



Kansas State Board of Nursing Special Board Meeting Notice

Date: January 7, 2022 @ 10:00 a.m.

Meeting Location: Conference Call
1-877-278-8686
Access Code: 273065

Landon State Office Building
900 SW Jackson, Room 1051
Topeka, KS 66612-1230

AGENDA:

K.A.R. 60-3-101 Temp – Licensure

K.A.R. 60-11-103 Temp – Licensure and Education Requirements
for Advanced Practice Registered
Nurses

60-3-101. Licensure. (a) Licensure by examination pursuant to K.S.A. 65-1115 and K.S.A. 65-1116, and amendments thereto.

(1) Not later than 30 days before the examination date, each applicant for licensure by examination shall file with the board a completed application on a form adopted by the board and ~~tender~~ pay the application fee prescribed by K.A.R. 60-4-101.

(2) ~~The application shall be filed on a form adopted by the board.~~ Each applicant shall be fingerprinted and submit to a state and national criminal history record check.

(3) Each applicant for nursing licensure shall take and be required to pass the examination prepared by the national council of state boards of nursing. The examination fee shall be paid as directed by the national council of state boards of nursing.

(4) Within 180 days after the board's receipt of the application, each applicant for licensure by examination shall submit proof that all qualifications for licensure have been met. If the applicant does not meet this requirement, the application shall be deemed abandoned and closed.

(b) Licensure by endorsement pursuant to K.S.A. 65-1115 and K.S.A. 65-1116, and amendments thereto.

(1) Each applicant for licensure by endorsement shall file with the board a completed application on a form approved by the board and ~~tender~~ pay the application fee prescribed by K.A.R. 60-4-101. ~~The application shall be filed on a form adopted by the board.~~

(2) ~~Verification of a current Kansas license shall be provided to other state boards upon request and upon payment of the prescribed fee.~~ Each applicant shall be fingerprinted and submit to a state and national criminal history record check.

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(3) Each applicant shall submit proof showing that all requirements for licensure by endorsement pursuant to K.S.A. 65-1115 or K.S.A. 65-1116, and amendments thereto, have been met.

(4) Within 180 days after the board's receipt of the application, each applicant for licensure by endorsement shall submit proof that all qualifications for licensure by endorsement have been met. If the applicant does not meet this requirement, the application shall be deemed abandoned and closed.

(c) Information regarding examinations.

(1) The examination for licensure shall be administered at ~~designated~~ sites designated by the national council of state boards of nursing.

(2) Each ~~candidate-applicant~~ shall present a ~~validated admission card~~ the required documentation in order to be admitted to the examination center.

(3) ~~Any~~ Each applicant cheating or attempting to cheat during the examination shall be deemed not to have passed the examination.

(4) If the answer key is lost or destroyed through circumstances beyond the control of the ~~board~~ national council of state boards of nursing, the ~~candidate-applicant~~ shall be required to retake the examination in order to meet requirements for licensure, ~~except that there shall be no examination fee charged to the applicant.~~

(5) Individual examination results shall be released to the school from which the ~~examinee~~ applicant graduated.

(6) ~~Any candidate~~ Each applicant requesting modifications to the examination procedures or materials because of a ~~learning~~ disability shall provide written documentation from the appropriate

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medical professional confirming the learning disability, an evaluation completed within the last five years by a learning disabilities evaluation team, and a letter from the nursing program confirming learning and testing modifications made during the course of study.

(d) Application for reexamination. Any applicant who fails to make a passing score on the licensure examination may retake the examination and. The applicant shall pay an examination fee as directed by the national council of state boards of nursing for each retest as established by K.A.R. 60-4-101.

(e) Verification of current Kansas license. Verification of a current Kansas license shall be provided to other state boards upon the applicant’s request and payment of the fee prescribed by K.A.R. 60-4-101.

(f) Licensure for endorsement pursuant to K.S.A. 48-3406, and amendments thereto.

(1) “Active practice” shall mean that in a calendar year, the applicant worked for at least 1,000 hours in the “scope of practice” for which licensure is sought.

