

Agency Mission: To protect and promote the welfare of the people of Kansas.

**Kansas State Board of Nursing
Landon State Office Building, Room 509
Board Meeting Agenda
March 25, 2026**

NOTE: The audience may attend in person or via Zoom. Link to access meeting to follow agenda.

Time: 9:15 a.m. – Until Finished

Board Present: Andrea Watson, RN, BSN, OCN, CCRP, President
Steven Peterson, BSN, RN, CCRN, MEDSURG-BC, Vice President
Michelle Terry, Public Member, Secretary
Adri Gouldsmith, LPN
Melissa Oropeza, DNP, APRN-BC, CGRN
Ruth L.M. Burkhart, DNP, MSN, MA, RN-BC, LPCC
Belinda Katz, LPN
Tosha Fields, MSN, RN, LNHA, LNC
Amy Hite, EdD(c), DNP, FNP-C
Brenda Sharpe, Public Member
Vacant, Public Member

Staff Present: Carol Moreland, MSN, RN, Executive Administrator
Adrian Guerrero, CPM, Director of Operations
Linda Davies, MSN, BSN, RN, Practice Specialist
Janelle Martin, MHSA, RN, Nursing Education Compliance Officer
RaeAnn Byrd, CPM, Licensing Supervisor
Andy Martin – Public Information Officer
Jill Simons, Executive Assistant

- I. Quorum (minimum of 6 members present) – Yes or No
- II. Call to Order
- III. Review of Onsite packet
- IV. Additions/Revisions to Board Agenda
- V. Announcements
- VI. Approval of Minutes: December 10, 2025
January 30, 2026

Consent Item Agenda

Agency Reports 1. Executive Administrator Report
2. Staff Reports

Committee Reports: 1. Education Committee – Chair, A. Hite
Committee Report

Action Items

2. Investigative Committee – Chair, R. Burkhart
Committee Report
Action items
3. CNE/IV Therapy Advisory Committee – Chair, A. Watson
Committee Report
Action Items
4. APRN Committee – Vice-Chair, A. Hite
Committee Report
Action Items
5. Practice Committee – Chair, S. Peterson
Committee Report
Action Items
6. Finance & Risk Management Committee – Chair, B. Sharpe
Committee Report
Action items

Unfinished Business:

1. LPA Cybersecurity Audit Update
2. Legislative Update
 - a. K.S.A. 74-1112 (HB 2478)
 - b. HB 2532 (KSBN Disciplinary Tasks Force)
 - c. HB 2528
 - d. House Select Committee on Government Oversight
3. End of Life Licensing Software
4. Five-Year Combined Statute and Regulation Review
5. Nomination Committee
6. KSBN Action Plan

New Business:

1. Board Retreat for 2026

Executive session if needed.

(The meeting will proceed as set by the agenda. Open Forum will be held at 1:00 p.m. when a presenter is scheduled.)

VII. Agenda for June 2026 Board Meeting

VIII. Adjourn:

Please Note: Additional items, which have come to the attention of the Board, will be handled as time permits. Agenda is subject to change based upon items to come before the Board.

Handouts or copies of materials brought to the Board or Committees for discussion by committee members or visitors must be submitted to staff 30 calendar days prior to start of the meeting. Any items received after the 30th calendar day may be addressed at the meeting at the discretion of the President of the Board or Chairperson of the Committee.

Any individual with a disability may request accommodation to participate in the board meeting and may request the board packet in an accessible format. Requests for accommodation should be made at least five working days in advance of the board meeting

by contacting Jill Simons at (785) 296-5752. Handicapped parking is available at the Landon State Office Building, and the north entrance to the building is accessible to individuals with disabilities.

You are invited to a Zoom webinar!

When: Mar 25, 2026 09:15 AM Central Time (US and Canada)

Topic: Kansas State Board of Nursing - Board Meeting

Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/84275795036?pwd=WlYqoH7wghSRtsCaY5aY5plN8XfhOH.1>

Passcode:KsbnBoard

Phone one-tap:

+16699006833,,84275795036#,,,,*900681524# US (San Jose)

+17193594580,,84275795036#,,,,*900681524# US

Join via audio:

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+1 564 217 2000 US

+1 646 876 9923 US (New York)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

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International numbers available: <https://us02web.zoom.us/j/kcJ0WKNPe6>

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HOUSE BILL No. 2478

By Committee on Health and Human Services

Representative Oropeza on behalf of the Kansas State Board of Nursing

1-20

1 AN ACT concerning health and healthcare; relating to nursing licensure;
2 requiring advance practice registered nurses and registered nurse
3 anesthetists to submit to a criminal history check upon application for a
4 nursing license; amending K.S.A. 2025 Supp. 74-1112 and repealing
5 the existing section.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2025 Supp. 74-1112 is hereby amended to read as
9 follows: 74-1112. (a) The board of nursing may require an ~~application~~
10 *applicant* to be fingerprinted and submit to a state and national criminal
11 history record check in accordance with K.S.A. 2025 Supp. 22-4714, and
12 amendments thereto.

13 (b) The board shall fix a fee for fingerprinting of applicants or
14 licensees, or both, as may be required by the board in an amount necessary
15 to reimburse the board for the cost of the fingerprinting. Fees collected
16 under this subsection shall be deposited in the criminal background and
17 fingerprinting fund.

18 (c) There is hereby created in the state treasury the criminal
19 background and fingerprinting fund. All moneys credited to the fund shall
20 be used to pay the Kansas bureau of investigation for the processing of
21 fingerprints and criminal history background checks for the board of
22 nursing. The fund shall be administered by the board of nursing. All
23 expenditures from the fund shall be made in accordance with appropriation
24 acts upon warrants of the director of accounts and reports issued pursuant
25 to vouchers approved by the president of the board or a person designated
26 by the president.

27 (d) As used in this section, "applicant" means a person who has
28 applied for licensure as a professional nurse, *an advanced practice*
29 *registered nurse, a registered nurse anesthetist, a* practical nurse or a
30 mental health technician.

31 Sec. 2. K.S.A. 2025 Supp. 74-1112 is hereby repealed.

32 Sec. 3. This act shall take effect and be in force from and after its
33 publication in the statute book.

HOUSE BILL No. 2532

By Committee on Health and Human Services

Requested by Representative Oropeza on behalf of the Kansas State Board of
Nursing

1-23

1 AN ACT concerning health and healthcare; relating to the powers, duties
2 and functions of the Kansas state board of nursing; establishing an
3 impaired provider program; expanding the grounds for disciplinary
4 action taken against a licensee; permitting deferred disciplinary action
5 against an impaired licensee; providing for the reinstatement of a
6 revoked license; amending K.S.A. 65-1120a, 65-1121a and 65-1129
7 and K.S.A. 2025 Supp. 65-1117 and 65-1120 and repealing the existing
8 sections; also repealing K.S.A. 74-1110.

9
10 *Be it enacted by the Legislature of the State of Kansas:*

11 New Section 1. (a) As used in this section:

12 (1) "Board" means the Kansas state board of nursing.

13 (2) "Licensee" means:

14 (A) A registered professional nurse, as defined in K.S.A. 65-1113,
15 and amendments thereto;

16 (B) a licensed practical nurse, as defined in K.S.A. 65-1113, and
17 amendments thereto;

18 (C) an advanced practice registered nurse, as defined in K.S.A. 65-
19 1113, and amendments thereto;

20 (D) a registered nurse anesthetist, as defined in K.S.A. 65-1151, and
21 amendments thereto; or

22 (E) a mental health technician whose license is issued by the board of
23 nursing.

24 (3) "Substance" means alcohol, drugs, a controlled substance or any
25 combination thereof.

26 (4) "Participant" means an enrollee in the impaired provider program.

27 (b) Notwithstanding the provisions of K.S.A. 65-4924, and
28 amendments thereto, the board may establish an impaired provider
29 program to promote the identification, intervention, treatment and
30 monitoring of licensees who may be impaired by reason of substance use
31 or reasonable suspicion of substance abuse or by mental or behavioral
32 health conditions affecting such licensees' ability to practice.

