than one certifying body through recertification.
- e) The new certifying body has the right to delay or postpone indefinitely, credentialing to the applicant, if the original certifying body has indicated on the Verification Report that the applicant is under investigation or has been found guilty of a violation of the Code of Ethics. It shall be the right of the new certifying body, as allowable by law or individual certifying body policy, to inquire as to the nature and the severity of the ethical or legal breach and to determine within its own jurisdiction the applicant's eligibility for credentialing.
- f) The application for reciprocity may not be posted on-line in any form by the certifying body.
- g) The applicant's credential must be current and valid in order to reciprocate. In order to avoid credentials expiring during the reciprocity process, credentials must be valid for at least thirty (30) days at the time of application.

2.3 Lapsed Certification, Renewal, Reinstatement

An individual certified in Kansas and in good standing who has allowed their certification to lapse may apply for re-certification at any time after their certification has lapsed. The individual will need to provide proof of their original Kansas test scores. The re-certification date will be January 1 following completion and approval by the Board of their re-certification application. The applicant must meet the Kansas guidelines for re-certification. The applicant will be responsible for a reinstatement fee and the re-certification fee.

2.4 Refusal to Issue, Suspension, Refusal to Renew or Revocation of Certification

- a) Certification applications that do not meet certification or recertification requirements shall be presented to the Board for certification review. The applicant will be notified of the additional information that is needed to meet certification requirements. The applicant shall be allowed ten (10) business days to submit the additional information. Upon approval of the application the applicant shall receive certification or certification

renewal. Denial of the application shall result in refusal to issue certification or certification renewal.

- b) Suspension or revocation of a Kansas prevention certification may include but is not limited to violation of these Policies and Procedures; engaging in any conduct prejudicial to the best interest of Kansas prevention certification; a substantiated ethical violation; or a conflict of interest to the certification standards in Kansas.
- c) An applicant shall have the right to submit a letter of appeal to the Board within ten business days from the date of notification.

3.0 CANDIDATE APPEAL PROCESS

Kansas has a process in place for any applicant to appeal any decision of the Board which adversely affects their certification. This policy covers all individuals holding valid certifications granted by the Board.

An appeal will pursue satisfaction through the following:

1. A letter of appeal must be written to and received by the Board administrator within sixty (60) days. The letter must be sent to the:
 - a. Kansas Prevention Certification Board
2209 SW 29th Street
Topeka, KS 66611
2. The Board administrator will notify the Board within five (5) business days that an appeal has been received. A review of the appeal and appropriate information will be performed by the Board or an ad hoc committee established by the Board Chair for that specific purpose. The appellant will be given the opportunity to present his or her case to the Board in person; and
3. The Board or ad hoc committee will review the appeal and make a final determination within sixty (60) days.

4.0 VIOLATION OF ETHICAL STANDARDS, DISCIPLINARY ACTION AND APPEALS PROCEDURE

The following process is established to provide an avenue through which persons can file complaints about the professional conduct of persons certified by the Kansas Board or applicants to the certification system. Prior to employing the process, persons are encouraged to attempt to resolve the situation by dealing directly with the prevention professional or his or her supervisor or employing agency. If these means fail or do not satisfactorily resolve the situation, the disciplinary review process may be used.

Complaints may be filed against a person certified by the Kansas Board or an applicant to the certification system for a violation of the Code of Ethics. (See attachment 4.0)

The behavior giving rise to a complaint must meet one or more of the following criteria:

1. It negatively impacts the welfare of the service recipient,
2. It reflects impaired competency in the performance of the prevention professional,
3. It defiles the meaning, intent or purpose of certification, and/or,
4. It negatively impacts the integrity and credibility of another person or persons certified by the Kansas Board, or the profession.

A violation of any of the foregoing standards of ethical conduct by a person certified by the Kansas Board or an applicant for certification may result in one or more of the following disciplinary actions:

1. Denial of Certification
2. Reprimand
3. Suspension of Certification
4. Revocation of Certification
5. Notification of Employer

4.1 General Procedures

Complaints against a person certified by the Kansas Board or an applicant for certification shall be made only by following the formal procedures. Members of the Ethics Committee shall not enter into discussions with complainants or respondents, except through the formal review procedures. This however does not prohibit members of the Ethics Committee or Certification Board from informing a potential respondent of the existence of the complaint and investigation procedures.

4.2 Ethics Committee

An Ethics Committee shall be established for the sole purpose of investigating and making a decision based on the merits of any complaint received against an individual certified by the Kansas Board or an applicant for certification. The Board Chair will appoint two board members and one volunteer, a professional outside the prevention system, to comprise the Ethics Committee. One will be designated as Chair of the Ethics Committee.

4.3 Complaint Procedure

The complainant shall submit a concise written statement describing:

1. The nature of the complaint (i.e., the breach of ethical standards, professional misconduct or incompetence),
2. The facts supporting the complaint, and
3. The observation of the violation or acknowledgment that the information was received through another source.

