

June 20, 2022

A public hearing will be conducted at 10:00 A.M. Tuesday, September 6, 2022, in Room 560 of the Landon State Office Building, 900 S.W. Jackson St., Topeka, KS to consider the adoption of proposed changes in seven existing regulations relating to licensure and practice of Advanced Practice Registered Nurses (APRNs).

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Executive Administrator of the Kansas State Board of Nursing, 900 S.W. Jackson St., Room 1051, Topeka KS 66612 or by email to carol.moreland@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. Phone comments will be taken by calling 1-877-278-8686 (access code 266223) at the time of the hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Carol Moreland at (785) 296-5752. The north entrance to the Landon State Office Building is handicapped accessible. Handicapped parking is located at the north end of the Landon State Office Building, across the street from the north entrance to the building, and on Ninth Street, just around the corner from the north entrance to the building.

A summary of the proposed regulations and the economic impact follows. A copy of the proposed regulations and associated economic impact statement may be obtained by accessing the Kansas State Board of Nursing website at <https://ksbn.kansas.gov> or by contacting the Executive Administrator of the Kansas State Board of Nursing, Landon State Office Building, 900 S.W. Jackson St., Room 1051, Topeka, KS 66612, (785) 296-5752, or carol.moreland@ks.gov prior to the date of the hearing.

K.A.R. 60-11-101. Definition of expanded role. The proposed revisions for this regulation delete the definition for a collaborative agreement with a responsible physician for licensed APRNs to practice in Kansas. The definitions of authorization for collaborative practice, physician, prescription and prescription order will be deleted. There is no economic impact difference to the Board of Nursing. Communication of the changes can be communicated to APRNs and stakeholders via existing communication venues. This change will eliminate the barrier that requires APRNs to have a collaborative agreement with a responsible physician. There may be some economic impact on businesses and the general public as there will be increased access to healthcare for the citizens of Kansas.

K.A.R. 60-11-103. Licensure and educational requirements for advanced practice registered nurses. The proposed revision adds language about the requirement for proof of APRN certification in the applicant's specific role and population focus for initial licensure applications submitted on and after July

1, 2023. Language was also added regarding the requirement to submit proof of malpractice insurance coverage if the applicant renders professional clinical services as an APRN, unless the APRN meets one of the exceptions listed in K.S.A. 65-1130 as amended by S Sub for HB 2279. The economic impact to the Board of Nursing is expenditure costs to update our licensing software to have the ability to document the proof of national certification and proof of malpractice insurance (approximately \$30,000). There may be an economic impact for the applicants for APRN licensure who do not currently have national certification and malpractice insurance, as they will need to obtain both. There is no economic impact on business or the general public. It is estimated access to healthcare will increase for the citizens of Kansas.

K.A.R. 60-11-104. Functions of the advanced practice registered nurse in the role of nurse practitioner. The proposed regulation deletes the “based on authorization for collaborative practice” language for practicing as a nurse practitioner licensed in Kansas. There is no economic impact difference to the Board of Nursing for these proposed revisions. There is no economic impact on businesses or the general public. It is estimated access to healthcare will increase for the citizens of Kansas.

K.A.R. 60-11-104a. Prescription orders. Language was stricken about the need for a written protocol approved by the responsible physician. Language was added to include that APRNs are allowed to prescribe. There is no economic impact difference to the Board of Nursing for these proposed revisions.

K.A.R. 60-11-105. Functions of the advanced practice registered nurse in the role of nurse-midwife. The language “based on the authorization for collaborative practice” was stricken since the legislation eliminated the need for a collaborative agreement for a nurse-midwife to practice. There is no economic impact difference to the Board of Nursing for this proposed revision. It is estimated access to healthcare will increase for the citizens of Kansas.

K.A.R. 60-11-107. Functions of the advanced practice registered nurse in the role of clinical nurse specialist. The language “based on the authorization for collaborative practice” was stricken since the legislation eliminated the need for a collaborative agreement for a clinical nurse specialist to practice. There is no economic impact difference to the Board of Nursing for this proposed revision. It is estimated access to healthcare will increase for the citizens of Kansas.

K.A.R. 60-11-113. License renewal. Language was added that states for any APRN whose initial licensure is before July 1, 2023, the APRN may submit evidence of APRN certification at the time of license renewal. Language was also added that states an APRN shall provide proof of malpractice insurance coverage when renewing the license if the APRN renders professional clinical services, unless the APRN meets one of the exceptions listed in K.S.A. 65-1130 as amended by S Sub for HB 2279. There will be an economic impact for any APRNs that must have malpractice insurance and do not presently have it.