33 (c) The impaired provider program shall be made available to, upon
34 the discretion of the board, to an applicant and licensee who:

- 1 (1) Admits to the use of substances;
2 (2) self-refer;
3 (3) tests positive in a pre-employment, employment or for-cause drug
4 or alcohol screening;
5 (4) has refused to obtain an alcohol or drug screen as requested by an
6 employer, the board of nursing or another professional licensing agency in
7 the United States, a United States territory or another country;
8 (5) has pled guilty or nolo contendere, been convicted of or has
9 entered into a diversion agreement in lieu of further criminal proceedings
10 for a violation of law in a court of competent judgment in the United
11 States, a United States territory or another country; or
12 (6) there is reasonable suspicion of a physical or mental impairment
13 impacting the practice of nursing by an individual licensed or authorized to
14 practice nursing or who has applied for under the Kansas nursing practice
15 act.
- 16 (d) The program shall be a minimum of one year in duration and shall
17 include, but may not be limited to, the following interventions at the
18 participant's expense:
19 (1) Random drug and alcohol testing;
20 (2) chemical dependency evaluation; or
21 (3) mental or behavioral health evaluations.
- 22 (e) After receiving a complaint or an application, the board shall
23 screen the information submitted to determine if the applicant or licensee
24 may be eligible for the impaired provider program. Upon enrollment in the
25 program, the applicant or licensee shall enter into a written agreement that
26 sets forth the requirements of the impaired provider program. If the board
27 declines the applicant or licensee's entrance into the program, the board
28 may proceed with the regular process of investigating a complaint or
29 application for a determination of disqualification of licensure or discipline
30 as provided in K.S.A. 65-1120, and amendments thereto. The board shall
31 retain sole discretion to offer the program at any time.
- 32 (f) Upon successful completion of the impaired provider program, the
33 licensee shall be deemed to have no disciplinary action against their
34 license and shall not be required to disclose participation in the program.
35 Evidence of participation in the program may be considered by the board
36 for a subsequent violation involving alcohol, drugs or controlled
37 substances.
- 38 (g) The board may adopt rules and regulations subject to the
39 provisions of this section and K.S.A. 65-1120, and amendments thereto, to
40 administer, implement and enforce any impaired provider program
41 established pursuant to this section.
- 42 (h) The board may expend appropriated funds necessary to provide
43 for operational expenses of any impaired provider program established

1 pursuant to this section.

2 (i) Any board member, board staff member, members of the program,
3 as well as any administrator, staff member, consultant, agent or employee
4 of the program acting within the scope of their duties and without actual
5 malice, and any other individual who furnishes information to the program
6 in good faith and without actual malice, shall not be liable for any claim of
7 damages as a result of any statement, decision, opinion, investigation or
8 action taken pursuant to the program or by any individual member of the
9 program, board member, board staff member or a presiding officer in an
10 administrative proceeding or hearing.

11 (j) Except as provided in subsection (f), all information, interviews,
12 reports, statements, memorandum, drug or alcohol testing results or other
13 documents furnished to or produced pursuant to the program, in addition
14 to communications to or from the program, any findings, conclusions,
15 interventions, treatment, rehabilitation or other proceedings of the program
16 that in any way pertain to an applicant or licensee who may be, or who is,
17 impaired shall be privileged and confidential and shall not be subject to
18 disclosure under the Kansas open records act, K.S.A. 45-215, et seq., and
19 amendments thereto. The provisions of this subsection shall expire on July
20 1, 2031, unless the legislature reviews and reenacts this provision pursuant
21 to K.S.A. 45-229, and amendments thereto.

22 (k) This section shall be a part of and supplemental to the Kansas
23 nurse practice act.

24 New Sec. 2. In all matters before the Kansas state board of nursing,
25 the board shall have the power to revoke a license or authorization issued
26 to a person who does not renew the license or authorization or who
27 voluntarily surrenders such person's license or authorization while an
28 investigation or charges are pending or anticipated that involve an alleged
29 misconduct violation of any provision of the Kansas nurse practice act or
30 any rules or regulations adopted by the board.

31 Sec. 3. K.S.A. 2025 Supp. 65-1117 is hereby amended to read as
32 follows: 65-1117. (a) All licenses issued under the provisions of this act,
33 whether initial or renewal, including multi-state licenses under the nurse
34 licensure compact, shall expire every two years. The expiration date shall
35 be established by the rules and regulations of the board. Any licensed
36 nurse may file a multi-state license application together with the
37 prescribed multi-state license fee at any time the nurse holds an active
38 license. The board shall send a notice for renewal of license to every
39 registered professional nurse and licensed practical nurse at least 60 days
40 prior to the expiration date of such person's license. Every person so
41 licensed who desires to renew such license shall file with the board, on or
42 before the date of expiration of such license, a renewal application
43 together with the prescribed biennial renewal fee. Every licensee who is no

1 longer engaged in the active practice of nursing may so state by affidavit
2 and submit such affidavit with the renewal application. An inactive license
3 may be requested along with payment of a fee which shall be fixed by
4 rules and regulations of the board. Except for the first renewal for a license
5 that expires within 30 months following licensure examination or for
6 renewal of a license that expires within the first nine months following
7 licensure by reinstatement or endorsement, every licensee with an active
8 nursing license shall submit with the renewal application evidence of
9 satisfactory completion of a program of continuing nursing education
10 required by the board. The board by duly adopted rules and regulations
11 shall establish the requirements for such program of continuing nursing
12 education. Upon receipt of such application, payment of fee, upon receipt
13 of the evidence of satisfactory completion of the required program of
14 continuing nursing education and upon being satisfied that the applicant
15 meets the requirements set forth in K.S.A. 65-1115 or 65-1116, and
16 amendments thereto, in effect at the time of initial licensure of the
17 applicant, the board shall verify the accuracy of the application and grant a
18 renewal license.

19 (b) Any person who fails to secure a renewal license within the time
20 specified herein may secure a reinstatement of such lapsed license by
21 making verified application therefor on a form provided by the board, by
22 rules and regulations, and upon furnishing proof that the applicant is
23 competent and qualified to act as a registered professional nurse or
24 licensed practical nurse and by satisfying all of the requirements for
25 reinstatement including payment to the board of a reinstatement fee as
26 established by the board. A reinstatement application for licensure will be
27 held awaiting completion of such documentation as may be required, but
28 such application shall not be held for a period of time in excess of that
29 specified in rules and regulations.

30 (c) (1) Each licensee shall notify the board in writing of:

31 (A) A change in *contact information, including name, email, phone*
32 *number or mailing address* within 30 days of the change; or

33 (B) a conviction of any felony or misdemeanor, that is specified in
34 rules and regulations adopted by the board, within 30 days from the date
35 the conviction becomes final.

36 (2) As used in this subsection, "conviction" means a final conviction
37 without regard to whether the sentence was suspended or probation
38 granted after such conviction. Also, for the purposes of this subsection, a
39 forfeiture of bail, bond or collateral deposited to secure a defendant's
40 appearance in court, which forfeiture has not been vacated, shall be
41 equivalent to a conviction. Failure to so notify the board shall not
42 constitute a defense in an action relating to failure to renew a license, nor
43 shall it constitute a defense in any other proceeding.

1 (d) Persons holding a multistate license under the nurse licensure
2 compact and who engage in the practice of nursing in Kansas may be
3 requested by the board to voluntarily provide workforce-related
4 information as reasonably determined by the board. Refusal to voluntarily
5 provide such information shall not be a basis for disciplinary action against
6 or restriction of the multistate license of any such person.

7 Sec. 4. K.S.A. 2025 Supp. 65-1120 is hereby amended to read as
8 follows: 65-1120. (a) *Grounds for disciplinary actions.* The board may
9 deny, revoke, limit or suspend any license or authorization to practice
10 nursing as a registered professional nurse, as a licensed practical nurse, as
11 an advanced practice registered nurse or as a registered nurse anesthetist
12 that is issued by the board or applied for under this act, or may require the
13 licensee to attend a specific number of hours of continuing education in
14 addition to any hours the licensee may already be required to attend or
15 may publicly or privately censure a licensee or holder of a temporary
16 permit or authorization, if the applicant, licensee or holder of a temporary
17 permit or authorization is found after hearing:

18 (1) ~~To be guilty of~~ *have committed* fraud or deceit ~~or to have made a~~
19 *misrepresentation* in practicing nursing or in procuring or attempting to
20 procure a license to practice nursing;

21 (2) ~~to have been guilty of a felony or to have been guilty of a~~
22 ~~misdemeanor involving an illegal drug offense unless the applicant or~~
23 ~~licensee establishes sufficient rehabilitation to warrant the public trust,~~
24 ~~except that notwithstanding K.S.A. 74-120, and amendments thereto, no~~
25 ~~license or authorization to practice nursing as a licensed professional~~
26 ~~nurse, as a licensed practical nurse, as an advanced practice registered~~
27 ~~nurse or registered nurse anesthetist shall be granted to a person with a~~
28 ~~felony conviction for a crime against persons as specified in article 34 of~~
29 ~~chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article~~
30 ~~54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 21-6104, 21-~~
31 ~~6325, 21-6326 or 21-6418, and amendments thereto convicted of or have~~
32 ~~entered into an agreed disposition of:~~

33 (A) *Any felony offense and has not demonstrated to the board's*
34 *satisfaction that such person has been sufficiently rehabilitated,*
35 *notwithstanding the provisions of K.S.A. 74-120(a), and amendments*
36 *thereto, except that no license or authorization to practice nursing as a*
37 *registered professional nurse, a licensed practice nurse, an advanced*
38 *practice registered nurse or a certified registered nurse anesthetist shall*
39 *be granted to a person with a felony conviction for a crime against*
40 *persons as specified in article 34 of chapter 21 of the Kansas Statutes*
41 *Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas*
42 *Statutes Annotated or K.S.A. 21-6104, 21-6326 or 21-418, and*
43 *amendments thereto, or a similar crime in another jurisdiction;*

