

Combined Statute and Regulation Review

Current Situation:

- KSBN has established an **internal standard and governance policy** that every five years each of the committees of the Board will oversee the review all the **statutes and regulations** assigned to every committee to assess if there is any need for a revision due to changes in the practice of nursing in the State of Kansas.
- In 2023 the Kansas Legislature established a **statutory system and process** for the comprehensive review of administrative **rules and regulations**. K.S.A. 77-415 establishes a five-year review schedule for all administrative agencies and defines the key elements to be evaluated for the “necessity” and the “potential for revocation.” K.S.A. 77-415 (b)(2) specifically requires the KSBN to report on the necessity and potential opportunity for revocation of all “rules and regulations” every five years starting July 15, 2025.

Recommendation for combining both processes to streamline and improve the effectiveness of the KSBN statute and regulation review process.

- Pending approval of this revision process proposal, starting in July 2025, the KSBN will integrate and align the **internal standard and governance policy** for statutes and regulations to include the **statutory system and process** on a five-year cycle.
- The Kansas Nurse Practice Act including all the KSBN Statute and Regulation Review will be assigned to at least one committee to be reviewed once every five years.
- Part of these statutes and regulations may be assigned to multiple committees for review based on content
- As needed, a specific statute and regulation can be reviewed more than once in the cycle if requested by the Committee or Board members

Statute and Regulation Review Implementation Plan

Action Step	Target Date
Phase 1. Initial Planning	6/11/25
Include Combined Statute and Regulation Review Proposal in Board Packet for Board review	
Discussion among Board members regarding revisions that need to be made or approval of the combined review proposal	
Phase 2. Committees Review Proposed Five-Year Workplan Schedule	September 2025
Include KSBN Proposed five-year schedule for each committee in Board Packet and get Board requests for revision or approval	
Committee approval of KSBN Proposed five-year schedule for their own committee	
Phase 3. Train Committee and Board Members on Review Form and plans for the next Calendar Year.	December 2025

1. Include KSBN Proposed Year 1 schedule and sample Forms for each committee in Committee and Board Packets to plan work for next year	
Phase 4. Committees Start Review Statutes and Regulations for Year 1	March 2026 – December 2026
2. Include KSBN statutes and regulations and review forms for each committee in Committee and Board Packets	
3. Board approval of KSBN statutes and regulations review forms for each committee	
4. Committees and Board evaluate Year 1 process and Plans for Year 2 reviews.	December 2026
Phase 5. Repeat Phase 4 for Years 2, 3, and 4	
5. The Board approves any changes to Year 2, 3, and 4 review schedules	
6. Committees and Board review Year 2, 3, and 4 process and Plans for the next reviews.	
Phase 6. Evaluate Year 5 and Complete Review for K.S.A. 77-415	

DRAFT - KSBN Revised Statutory and Regulatory Review Form

NOTE: The majority of the information in this DRAFT Form will be automatically populated by KSBN Staff. Board Committees would be focus primarily on the four questions with a "*" .

IDENTIFY THE STATUTE, RULE AND REGULATION

Number

Article Title

Statute, Rule and Regulation Title

Type (new, amended)

Effective Date (history)

Authorizing KSA(s) and/or Related KAR(s)

Implementing KSA(s) and/or Related KAR(s)

Legislative History

KSBN STRUCTURE

KSBN Oversight Committee

Staff Review Owner

Review Year Cycle Number

Quarter of Review

PURPOSE: Briefly describe the public purpose of the statute, rule and regulation. (limited to 400 characters)

Environmental Assessment

Is KSBN operating in good faith and reasonable compliance with this statute, rule or regulation?

Is the statute, rule or regulation in agreement with current healthcare practice?

How does this statute, rule or regulation compare with other states, model legislation, or healthcare accreditation standards?

Have there been any changes in the National Licensure Compact, case law, statutes, rules or regulations that might impact this statute, rule or regulation?

* If changes are needed in statute, rule or regulation, what are the key elements of the substance of the revisions that need to be made?

NECESSITY (Primarily for Rules and Regulations)

* Is the rule and regulation necessary for the implementation and administration of state law, or could it be revoked? (*necessary/ could be revoked*)

Does the rule and regulation serve an identifiable public purpose in support of state law? *yes/no*

Is the rule and regulation broader than necessary to meet its public purpose? (*yes/no*)

TIES TO FEDERAL PROGRAMS (Typically not applicable to KSBN)

* Is the rule and regulation federally required for state participation in a federal program or authority? (*yes/no*)

Is the rule and regulation necessary for federal delegation of enforcement authority to the State?

If the rule and regulation is federally required, the state and federal program names and the federal agency name (*yes/no*)

Could federal moneys be in jeopardy under current law if the rule and regulation were repealed? (*yes/no*)

If federal moneys could be in jeopardy, the approximate amount received for the most recent fiscal year.

POTENTIAL FOR REVOCATION (Primarily for Rules and Regulations)

Briefly describe how revocation would affect Kansans. (*limited to 600 characters*)

If the rule and regulation is not in active use, would revocation require a change to the authorizing or implementing statute? (*in active use/ yes/ no*)

* If the rule and regulation is not in active use and revocation would require a change to the authorizing or implementing statute, which change(s)? (*limited to 400 characters*)

ADDITIONAL INFORMATION

Additional information necessary to understanding the necessity of this rule and regulation (*limited to 1,200 characters*)