(2) “Similar scope of practice” shall mean the “practice of nursing,” as defined in K.S.A. 65-1113 and amendments thereto.

(g) Temporary emergency license. Each applicant for a temporary emergency license shall submit an application on a form adopted by the board to practice nursing during a state of emergency declared by the legislature and submit proof that either of the following qualifications for licensure has been met:

(1) For licensure as a registered professional nurse, the applicant is currently licensed or has been licensed as a registered professional nurse by a state licensing board within the five years preceding the application date, passed a course in cardiopulmonary resuscitation (CPR) for humans,

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has a current CPR certificate, and has the skills required to practice registered professional nursing during the state of emergency declared by the legislature.

(2) For licensure as a licensed practical nurse, the applicant is currently licensed or has been licensed as a licensed practical nurse by a state licensing board within the five years preceding the application date, passed a course in cardiopulmonary resuscitation (CPR) for humans, has a current CPR certificate, and has the skills required to practice licensed practical nursing during the state of emergency declared by the legislature. (Authorized by K.S.A. 65-1129, K.S.A. 2021 Supp. 48-3406, and K.S.A. 74-1106; implementing K.S.A. 2021 Supp. 48-3406, K.S.A. 1997 Supp. 65-1115, and K.S.A. 1997 Supp. 65-1116, K.S.A. 60-1118, and K.S.A. 74-1112; effective Jan. 1, 1966; amended Jan. 1, 1972; amended, E-74-29, July 1, 1974; modified, L. 1975, Ch. 302, Sec. 3, May 1, 1975; amended May 1, 1980; amended May 1, 1987; amended April 26, 1993; amended Jan. 29, 1999; amended, T- _____, _____.)

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**Kansas Administrative Regulations
Economic Impact Statement
For the Kansas Division of the Budget**

Kansas State Board of Nursing

785-296-3068

Agency

Carol Moreland

Agency Contact

Contact Phone Number

60-3-101

(7)

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to: Division of the Budget
900 SW Jackson, Room 504-N
Topeka, KS 66612

I. Brief description of the proposed rule(s) and regulation(s).

This is a temporary regulation and contains revisions needed because of HB 2066, that has an implementation date of 7/1/2021. This temporary regulation change includes language for issuing single state licensure to a military service member, military spouse and an individual who has established or intends to establish residence in Kansas. It also covers revocation or suspension of these individuals.

II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)

This is not mandated by the federal government.

III. Agency analysis specifically addressing following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

Single state licenses will be issued in an expedited manner, so it should enhance the ability for the nurse to start work earlier.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The implementation cost to the Kansas Board of Nursing will be <\$2,000. This covers the cost of revising our applications to include the questions about military service member or military spouse. We will need to determine which single state applicants qualify for this.

C. Businesses that would be directly affected by the proposed rule and regulation;

Business in which nurses that meet the criteria of this HB would be employed.

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D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

The ability to get applicants who qualify to get licensed faster and start working faster.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

We will do the changes within our agency that need to be made to the applications and our electronic licensure database.

F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

\$<\$2,000

An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

\$0

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

YES NO

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Staff time to make the changes needed to our applications and our electronic licensure database (My License Office)

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

Unable to figure how much this will impact the revenue of these.

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- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

We haven't as this change is necessary because of legislation that was passed by the Legislature and signed into law by the Governor.

- I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).**

Not environmental

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60-11-103. Licensure and educational requirements for advanced practice registered nurses.

(a) Licensure as an advanced practice registered nurse. Each applicant for licensure as an advanced practice registered nurse shall meet the following requirements:

(1) File with the board a completed application on a form adopted by the board and pay the application fee prescribed by K.A.R. 60-11-119;

(2) be fingerprinted and submit to a state and national criminal history record check; and

(3) within 180 days after the board's receipt of the application, submit proof that all qualifications for licensure, as specified in K.S.A. 65-1130 and K.S.A. 65-1131 and amendments thereto, have been met. If the applicant does not meet this requirement, the application shall be deemed abandoned and closed.