1 (B) a misdemeanor offense involving alcohol or drugs and has not
2 demonstrated to the board's satisfaction that such person has been
3 sufficiently rehabilitated;

4 (C) any misdemeanor offense, involving crimes against persons, theft
5 or dishonesty and has not demonstrated to the board's satisfaction that
6 such person has been sufficiently rehabilitated; or

7 (D) a misdemeanor involving illegal drugs;

8 (3) has been convicted or found guilty or has entered into an agreed
9 disposition of a misdemeanor offense related to the practice of nursing as
10 determined on a case-by-case basis;

11 (4) to have committed an act of professional incompetency as defined
12 in subsection (e);

13 (5) to be unable to practice with skill and safety due to ~~current abuse~~
14 ~~of drugs or alcohol~~ illness, cognitive decline of mental condition, loss of
15 motor skills due to a physical condition or use of alcohol or drugs;

16 (6) ~~to be a person who~~ has been adjudged in need of a guardian or
17 conservator, or both, under the act for obtaining a guardian or conservator,
18 or both, and who has not been restored to capacity under that act;

19 (7) ~~to be guilty of~~has committed unprofessional conduct as defined by
20 rules and regulations of the board;

21 (8) to have willfully or repeatedly violated ~~the provisions~~ any
22 provision of the Kansas nurse practice act or any rules and regulations
23 adopted pursuant to that act, including K.S.A. 65-1114 and 65-1122, and
24 amendments thereto;

25 (9) to have a license to practice nursing as a registered nurse or as a
26 practical nurse any professional or occupational registration, license or
27 certification denied, revoked, limited or suspended, or to be publicly or
28 privately censured, by the board or a licensing authority of ~~another~~ any
29 state, agency of the United States government, territory of the United
30 States or country or to have other disciplinary action taken against the
31 applicant or licensee by a licensing authority of another state, agency of
32 the United States government, territory of the United States or country. A
33 certified copy of the record or order of public or private censure, denial,
34 suspension, limitation, revocation or other disciplinary action of the
35 licensing authority of another state, agency of the United States
36 government, territory of the United States or country shall constitute prima
37 facie evidence of such a fact for purposes of this paragraph ~~(9)~~; or

38 (10) to have assisted suicide in violation of K.S.A. 21-3406, prior to
39 its repeal, or K.S.A. 21-5407, and amendments thereto, as established by
40 any of the following:

41 (A) A copy of the record of criminal conviction or plea of guilty for a
42 felony in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 21-
43 5407, and amendments thereto;;

1 (B) a copy of the record of a judgment of contempt of court for
2 violating an injunction issued under K.S.A. 60-4404, and amendments
3 thereto; and

4 (C) a copy of the record of a judgment assessing damages under
5 K.S.A. 60-4405, and amendments thereto;

6 (11) *to have practiced while the license was invalidated, lapsed or*
7 *inactive, pursuant to K.S.A. 65-1117, 65-1131 or 65-1132, and*
8 *amendments thereto;*

9 (12) *to have cheated on an examination administered under this act*
10 *for licensure;*

11 (13) *to have failed to comply with any order of the board;*

12 (14) *to have violated a provision of the Kansas nurse practice act or*
13 *one or more of the rules and regulations of the board; or*

14 (15) *to have abandoned a patient.*

15 (b) ~~Proceedings. Upon filing of a sworn complaint with the board~~
16 ~~charging a person with having been guilty of any of the unlawful practices~~
17 ~~specified in subsection (a), two or more members of the board shall~~
18 ~~investigate the charges, or the board may designate and authorize an~~
19 ~~employee or employees of the board to conduct an investigation. After~~
20 ~~investigation, the board may institute charges. If an investigation, in the~~
21 ~~opinion of the board, reveals reasonable grounds for believing the~~
22 ~~applicant or licensee is guilty of the charges, the board shall fix a time and~~
23 ~~place for proceedings, which shall be conducted in accordance with the~~
24 ~~provisions of the Kansas administrative procedure actCivil fine. In~~
25 ~~addition to or in lieu of any other penalty prescribed in subsection (a), the~~
26 ~~board may assess a civil fine in an amount not to exceed \$2,000 for the~~
27 ~~first violation, \$3,000 for the second violation and \$5,000 for the third~~
28 ~~violation and each subsequent violation. All fines assessed and collected~~
29 ~~under this section shall be remitted to the state treasurer in accordance~~
30 ~~with the provisions of K.S.A. 75-4215, and amendments thereto. Upon~~
31 ~~receipt of each such remittance, the state treasurer shall deposit the entire~~
32 ~~amount in the state treasury to the credit of the state general fund.~~

33 (c) *Witnesses.* No person shall be excused from testifying in any
34 proceedings before the board under this act or in any civil proceedings
35 under this act before a court of competent jurisdiction on the ground that
36 such testimony may incriminate the person testifying, but such testimony
37 shall not be used against the person for the prosecution of any crime under
38 the laws of this state except the crime of perjury as defined in K.S.A. 21-
39 5903, and amendments thereto.

40 (d) *Costs.* If final agency action of the board in a proceeding under
41 this section is adverse to the applicant or licensee, the costs of the board's
42 proceedings shall be charged to the applicant or licensee as in ordinary
43 civil actions in the district court, but if the board is the unsuccessful party,

1 the costs shall be paid by the board. Witness fees and costs may be taxed
2 by the board according to the statutes relating to procedure in the district
3 court. All costs accrued by the board, when it is the successful party, and
4 which the attorney general certifies cannot be collected from the applicant
5 or licensee shall be paid from the board of nursing fee fund. All moneys
6 collected following board proceedings shall be credited in full to the board
7 of nursing fee fund.

8 (e) *Professional incompetency defined.* As used in this section,
9 "professional incompetency" means:

10 (1) One or more instances involving failure to adhere to the
11 applicable standard of care to a degree which constitutes gross negligence,
12 as determined by the board;

13 (2) repeated instances involving failure to adhere to the applicable
14 standard of care to a degree which constitutes ordinary negligence, as
15 determined by the board; or

16 (3) a pattern of practice or other behavior which demonstrates a
17 manifest incapacity or incompetence to practice nursing.

18 (f) *Criminal justice information.* The board upon request shall receive
19 from the Kansas bureau of investigation such criminal history record
20 information relating to arrests and criminal convictions as necessary for
21 the purpose of determining initial and continuing qualifications of
22 licensees of and applicants for licensure by the board in accordance with
23 K.S.A. 2025 Supp. 22-4715, and amendments thereto.

24 (g) *The board may defer discipline or other action against any*
25 *impaired licensee who enters into a binding agreement, in a form*
26 *satisfactory to the board, under terms that such licensee agrees not to*
27 *practice nursing or to practice nursing with limitations or conditions and*
28 *to enter into and comply with the requirements of a board-approved*
29 *treatment or monitoring program in accordance with regulations adopted*
30 *by the board. This subsection shall not apply to any licensee who has been*
31 *convicted of, pled guilty to or entered a plea of nolo contendere to a felony*
32 *offense involving a controlled substance. If a licensee fails to comply with*
33 *the board-approved program, the board may then give the licensee notice*
34 *of its intent to lift the stay or deferment and impose discipline or other*
35 *action.*

36 (h) *As used in this section, a conviction includes a finding of guilt by*
37 *a military court martial pursuant to the uniform code of military justice by*
38 *a court of the United States or by a court of competent jurisdiction in any*
39 *state or a diversion or deferred judgment agreement entered into in a*
40 *felony or misdemeanor case.*

41 Sec. 5. K.S.A. 65-1120a is hereby amended to read as follows: 65-
42 1120a. (a) A person whose license has been revoked may apply for
43 reinstatement of the license after the expiration of three years from the

1 effective date of the revocation. Application for reinstatement shall be on a
2 form approved by the board and shall be accompanied by a reinstatement
3 fee established by the board under K.S.A. 65-1118, and amendments
4 thereto. ~~The burden of proof by clear and convincing evidence shall be on~~
5 ~~the applicant to show sufficient rehabilitation to justify reinstatement of~~
6 ~~the license.~~

7 (b) *The board may reinstate a revoked license upon a finding that the*
8 *applicant is otherwise qualified for licensure under the Kansas nurse*
9 *practice act and is sufficiently rehabilitated to warrant public trust. The*
10 *burden shall be upon the applicant to establish rehabilitation by clear and*
11 *convincing evidence.*

12 (c) *In determining whether an applicant is sufficiently rehabilitated*
13 *to warrant public trust, the board may consider any relevant evidence,*
14 *including the following:*

- 15 (1) *The present moral fitness of the applicant to practice nursing;*
- 16 (2) *the demonstrated consciousness of the wrongful conduct and the*
17 *disrepute that the conduct has brought to the nursing profession;*
- 18 (3) *the extent of the applicant's rehabilitation;*
- 19 (4) *the seriousness of the original misconduct;*
- 20 (5) *the applicant's conduct after disciplinary action;*
- 21 (6) *the time elapsed since the original discipline;*
- 22 (7) *the applicant's character, maturity and experience at the time of*
23 *the original discipline;*
- 24 (8) *the applicant's present competence to engage in the nursing*
25 *profession; and*
- 26 (9) *other relevant factors bearing on the applicant's ability to*
27 *practice nursing.*

28 (d) If the board determines a license should not be reinstated, the
29 person shall not be eligible to reapply for reinstatement for three years
30 from the effective date of the denial.