All complaints must be signed by the complainant and contain the complainant's home address. The complainant shall address and mail the complaint directly to:

Kansas Prevention Certification Board
Chair of the Ethics Committee
2209 SW 29th Street
Topeka, KS 66611

4.4 Review Procedure

The mailed complaint shall be opened by the Chair of the Ethics Committee. The Committee shall acknowledge receipt of the complaint and, if necessary, ask for further information. The Committee will decide whether the complaint merits investigation. The Ethics Committee may, at its sole discretion, dismiss the complaint with reason. If the Ethics Committee finds that the complaint has no merit, the complainant shall be notified.

If the Ethics Committee finds that the complaint merits investigation, a copy of the complaint shall be mailed to the respondent. The complainant and respondent shall receive notice that an investigation into the merits of the complaint will take place and the date of a review meeting will be specified. This review meeting shall be held within thirty (30) days of the date of the notice to the respondent.

The respondent shall be requested to prepare a written statement outlining his/her view of the situation or conduct cited. The respondent shall provide this response at least seven (7) days prior to the date of the scheduled review meeting.

A review meeting shall take place at a reasonably convenient location established by the Ethics Committee with the complainant and respondent both requested to be present. At the review meeting, the complainant and respondent shall present all information relevant to the complaint and may provide witnesses, if any. If the complainant did not observe the action first hand, he/she will sign a verified complaint.

4.5 Recommendations of the Ethics Committee

The Ethics Committee will investigate complaints following these guidelines:

1. Confidentiality is essential.
2. Details of the investigation may be discussed only among the parties on the Ethics Committee.
3. At the conclusion of the investigation, the respondent will receive written notification of the Committee decision.
4. If the investigation results do not favor the respondent, he/she will be given an opportunity to appear before the committee.
5. The Committee will make a final determination.

6. Documentation of the basic information regarding the sanctions will be kept on file. All other written materials will be securely disposed of by the administrator of the Certification Board.

Within fourteen (14) days of the completion of the review meeting, the Ethics Committee shall submit in writing its recommendations for the disposition of the complaint, including facts upon which the recommendation is based. The Committee shall mail copies of the same to the complainant and the respondent by certified mail.

Unless the respondent appeals pursuant to the procedures set forth in the Appeals Procedure, the recommendation of the Ethics Committee shall be deemed to be the decision and shall be final.

4.6 Appeal Process

If the Ethics Committee recommends that disciplinary action be taken, the respondent may appeal the recommendation by submitting a request for a hearing. The request for a hearing shall be mailed, postmarked no later than twenty (20) days after the date of the recommendation, and addressed to:

Kansas Prevention Certification Board
Chair of the Ethics Committee
2209 SW 29th Street
Topeka, KS 66611

Within fourteen (14) days following receipt of the request, the board Chair shall appoint a Hearing Committee consisting of two board members and one volunteer, a professional outside the prevention system, to comprise the three members, no member of which shall have been a member of the Ethics Committee. Within fourteen (14) days of their appointment, the Hearing Committee will establish a location for the hearing. The hearing, for the purpose of considering the appeal, shall be scheduled to take place not less than fourteen (14) or more than thirty (30) days following the date that notice of the hearing is sent to the respondent by certified mail.

The respondent may, at his/her own expense, be represented by counsel at the hearing. The respondent may present and refute evidence as well as present and cross-examine witnesses. The complainant shall not be required to participate in the hearing unless requested to give evidence. The Hearing Committee will base its decision solely upon the evidence presented.

The Hearing Committee shall not be bound by common law or statutory rules of evidence, but may consider all evidence having reasonable probative value. The Ethics Committee, or its designated representative, shall present the evidence in support of its recommendation at the hearing.

Within fourteen (14) days of completion of the hearing, the Hearing Committee shall prepare a written decision, submit it to the Chair of the Ethics Committee, and mail a copy thereof to the respondent by certified mail. The decision of the Hearing Committee shall be deemed to be final when made.

Definitions:

Complainant: A person who has filed a complaint pursuant to the Kansas Prevention Certification Code of Ethics against any other person who is seeking, or who has obtained, certification from Kansas.

Respondent: A person who is seeking or who has obtained certification from Kansas and against whom a complaint has been filed pursuant to the Kansas Code of Ethics.

Reprimand: A formal written reprimand or warning. Two reprimands within a two-year period will result in a six-month suspension.

Suspension: A time-limited loss of certification for a period of not less than thirty (30) days and not more than twelve (12) months. The third suspension in a four (4) year period will result in revocation.

Revocation: Permanent loss of certification.

4.7 IC&RC Notification of Ethical Violations

Ethical violations committed by or sanctions received by an individual certified through the Kansas certification process and holds a certification reciprocal with IC&RC must be reported to IC&RC within thirty (30) days of the action taken. As per IC&RC policy, the corporate office (IC&RC) must maintain a database of sanctions reported to them by the member boards. (See Attachments 5.0 and 6.0).

5.0 RECORDS AND SECURITY OF INFORMATION

All documents, incomplete application materials, and correspondence not pertaining to the current business operation of the Kansas Prevention Certification Board and pre-dating any current fiscal year by seven (7) years may be discarded and/or destroyed.

Confidential documents shall be destroyed through a secure process.

Electronic records of certified professionals who have sought and received Kansas certification and/or reciprocity shall be kept indefinitely.