(b) Licensure in the roles of clinical nurse specialist, nurse anesthetist, nurse-midwife, and nurse practitioner. To be issued a license as an advanced practice registered nurse in any of the roles of advanced practice, as identified in K.A.R. 60-11-102, each applicant shall meet at least one of the following criteria requirements:

(1) Complete a formal, post-basic nursing education program located or offered in Kansas that has been approved by the board and prepares the nurse to function in the advanced role for which application is made;

(2) complete a formal, post-basic nursing education program that is not located or offered in Kansas but is determined by the board to meet the standards for program approval established by K.A.R. 60-17-101 through 60-17-108;

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(3) have completed a formal, post-basic nursing education program that ~~could be~~ is no longer in existence but is determined by the board to meet standards at least as stringent as those required for program approval by the board at the time of graduation;

(4) hold a current license to practice as an advanced practice registered nurse in the role for which application is made and demonstrate to the board's satisfaction that both of the following requirements are met and that meets the following criteria:

(A) The license was issued by a nursing licensing authority of another jurisdiction; and

(B)(i) The licensee required completion of completed a program meeting standards equal to or greater than those established by K.A.R. 60-17-101 through 60-17-108; or

(ii) the applicant has met the requirements for licensure pursuant to K.S.A. 48-3406, and amendments thereto; or

(5) complete a formal educational program of post-basic study and clinical experience that can be demonstrated by the applicant to have sufficiently prepared the applicant for practice in the role of advanced practice for which application is made. The applicant shall show that the curriculum of the program is consistent with public health and safety policy and that it prepared individuals to perform acts generally recognized by the nursing profession as capable of being performed by persons with post-basic education in nursing.

~~(b)~~(c) Licensure in the roles of clinical nurse specialist and nurse practitioner. Each applicant for a license as an advanced practice registered nurse in a role other than anesthesia or midwifery shall meet one of the following requirements:

(1) Have met one of the requirements of subsection (a) ~~(b)~~ before July 1, 1994;

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(2) if none of the requirements in subsection ~~(a)~~ (b) ~~have been~~ were met before July 1, 1994, meet one of the requirements of subsection ~~(a)~~ (b) and hold a baccalaureate or higher degree in nursing; or

(3) if none of the requirements in subsection ~~(a)~~ (b) ~~have been~~ were met before July 1, 2002, meet one of the requirements of subsection ~~(a)~~ (b) and hold a master's or higher degree in a clinical area of nursing.

~~(e)~~(d) Licensure in the role of nurse anesthetist. Each applicant for a license as an advanced practice registered nurse in the role of anesthesia shall meet one of the following requirements:

(1) Have met one of the requirements of subsection ~~(a)~~ (b) before July 1, 2002; or

(2) if none of the requirements in subsection ~~(a)~~ (b) ~~have been~~ were met before July 1, 2002, meet one of the requirements of subsection ~~(a)~~ (b) and hold a master's degree or a higher degree in nurse anesthesia or a related field.

~~(d)~~(e) Licensure in the role of nurse-midwife. Each applicant for a license as an advanced practice registered nurse in the role of midwifery shall meet one of the following requirements:

(1) Have met one of the requirements of subsection ~~(a)~~ (b) before July 1, 2000;

(2) if none of the requirements in subsection ~~(a)~~ (b) ~~have been~~ were met before July 1, 2000, meet one of the requirements of subsection ~~(a)~~ (b) and hold a baccalaureate degree in nursing; or

(3) if none of the requirements in subsection ~~(a)~~ (b) ~~have been~~ were met before January 1, 2010, meet one of the requirements of subsection ~~(a)~~ (b) and hold a master's degree or a higher degree in nursing, midwifery, or a related field.

~~(e)~~(f) National nursing organization certification for licensure. A license may be granted if an individual has been certified by a national nursing organization whose certification standards

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have been approved by the board as equal to or greater than the corresponding standards established by the board for obtaining a license to practice as an advanced practice registered nurse. National nursing organizations with certification standards that meet this standard shall be identified by the board, and a current list of national nursing organizations with certification standards approved by the board shall be maintained by the board. Any licensee may request that a certification program be considered by the board for approval and, if approved, included by the board on its list of national nursing organizations with approved certification standards.