31 (e) All proceedings conducted on an application for reinstatement
32 shall be in accordance with the provisions of the Kansas administrative
33 procedure act and shall be reviewable in accordance with the Kansas
34 judicial review act. The board, on its own motion, may stay the
35 effectiveness of an order of revocation of license.

36 ~~(b)(f) On or before January 8, 2018, and on or before the first day of~~
37 ~~the regular session of the Kansas legislature each year thereafter, the board~~
38 ~~of nursing shall submit prepare a written report to the senate standing~~
39 ~~committee on public health and welfare and the house of representatives~~
40 ~~standing committee on health and human services that includes on an~~
41 ~~anonymous but individual and itemized basis: The number of individuals~~
42 ~~who applied for reinstatement of a revoked license during the immediately~~
43 ~~preceding calendar year; the amount of moneys charged to each such~~

1 applicant; the number of such reinstatement applications that were granted
 2 and denied; and the basis given to deny any such reinstatement
 3 application. *These reports shall be made available by:*

4 (1) *Submitting such report to the Kansas legislative research*
 5 *department; and*

6 (2) *providing such report to all members of the senate standing*
 7 *committee on public health and welfare and the house of representatives*
 8 *standing committee on health and human services, or any successor*
 9 *committees, through digital distribution by the Kansas legislative research*
 10 *department and the Kansas board of nursing.*

11 (e)(g) This section shall be a part of and supplemental to the Kansas
 12 nurse practice act.

13 Sec. 6. K.S.A. 65-1121a is hereby amended to read as follows: 65-
 14 1121a. (a) *All administrative proceedings regarding licensure under this*
 15 *act shall be conducted under the Kansas administrative procedures act.*

16 Any agency action of the board of nursing pursuant to the Kansas nurse
 17 practice act is subject to review in accordance with the Kansas judicial
 18 review act.

19 (b) This section shall be a part of and supplemental to the Kansas
 20 nurse practice act.

21 Sec. 7. K.S.A. 65-1129 is hereby amended to read as follows: 65-
 22 1129. The board ~~shall~~ *may* adopt and promulgate rules and regulations as
 23 are necessary to carry out the provisions of ~~this act~~ *the Kansas nurse*
 24 *practice act.*

25 Sec. 8. K.S.A. 65-1120a, 65-1121a, 65-1129 and 74-1110 and K.S.A.
 26 2025 Supp. 65-1117 and 65-1120 are hereby repealed.

27 Sec. 9. This act shall take effect and be in force from and after its
 28 publication in the statute book.

HOUSE BILL No. 2528

By Committee on Health and Human Services

Requested by Representative Pickert

1-23

1 AN ACT concerning health professions and practices; relating to the
2 Kansas state board of nursing powers, duties and responsibilities;
3 requiring that all board actions related to **{certain }**nonpractice
4 violations be void; allowing for late license renewal for professional,
5 practical and advanced practice registered nurses; setting fees for late
6 license renewal; limiting unprofessional conduct to acts related to the
7 practice of nursing; prohibiting the board from taking retaliatory action
8 against a licensee based on lawful acts made against the board and
9 creating a cause of action for violation of such prohibition; requiring
10 that board members be subject to senate confirmation; requiring the
11 board to issue refunds for overpayment or duplicate payments;
12 amending K.S.A. 65-1119, 65-1120a, 65-1131, 65-1132, 74-1108 and
13 74-1110 and K.S.A. 2025 Supp. 65-1117, 65-1118, 65-1120, 65-1127
14 and 74-1106 and repealing the existing sections.
15

16 *Be it enacted by the Legislature of the State of Kansas:*

17 New Section 1. (a) (1) Any board action occurring or record created
18 on or after January 1, 2005, but prior to July 1, 2026, that arises from
19 disciplinary action ~~related to~~ **based upon a violation** of the following
20 statutes and regulations **that arises from or is related to applications for**
21 **licensure or, license renewal, {license reinstatement or practicing while**
22 **a license has lapsed or expired}** shall be void:

23 (A) **K.S.A. 65-1120(a)(6) prior to July 1, 2019**, K.S.A. 65-1117(a)
24 or (b), 65-1118 ~~or~~, 65-1119, ~~K.S.A. 65-1120(a)(1) only if such action or~~
25 ~~record arises from or is related to applications for licensure or license~~
26 ~~renewal~~, K.S.A. 65-1120(a)(7) or (a)(8), 65-1122(f), 65-1132, 65-1154, 65-
27 1155, 65-1159, 65-4205(a) or (b), 65-4208, 65-4209(a)(8) or 74-1110, as
28 in effect prior to July 1, 2026; or

29 (B) **K.A.R. 60-3-110(v) prior to April 29, 2016**, K.A.R. 60-3-
30 **110(w) on or after April 29, 2016**, K.A.R. 60-3-103, 60-3-108, ~~60-3-~~
31 ~~110(w)~~, **{60-3-110(b)}** 60-4-101, 60-8-101, 60-9-106, 60-11-113(a) or (b),
32 60-12-104, 60-12-106, 60-13-101, 60-13-111, 60-13-112 or 60-13-113, as
33 in effect prior to July 1, 2026.

1 (2) If an alleged violation or disciplinary action occurs on or before
 2 June 30, 2026, any board action arising from disciplinary action-related-to
 3 **based upon a violation** of the statutes or rules and regulations cited in
 4 paragraph (1) shall be deemed void.

5 (3) The provisions of this subsection shall not invalidate disciplinary
 6 action or void any board action or record-related-to **based upon** an
 7 allegation or violation of any other statute or rule and regulation solely
 8 because such disciplinary action also makes reference to a statute or rule
 9 and regulation cited in paragraph (1).

10 (b) The board shall not report any void material to any person or
 11 entity, including the office of inspector general, nursys licensure and
 12 disciplinary data bank, the national practitioner data bank or coordinated
 13 licensure information system.

14 (c) If the board has previously provided void material to any person
 15 or entity or allowed void material to come into the possession of any
 16 person or entity, the board, ~~after being provided notice,~~ shall promptly
 17 notify such person or entity that the agency action has been reversed and is
 18 void, and the board shall take all reasonable measures to stop publication
 19 and dissemination of such void material.

20 (d) If the board fails to comply with the requirements of this section,
 21 a individual aggrieved by a violation of this section shall have a private
 22 cause of action for actual damages, injunctive relief and any other
 23 appropriate relief. Any action commenced under this section shall be
 24 brought within two years following the violation. In an action brought for
 25 a violation of this section, a prevailing plaintiff shall recover damages and
 26 the cost of the suit, including reasonable attorney fees.

27 (e) The provisions of this section shall apply to a deceased licensee or
 28 former licensee. A surviving spouse, next of kin or heir may pursue any of
 29 the rights granted by this section on behalf of the deceased licensee or
 30 former licensee.

31 (f) Void materials under this section shall be confidential and not be
 32 subject to the open records act, K.S.A. 45-215 et seq., and amendments
 33 thereto. The provisions of this subsection shall expire on July 1, 2031,
 34 unless the legislature reviews and reenacts this provision pursuant to
 35 K.S.A. 45-229, and amendments thereto, prior to July 1, 2031.

36 (g) The board shall publish this section by displaying this section on
 37 the front page of the board's website and include this section in the first
 38 two pages of the board's newsletter in July and August 2026.

39 (h) (1) As used in this section, "void" and "voided" mean all
 40 allegations, proceedings, reports, investigations, findings, records,
 41 documents, contracts, consent agreements, hearings, determinations,
 42 conclusions, judgments, decisions, summary denials, inactivations,
 43 probation agreements, diversion agreements, revocations, suspensions,

1 limitations, censures, fines, fees, cost denials or actions are reversed,
2 overturned and declared null and void.

3 (2) Any record, document or matter voided by this section that has
4 been transmitted to or from the board to any person or entity is deemed to
5 have been submitted in error, and any reference thereto is expunged and
6 deemed never to have occurred.

7 Sec. 2. K.S.A. 2025 Supp. 65-1117 is hereby amended to read as
8 follows: 65-1117. (a)(1) *Except as further provided by this section, all*
9 *licenses issued under the provisions of this act, whether initial or renewal,*
10 *including multi-state licenses under the nurse licensure compact, shall*
11 *expire have a renewal date set every two years. The ~~expiration~~ renewal*
12 *date shall be established by the rules and regulations of the board. Any*
13 *licensed nurse may file a multi-state license application together with the*
14 *prescribed multi-state license fee at any time that the nurse holds an active*
15 *license.*

16 (2) The board shall send a notice for renewal of license to every
17 registered professional nurse and licensed practical nurse at least 60 days
18 prior to the ~~expiration~~ renewal date of such person's license, *unless such*
19 *licensee elects to opt out of such notice of renewal being sent to such*
20 *licensee. The board shall send a digital notice for renewal of license to*
21 *every registered professional nurse and licensed practical nurse at least*
22 *90, 60, 30, and seven days prior to the renewal date of such person's*
23 *license, on the date of renewal of such person's license and seven days*
24 *following the renewal date of such person's license. If a licensee has*
25 *already renewed a license, no notice shall be sent.*

26 (3) Every person so licensed who ~~desires to renew~~ *seeks renewal of*
27 *such license shall file with the board, on or before the renewal date of*
28 *expiration of such license, a renewal application together with the*
29 *prescribed biennial renewal fee. Every licensee who is no longer engaged*
30 *in the active practice of nursing may so state by affidavit and submit such*
31 *affidavit with the renewal application. An inactive license may be*
32 *requested along with payment of a fee ~~which that shall be fixed~~ set by*
33 *rules and regulations of the board.*

34 (4) Except for the first renewal for a license that ~~expires~~ *is set for*
35 *renewal within 30 months following licensure examination or for renewal*
36 *of a license that ~~expires~~ is set for renewal within the first nine months*
37 *following licensure by reinstatement or endorsement, every licensee with*
38 *an active nursing license shall submit with the renewal application*
39 *evidence of satisfactory completion of a program of continuing nursing*
40 *education required by the board. The board ~~by duly adopted~~ shall adopt*
41 *rules and regulations ~~shall~~ that establish the requirements for such*
42 *program of continuing nursing education. The renewal application shall*
43 *require a licensee to provide such licensee's current contact information,*

1 including address, phone number and email address. A licensee shall
 2 notify the board of a change in name or contact information.

3 (5) (A) Upon receipt of such application, payment of fee, upon receipt
 4 of the evidence of satisfactory completion of the required program of
 5 continuing nursing education and upon being satisfied that the applicant
 6 meets the requirements set forth in K.S.A. 65-1115 or 65-1116, and
 7 amendments thereto, in effect at the time of initial licensure of the
 8 applicant, the board shall verify the accuracy of the application and grant a
 9 renewal license ~~within one day~~ **five business days after the applicant**
 10 **submits the requirements of this paragraph.**

11 (B) *Once the requirements of this paragraph have been met, a digital*
 12 *notification of submission that contains a receipt for payment of any fees*
 13 *shall promptly be sent to the applicant or licensee. If the board grants a*
 14 *renewal license or a late renewal license, a digital notification of such*
 15 *renewal shall be sent to the applicant or licensee.*

16 (b) (1) (A) ~~Any~~ *If a person who fails to secure complete a renewal*
 17 *license within the time specified herein in this section, the board shall give*
 18 *such person notice of the failure to complete a renewal license which shall*
 19 *include information that:*

20 (i) *The license may be canceled if not renewed within 90 days*
 21 *following the renewal date;*

22 (ii) ~~upon receipt of the may secure a reinstatement of such lapsed~~
 23 ~~license by making verified renewal application therefor on a form~~
 24 ~~provided by the board, by rules and regulations, and upon furnishing proof~~
 25 ~~that the applicant is competent and qualified to act as a registered~~
 26 ~~professional nurse or licensed practical nurse and by satisfying all of the~~
 27 ~~requirements for reinstatement late renewal, including payment to the~~
 28 ~~board of a reinstatement late renewal fee as established by the board,~~
 29 ~~within the 90-day period, the license will not be canceled; and~~

30 (iii) *if both fees are not received within the 90-day period, the license*
 31 *will be deemed canceled by operation of law and without further*
 32 *proceedings.*

33 (B) ~~A reinstatement late renewal application for licensure will shall~~
 34 ~~be held awaiting completion of such documentation as may be required,~~
 35 ~~but such application shall not be held for a period of time in excess of that~~
 36 ~~specified in rules and regulations. A license shall remain valid and active~~
 37 ~~during the 90-day period following the renewal date.~~

38 (C) **A license canceled for failure to renew may be reinstated**
 39 **within three years of cancellation upon:**

40 (i) **Approval of the board;**

41 (ii) **payment of the renewal fees then due; and**

42 (iii) **proof of compliance with the continuing educational**
 43 **requirements established by the board by rules and regulations.**

1 (D) A person who has not been in the active practice of the
2 profession for which reinstatement is sought or has not been engaged
3 in a formal educational program during the three years preceding the
4 application for reinstatement may be required to complete such
5 additional testing, training or education as the board may deem
6 necessary to establish the licensee's present ability to practice with
7 reasonable skill and safety.

8 (2) If a licensee that has been provided notice of failure to renew
9 does not renew within 30 days following the renewal date and has not
10 submitted an affidavit or a request for inactive license as specified in
11 subsection (a)(3), the board shall digitally send a survey to such person
12 requesting the reason for nonrenewal.

13 (3) If the board determines that an applicant or licensee is not
14 qualified for licensure or a renewal application or payment has not been
15 received, the board's sole recourse is to withhold licensure or renewal
16 until such time that the licensee or applicant is qualified and payment is
17 received. If the board makes a determination that an applicant or licensee
18 is not qualified for licensure, the board shall promptly inform the
19 applicant or licensee.

20 (c) (1) Each licensee shall notify the board in writing of ~~(A) a change~~
21 ~~in name or address within 30 days of the change or (B) a conviction of any~~
22 ~~felony or misdemeanor, that is specified in rules and regulations adopted~~
23 ~~by the board, within 30 days from the date that the conviction becomes~~
24 ~~final.~~

25 (2) As used in this subsection, "conviction" means a final conviction
26 without regard to whether the sentence was suspended or *the* probation
27 was granted after such conviction. ~~Also, for the purposes of this~~
28 ~~subsection, a~~ Forfeiture of bail, bond or collateral deposited to secure a
29 defendant's appearance in court, which forfeiture has not been vacated,
30 shall be equivalent to a conviction. Failure to so notify the board shall not
31 constitute a defense in an action relating to failure to renew a license, nor
32 shall it constitute a defense in any other proceeding.

33 (d) Persons holding a multistate license under the nurse licensure
34 compact and who engage in the practice of nursing in Kansas may be
35 requested by the board to voluntarily provide workforce-related
36 information as reasonably determined by the board. Refusal to voluntarily
37 provide such information shall not be a basis for disciplinary action against
38 or restriction of the multistate license of any such person.

39 Sec. 3. K.S.A. 2025 Supp. 65-1118 is hereby amended to read as
40 follows: 65-1118. (a) The board shall collect in advance fees provided for
41 in this act as fixed by the board, but not exceeding:

42 Application for single-state license—professional nurse	\$150
43 Application for single-state license—practical nurse	100

1	Application for single-state biennial renewal of license—professional	
2	nurse and practical nurse	120
3	Application for single-state reinstatement of license	150
4	Application for single-state reinstatement of licenses with temporary	
5	permit	175
6	<i>Application for late renewal of single state license.....</i>	<i>300</i>
7	Application for multi-state license—professional nurse	300
8	Application for multi-state license—practical nurse	300
9	Application for multi-state biennial renewal of license—	
10	professional nurse and practical nurse	200
11	Application for multi-state reinstatement of license	300
12	Application for multi-state reinstatement of licenses	
13	with temporary permit	300
14	<i>Application for late renewal of multi-state license.....</i>	<i>300</i>
15	Application for reinstatement of revoked license	1,000
16	Certified copy of license	25
17	Duplicate of license	25
18	Inactive license	20
19	Application for license—advanced practice registered	
20	nurse	50
21	Application for license with temporary permit—advanced	
22	practice registered nurse	100
23	Application for renewal of license—advanced practice	
24	registered nurse	60
25	Application for reinstatement of license—advanced practice	
26	registered nurse	75
27	<i>Application for late renewal of license—advanced practice</i>	
28	<i>registered nurse.....</i>	<i>300</i>
29	Application for authorization—registered nurse	
30	anesthetist	75
31	Application for authorization with temporary authorization—	
32	registered nurse anesthetist	110
33	Application for biennial renewal of authorization—registered	
34	nurse anesthetist.....	60
35	Application for reinstatement of authorization—registered	
36	nurse anesthetist	75
37	Application for reinstatement of authorization with temporary	
38	authorization—registered nurse anesthetist	100
39	Verification of license to another state	30
40	Application for exempt license—professional and practical	
41	nurse	50
42	Application for biennial renewal of exempt license—	
43	professional and practical nurse	50

1 Application for exempt license—advanced practice registered
 2 nurse 50
 3 Application for biennial renewal of exempt license—advanced
 4 practice registered nurse 50
 5

6 (b) The board may require that fees paid for any examination under
 7 the Kansas nurse practice act be paid directly to the examination service
 8 by the person taking the examination.