~~(f)~~(g) Advanced pharmacology education requirement. Each applicant who completes an advanced practice registered nurse program after January 1, 1997 shall have completed three college hours in advanced pharmacology or the equivalent.

~~(g)~~(h) Advanced pathophysiology and advanced health assessment education requirement. Each applicant who completes an advanced practice registered nurse program after January 1, 2001 in a role other than anesthesia or midwifery shall have completed three college hours in advanced pathophysiology or its equivalent and three college hours in advanced health assessment or its equivalent.

~~(h)~~(i) Advanced pathophysiology and advanced health assessment education requirement after July 1, 2009. Each applicant who completes an advanced practice registered nurse program after July 1, 2009 shall have completed three college hours in advanced pathophysiology or its equivalent and three college hours in advanced health assessment or its equivalent.

~~(i)~~(j) Refresher course requirement. ~~Notwithstanding~~ In spite of the provisions of subsections ~~(a)~~ ~~(b)~~ through ~~(h)~~ ~~(i)~~, each applicant for a license as an advanced practice registered nurse who has not gained 1,000 hours of advanced nursing practice during the five years preceding the date of application shall be required to successfully complete a refresher course as defined by

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the board.

(k) Verification of current Kansas license. Verification of a current Kansas license shall be provided to other state boards upon the applicant’s request and payment of the fee prescribed by K.A.R. 60-4-101.

(l) Licensure for endorsement pursuant to K.S.A. 48-3406, and amendments thereto.

(1) The applicant shall demonstrate “similar scope of practice” as defined in K.S.A. 65-1130 and amendments thereto, K.A.R. 60-11-104, K.A.R. 60-11-104a, K.A.R. 60-11-105, and K.A.R. 60-11-106.

(2) “Active practice” shall mean that in a calendar year, the applicant worked for at least 1,000 hours in the scope of practice for which licensure is sought.

(m) Temporary emergency licensure. Each applicant for a temporary emergency license shall submit an application on a form adopted by the board to practice advanced nursing during a state of emergency declared by the legislature and submit proof that either of the following qualifications for licensure has been met:

(1) For licensure as a registered professional nurse, the applicant is currently licensed or has been licensed as a registered professional nurse by a state licensing board within five years of the application date.

(2) For licensure as an advanced practice registered nurse, the applicant is currently licensed or has been licensed as an advanced practice registered nurse by a state licensing board within five years of the application date, passed a course in cardiopulmonary resuscitation (CPR) for humans, has a current CPR certificate, and has the skills required to practice advanced practice nursing during the state of emergency declared by the legislature. (Authorized by and implementing K.S.A. 65-1130, as amended by L. 2011, ch. 114, sec. 44 K.S.A. 65-1131, and K.S.A. 2021 Supp. 48-3406;

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implementing K.S.A. 2021 Supp. 65-1118, K.S.A. 65-1130, K.S.A. 65-1131, K.S.A. 2021 Supp. 48-3406, K.S.A. 2021 Supp. 74-1106, and K.S.A. 74-1112; effective May 1, 1984; amended, T-85-16, June 5, 1984; amended May 1, 1985; amended, T-60-11-14-90, Nov. 14, 1990; amended, T-60-3-14-91, March 14, 1991; amended Sept. 2, 1991; amended March 9, 1992; amended Sept. 14, 1992; amended April 26, 1993; amended Sept. 6, 1994; amended Jan. 3, 1997; amended March 31, 2000; amended Sept. 4, 2009; amended May 18, 2012; amended, T- _____, _____.)

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Economic Impact Statement
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Carol Moreland
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Contact Phone Number

60-11-103 (T)
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B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The implementation cost to the Kansas Board of Nursing will be <\$2,000. This covers the cost of revising our applications to include the questions about military service member or military spouse. We will need to determine which single state applicants qualify for this.

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An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

\$0

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

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Staff time to make the changes needed to our applications and our electronic licensure database (My License Office)

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- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).**

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