9 (c) The board shall accept for payment of fees under this section
 10 personal checks, certified checks, cashier's checks, money orders or credit
 11 cards. The board may designate other methods of payment, but shall not
 12 refuse payment in the form of a personal check. The board may ~~impose~~
 13 ~~additional fees and~~ recover any costs incurred by reason of payments made
 14 by personal checks with insufficient funds and payments made by credit
 15 cards.

16 Sec. 4. K.S.A. 65-1119 is hereby amended to read as follows: 65-
 17 1119. (a) *Application for approval.* An approved school of nursing is one
 18 ~~which~~ *that* has been approved as such by the board as meeting the
 19 standards of this act; and the rules and regulations of the board. An
 20 institution desiring to conduct an approved school of professional or
 21 practical nursing shall apply to the board for approval and submit
 22 satisfactory proof that it is prepared to and will maintain the standards and
 23 basic professional nursing curriculum or the required curriculum for
 24 practical nursing, as the case may be, as prescribed by this act and by the
 25 rules and regulations of the board. Applications shall be made in writing
 26 on forms supplied by the board and shall be submitted to the board
 27 together with the application fee fixed by the board. The approval of a
 28 school of nursing shall not exceed 10 years after the granting of such
 29 approval by the board. An institution desiring to continue to conduct an
 30 approved school of professional or practical nursing shall apply to the
 31 board for the renewal of approval and submit satisfactory proof that it will
 32 maintain the standards and basic professional nursing curriculum or the
 33 required curriculum for practical nursing, as the case may be, as prescribed
 34 by this act and by the rules and regulations of the board. Applications for
 35 renewal of approval shall be made in writing on forms supplied by the
 36 board. Each school of nursing shall submit annually to the board an annual
 37 fee fixed by the board by rules and regulations to maintain the approval
 38 status.

39 (b) *Schools for professional nurses.* To qualify as an approved school
 40 for professional nurses, the school ~~must~~ *shall* be conducted in the state of
 41 Kansas, ~~and shall~~ apply to the board and submit evidence that: (1) It is
 42 prepared to carry out the professional curriculum as prescribed in the rules
 43 and regulations of the board; and (2) it is prepared to meet such other

1 standards as shall be established by this law and the rules and regulations
2 of the board.

3 (c) *Schools for practical nurses.* To qualify as an approved school for
4 practical nurses, the school ~~must~~ shall be conducted in the state of Kansas,
5 ~~and shall~~ apply to the board and submit evidence that: (1) It is prepared to
6 carry out the curriculum as prescribed in the rules and regulations of the
7 board; and (2) it is prepared to meet such other standards as shall be
8 established by this law and the rules and regulations of the board.

9 (d) *Transcript requests.* All approved schools for professional and
10 practical nurses shall, upon the request of a current or former student,
11 fulfill transcript requests for licensure or testing by electronically
12 releasing the transcript within five business days of receipt of such
13 request.

14 (e) *Survey.* The board shall prepare and maintain a list of approved
15 schools for both professional and practical nurses whose graduates, if they
16 have the other necessary qualifications provided in this act, shall be
17 eligible to apply for a license as a registered professional nurse or as a
18 licensed practical nurse. A survey of the institution or institutions and of
19 the schools applying for approval shall be made by an authorized
20 employee of the board or members of the board, who shall submit a
21 written report of the survey to the board. If, in the opinion of the board, the
22 requirements as prescribed by the board in its rules and regulations for an
23 approved school for professional nurses or for practical nurses are met, it
24 shall so approve the school as either a school for professional nurses or
25 practical nurses, as the case may be. The board shall resurvey approved
26 schools on a periodic basis as determined by rules and regulations. If the
27 board determines that any approved school of nursing is not maintaining
28 the standards required by this act and by rules and regulations prescribed
29 by the board, notice thereof in writing, specifying the failures of such
30 school, shall be given immediately to the school. A school ~~which~~ that fails
31 to correct such conditions to the satisfaction of the board within a
32 reasonable time shall be removed from the list of approved schools of
33 nursing until such time as that the school shall comply with the standards.
34 All approved schools shall maintain accurate and current records showing
35 in full the theoretical and practical courses given to each student.

36 (e)(f) *Providers of continuing nursing education.* (1) To qualify as an
37 approved provider of continuing nursing education offerings, persons,
38 organizations or institutions proposing to provide such continuing nursing
39 education offerings shall apply to the board for approval and submit
40 evidence that the applicant is prepared to meet the standards and
41 requirements established by the rules and regulations of the board for such
42 continuing nursing education offerings. Initial applications shall be made
43 in writing on forms supplied by the board and shall be submitted to the

1 board together with the application fee fixed by the board.

2 (2) A—"Long-term provider" means a person, organization or
3 institution that is responsible for the development, administration and
4 evaluation of continuing nursing education programs and offerings.
5 Qualification as a long-term approved provider of continuing nursing
6 education offerings shall expire five years after the granting of such
7 approval by the board. An approved long-term provider of continuing
8 nursing education offerings shall submit annually to the board the annual
9 fee established by rules and regulations, along with an annual report for
10 the previous fiscal year. Applications for renewal as an approved long-term
11 provider of continuing nursing education offerings shall be made in
12 writing on forms supplied by the board.

13 (3) Qualification as an approved provider of a single continuing
14 nursing education offering, which may be offered once or multiple times,
15 shall expire two years after the granting of such approval by the board.
16 Approved single continuing nursing education providers shall not be
17 subject to an annual fee or annual report.

18 (4) In accordance with rules and regulations adopted by the board, the
19 board may approve individual educational offerings for continuing nursing
20 education—~~which~~ *that* shall not be subject to approval under other
21 subsections of this section.

22 (5) The board shall accept offerings as approved continuing nursing
23 education presented by: Colleges that are approved by a state or the
24 national department of education and providers approved by other state
25 boards of nursing, the national league for nursing, the national federation
26 of licensed practical nurses, the American nurses credentialing center or
27 other such national organizations as listed in rules and regulations adopted
28 by the board.

29 (6) An individual designated by a provider of continuing nursing
30 education offerings as an individual responsible for CNE who has held this
31 position for the provider at least five years immediately prior to January 1,
32 1997, shall not be required to have a baccalaureate or higher academic
33 degree in order to be designated by such provider as the individual
34 responsible for CNE.

35 ~~(f)~~(g) *Criteria for evaluating out-of-state schools.* For the purpose of
36 determining whether an applicant for licensure who is a graduate of a
37 school of professional or practical nursing located outside this state meets
38 the requirements of ~~item (2) of subsection (a) of~~ K.S.A. 65-1115(a)(2), and
39 amendments thereto or the requirements of ~~item (2) of subsection (a) of~~
40 K.S.A. 65-1116(a)(2), and amendments thereto, as appropriate, the board
41 by rules and regulations shall establish criteria for determining whether a
42 particular school of professional nursing located outside this state
43 maintains standards which are at least equal to schools of professional

1 nursing ~~which~~ *that* are approved by the board and whether a particular
2 school of practical nursing located outside this state maintains standards
3 ~~which~~ *that* are at least equal to schools of practical nursing ~~which~~ *that* are
4 approved by the board. The board may send a questionnaire developed by
5 the board to any school of professional or practical nursing located outside
6 this state for which the board does not have sufficient information to
7 determine whether the school meets the standards established under this
8 subsection ~~(f)~~. The questionnaire providing the necessary information shall
9 be completed and returned to the board in order for the school to be
10 considered for approval. The board may contract with investigative
11 agencies, commissions or consultants to assist the board in obtaining
12 information about schools. In entering such contracts the authority to
13 approve schools shall remain solely with the board.

14 ~~(g)~~*(h)* The board may accept nationally accredited schools of nursing
15 as defined in rule and regulation.

16 (1) Schools of nursing ~~which~~ *that* have received accreditation from a
17 board recognized national nursing accreditation agency shall file evidence
18 of initial accreditation with the board and shall file all reports from the
19 accrediting agency and any notice of any change in school accreditation
20 status. The board may grant approval based upon evidence of such
21 accreditation.

22 (2) Schools of nursing holding approval based upon national
23 accreditation are also responsible for complying with all other
24 requirements as determined by rules and regulations of the board.

25 (3) The board may grant approval to a school of nursing with national
26 accreditation for a continuing period *of* not to exceed 10 years.

27 Sec. 5. K.S.A. 2025 Supp. 65-1120 is hereby amended to read as
28 follows: 65-1120. (a) *Grounds for disciplinary actions*. The board may
29 deny, revoke, limit or suspend any license or authorization to practice
30 nursing as a registered professional nurse, as a licensed practical nurse; *or*
31 as an advanced practice registered nurse or as a registered nurse anesthetist
32 that is issued by the board or applied for under this act; or may require the
33 licensee to attend a specific number of hours of continuing education in
34 addition to any hours *that* the licensee may already be required to attend or
35 may publicly or privately censure a licensee or holder of a temporary
36 permit or authorization, if the applicant, licensee or holder of a temporary
37 permit or authorization is found after hearing:

38 (1) ~~To be guilty of~~ *have committed* fraud or deceit in practicing
39 nursing or in procuring or attempting to procure a license to practice
40 nursing;

41 (2) to have been guilty of a felony or to have been guilty of a
42 misdemeanor involving an illegal drug offense unless the applicant or
43 licensee establishes sufficient rehabilitation to warrant the public trust,

1 except that notwithstanding K.S.A. 74-120, and amendments thereto, no
2 license or authorization to practice nursing as a licensed professional
3 nurse, as a licensed practical nurse, or as an advanced practice registered
4 nurse or registered nurse anesthetist shall be granted to a person with a
5 felony conviction for a crime against persons as specified in article 34 of
6 chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article
7 54 of chapter 21 of the Kansas Statutes Annotated, *and amendments*
8 *thereto*, or K.S.A. 21-6104, 21-6325, 21-6326 or 21-6418, and
9 amendments thereto;

10 (3) has been convicted or found guilty or has entered into an agreed
11 disposition of a misdemeanor offense related to the practice of nursing as
12 determined on a case-by-case basis;

13 (4) to have committed an act of professional incompetency as defined
14 in subsection (e);

15 (5) to be unable to practice with skill and safety due to current abuse
16 of drugs or alcohol;

17 (6) to be a person who has been adjudged in need of a guardian or
18 conservator, or both, under the act for obtaining a guardian or conservator,
19 or both, and who has not been restored to capacity under that act;

20 (7) to ~~be guilty of~~ *have committed an act of* unprofessional conduct.
21 *"Unprofessional conduct" includes, but is not limited to, an act or failure*
22 *to act related to the licensee's practice of nursing that is performed*
23 *intentionally or carelessly and causes or is likely to cause harm to a*
24 *patient. "Unprofessional conduct" does not include behaviors that are*
25 *unrelated to the licensee's practice of nursing or ability to ethically and*
26 *competently practice nursing, such as failure to timely renew a license or*
27 *late payments for civil debts. "Unprofessional conduct" may be further-as*
28 *defined by rules and regulations of the board that are not inconsistent with*
29 *this paragraph;*

30 (8) to have willfully or repeatedly violated the provisions of the
31 Kansas nurse practice act or any rules and regulations adopted pursuant to
32 that act, including K.S.A. 65-1114 and 65-1122, and amendments thereto;

33 (9) to have a license to practice nursing as a registered nurse or as a
34 practical nurse denied, revoked, limited or suspended, or to be publicly or
35 privately censured, by a licensing authority of another state, agency of the
36 United States government, territory of the United States or country or to
37 have other disciplinary action taken against the applicant or licensee by a
38 licensing authority of another state, agency of the United States
39 government, territory of the United States or country. A certified copy of
40 the record or order of public or private censure, denial, suspension,
41 limitation, revocation or other disciplinary action of the licensing authority
42 of another state, agency of the United States government, territory of the
43 United States or country shall constitute prima facie evidence of such a

1 fact for purposes of this paragraph ~~(9)~~; or

2 (10) to have assisted suicide in violation of K.S.A. 21-3406, prior to
3 its repeal, or K.S.A. 21-5407, and amendments thereto, as established by
4 any of the following:

5 (A) A copy of the record of criminal conviction or plea of guilty for a
6 felony in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 21-
7 5407, and amendments thereto.

8 (B) A copy of the record of a judgment of contempt of court for
9 violating an injunction issued under K.S.A. 60-4404, and amendments
10 thereto.

11 (C) A copy of the record of a judgment assessing damages under
12 K.S.A. 60-4405, and amendments thereto.

13 (b) *The amendments to subsection (a) by this section shall be*
14 *construed and applied retroactively.*

15 (c) *Proceedings.*

16 (1) Upon filing of a sworn complaint with the board charging a
17 person with ~~having been guilty of violating~~ any of the ~~unlawful~~ practices
18 specified in subsection (a), two or more members of the board, *one of*
19 *whom shall be a nurse with similar clinical or professional experience to*
20 *the person charged with the violation*, shall investigate the charges; or the
21 board may designate and authorize an employee or employees of the
22 board, *one of whom shall be a nurse with similar clinical or professional*
23 *experience to the person charged with the violation*, **except as provided in**
24 **this paragraph**, to conduct an investigation. **An alleged violation that is**
25 **not related to nor arising from the practice of nursing may be**
26 **investigated by a board member or designee without such similar**
27 **clinical or professional experience.**

28 (2) After investigation, the board may ~~institute charges~~ *file a*
29 *disciplinary action*. If an investigation, in the opinion of the board, reveals
30 reasonable grounds for believing *that the applicant or licensee is guilty of*
31 *the charges has violated the nurse practice act*, the board shall fix a time
32 and place for proceedings, which shall be conducted in accordance with
33 the provisions of the Kansas administrative procedure act.

34 (3) *Any investigation of a licensee or applicant shall be considered*
35 *closed 22 months after one calendar year from the date that the board is*
36 *first made aware of any licensee's or applicant's alleged violation of the*
37 *nurse practice act or rules and regulations adopted pursuant to that act,*
38 *unless a petition has been filed against the licensee or applicant or the*
39 *licensee has entered into a consent agreement or diversion program. A*
40 *closed investigation shall not be reopened. Records from a closed*
41 *investigation may be used by the board in a new investigation if the*
42 *allegation of the same nature is made against such licensee or applicant.*

43 (e)(d) *Witnesses.* No person shall be excused from testifying in any

1 proceedings before the board under this act or in any civil proceedings
 2 under this act before a court of competent jurisdiction on the ground that
 3 such testimony may incriminate the person testifying, but such testimony
 4 shall not be used against the person for the prosecution of any crime under
 5 the laws of this state except the crime of perjury as defined in K.S.A. 21-
 6 5903, and amendments thereto.

7 ~~(d)~~(e) *Costs.* If final agency action of the board in a proceeding under
 8 this section is adverse to the applicant or licensee, the costs of the board's
 9 proceedings shall be charged to the applicant or licensee as in ordinary
 10 civil actions in the district court, but if the board is the unsuccessful party,
 11 the costs *and 50% of reasonable attorney fees* shall be paid by the board.
 12 Witness fees and costs may be taxed by the board according to the statutes
 13 relating to procedure in the district court. All costs accrued by the board,
 14 when it is the successful party, and ~~which~~ *that* the attorney general certifies
 15 cannot be collected from the applicant or licensee shall be paid from the
 16 board of nursing fee fund. *The board shall not collect any fees for costs*
 17 *accrued by use of an administrative law judge unless all board members*
 18 *were unable to conduct a hearing due to a conflict of interest.* All moneys
 19 collected following board proceedings shall be credited in full to the board
 20 of nursing fee fund.

21 ~~(e)~~(f) *Professional incompetency defined.* As used in this section,
 22 "professional incompetency" means:

- 23 (1) One or more instances involving failure to adhere to the
 24 applicable standard of care to a degree which constitutes gross negligence,
 25 as determined by the board;
- 26 (2) repeated instances involving failure to adhere to the applicable
 27 standard of care to a degree which constitutes ordinary negligence, as
 28 determined by the board; or
- 29 (3) a pattern of practice or other behavior which demonstrates a
 30 manifest incapacity or incompetence to practice nursing.

31 ~~(f)~~(g) *Criminal justice information.* The board upon request shall
 32 receive from the Kansas bureau of investigation such criminal history
 33 record information relating to arrests and criminal convictions as necessary
 34 for the purpose of determining initial and continuing qualifications of
 35 licensees of and applicants for licensure by the board in accordance with
 36 K.S.A. 2025 Supp. 22-4715, and amendments thereto.

37 Sec. 6. K.S.A. 65-1120a is hereby amended to read as follows: 65-
 38 1120a. (a) A person whose license has been revoked may apply for
 39 reinstatement of the license after the expiration of three years from the
 40 effective date of the revocation. Application for reinstatement shall be on a
 41 form approved by the board and shall be accompanied by a reinstatement
 42 fee established by the board under K.S.A. 65-1118, and amendments
 43 thereto. The burden of proof by clear and convincing evidence shall be on

1 the applicant to show sufficient rehabilitation to justify reinstatement of
2 the license. If the board determines a license should not be reinstated, the
3 person shall not be eligible to reapply for reinstatement for three years
4 from the effective date of the denial. All proceedings conducted on an
5 application for reinstatement shall be in accordance with the provisions of
6 the Kansas administrative procedure act and shall be reviewable in
7 accordance with the Kansas judicial review act. The board, on its own
8 motion, may stay the effectiveness of an order of revocation of license.

9 (b) On or before January 8, 2018, and on or before the first day of the
10 regular session of the Kansas legislature each year thereafter, the board of
11 nursing shall submit a written report to the *Kansas legislative research*
12 *department and send a digital version or ensure that a digital version of*
13 *such report is sent to each member of the senate standing committee on*
14 *public health and welfare and the house of representatives standing*
15 *committee on health and human services, or their successor committees,*
16 *that includes on an anonymous but individual and itemized basis: The*
17 *number of individuals who applied for reinstatement of a revoked license*
18 *during the immediately preceding calendar year; the amount of moneys*
19 *charged to each such applicant; the number of such reinstatement*
20 *applications that were granted and denied; and the basis given to deny any*
21 *such reinstatement application.*

22 (c) This section shall be a part of and supplemental to the Kansas
23 nurse practice act.

24 Sec. 7. K.S.A. 2025 Supp. 65-1127 is hereby amended to read as
25 follows: 65-1127. (a) A licensee shall report to the board of nursing any
26 information the licensee may have relating to alleged incidents of
27 malpractice or the qualifications, fitness or character of a person licensed
28 to practice professional nursing or licensed to practice practical nursing,
29 including persons holding a multi-state license under the nurse licensure
30 compact. No person reporting to the board of nursing, under oath and in
31 good faith *under the totality of the circumstances*, any information *that*
32 *such person may have relating to alleged incidents of malpractice or the*
33 *qualifications, fitness or character of a person licensed to practice*
34 *professional nursing or licensed to practice practical nursing shall be*
35 *subject to a civil action for damages as a result of reporting such*
36 *information.*

37 (b) Any state, regional or local association of registered professional
38 nurses or licensed practical nurses and the individual members of any
39 committee thereof *that, which* in good faith *under the totality of the*
40 *circumstances*, investigates or communicates information pertaining to the
41 alleged incidents of malpractice or the qualifications, fitness or character
42 of any licensee or registrant to the board of nursing or to any committee or
43 agent thereof; shall be immune from liability in any civil action; that is

1 based upon such information or transmittal of information if the
2 investigation and communication was made in good faith *under the*
3 *totality of the circumstances* and did not represent as true any matter not
4 reasonably believed to be true *or omit any known material fact*.

5 (c) *The board of nursing shall not take or fail to take, or threaten to*
6 *take or fail to take, any action against a licensee or applicant, harass or in*
7 *any other manner retaliate against such licensee or applicant because of*
8 *lawful acts undertaken in good faith by such licensee or applicant,*
9 *including:*

10 (1) *Making public or private statements about the board of nursing,*
11 *any of the board's current or former members, agents, employees or*
12 *individuals considered for nomination to the board;*

13 (2) *disclosing information that the licensee or applicant reasonably*
14 *believes is evidence of a violation of a law or rule and regulation, gross*
15 *mismanagement, waste of public funds, abuse of authority or a substantial*
16 *and specific danger to public health and safety;*

17 (3) *exercising any appeal, complaint or grievance right granted by*
18 *state or federal law or rule and regulation or providing assistance to an*
19 *individual exercising such rights; or*

20 (4) *testifying or providing assistance to a law enforcement agency, a*
21 *court, the Kansas legislature or any agency or entity with legal authority*
22 *to investigate or provide oversight to the board of nursing.*

23 (d) (1) *An individual aggrieved by a violation of this section shall*
24 *have a private cause of action for actual damages, injunctive relief and*
25 *any other appropriate relief. Any action commenced under this section*
26 *shall be brought within two years following the violation.*

27 (2) *In an action brought for a violation of this section, a prevailing*
28 *plaintiff shall recover damages for actual damages, noneconomic*
29 *damages, including pain and suffering, economic injuries and losses,*
30 *including future losses or \$10,000, whichever is greater, and the cost of*
31 *the suit, including reasonable attorney fees.*

32 Sec. 8. K.S.A. 65-1131 is hereby amended to read as follows: 65-
33 1131. (a) (1) *Licensure.* Upon application to the board by any professional
34 nurse in this state and upon satisfaction of the standards and requirements
35 established by the board under K.S.A. 65-1130, and amendments thereto,
36 the board may issue a license to such applicant authorizing the applicant to
37 perform the duties of an advanced practice registered nurse as defined by
38 the board under K.S.A. 65-1130, and amendments thereto.

39 (2) The board may issue a license to practice nursing as an advanced
40 practice registered nurse to an applicant who has been duly licensed or
41 certified as an advanced practice registered nurse under the laws of another
42 state or territory if, in the opinion of the board, the applicant meets the
43 licensure qualifications required of an advanced practice registered nurse

1 in this state. Verification of the applicant's licensure or certification status
2 shall be required from the original state of licensure or certification.

3 (3) (A) An application to the board for a license, a license with
4 temporary permit, renewal of a license, *late renewal of a license* and
5 reinstatement of a license shall be upon such ~~form~~ forms and contain such
6 information as the board may require and ~~shall be~~ accompanied by a fee,
7 to be established by rules and regulations adopted by the board, to assist in
8 defraying the expenses in connection with the issuance of licenses as
9 advanced practice registered nurses, in an amount fixed by the board under
10 K.S.A. 65-1118, and amendments thereto. *A renewal application shall*
11 *require a licensee to provide such licensee's current contact information,*
12 *including name, address, phone number and email address. A licensee*
13 *shall notify the board of a change in name or contact information.*

14 (B) *Once the requirements of this paragraph have been met, a digital*
15 *notification of submission that contains a receipt for payment of any fees*
16 *shall promptly be sent to the applicant. If the board has received all of the*
17 *requirements for renewal licensure under this subsection, the board shall*
18 *verify accuracy of the application and grant a renewal license within ~~one~~*
19 *day five business days after the applicant has submitted all requirements.*
20 *If the board grants a renewal license or a late renewal license, a digital*
21 *notification of such renewal shall be sent to the applicant.*

22 (4) An application for initial licensure or endorsement will be held
23 awaiting completion of meeting qualifications for a time period specified
24 in rules and regulations.

25 (5) The executive administrator of the board shall remit all moneys
26 received pursuant to this section to the state treasurer as provided by
27 K.S.A. 74-1108, and amendments thereto.

28 (b) The board may grant a one-time temporary permit to practice as
29 an advanced practice registered nurse for a period of not more than 180
30 days pending completion of the application for a license.

31 (c) *Exempt license.* The board may issue an exempt license to any
32 advanced practice registered nurse as defined in rules and regulations who
33 makes written application for such license on a form provided by the
34 board, who remits a fee as established pursuant to K.S.A. 65-1118, and
35 amendments thereto, and who is not regularly engaged in advanced
36 practice registered nursing in Kansas but volunteers advanced practice
37 registered nursing services or is a charitable healthcare provider as defined
38 by K.S.A. 75-6102, and amendments thereto. Each exempt advanced
39 practice registered nurse shall be subject to all provisions of the nurse
40 practice act. Each exempt license may be renewed biennially subject to the
41 provisions of this section. To convert an exempt license to an active
42 license, the exempt advanced practice registered nurse shall meet all the
43 requirements of subsection (a) or K.S.A. 65-1132, and amendments

1 thereto. An advanced practice registered nurse who has been granted an
2 exempt license pursuant to this subsection shall be exempt from the
3 requirements of K.S.A. 40-3402 and 40-3404, and amendments thereto.

4 (d) *Inactive license.* The board may issue an inactive license to any
5 advanced practice registered nurse as defined in rules and regulations who
6 makes written application for such license on a form provided by the
7 board, who remits a fee as established pursuant to K.S.A. 65-1118, and
8 amendments thereto, and who is not regularly engaged in advanced
9 practice registered nursing in Kansas. The holder of an inactive license
10 shall not be required to submit evidence of satisfactory completion of a
11 program of continuing education required by K.S.A. 65-1117 and 65-1132,
12 and amendments thereto. An inactive license shall not entitle the holder to
13 engage in advanced practice registered nursing in this state. Each inactive
14 license may be renewed subject to the provisions of this section. An
15 inactive licensee may apply for a license to regularly engage in advanced
16 practice registered nursing upon filing a written reinstatement application
17 with the board. The application shall be on a form provided by the board
18 and shall be accompanied by the license fee established pursuant to K.S.A.
19 65-1118, and amendments thereto. An applicant for a license to practice as
20 an advanced practice registered nurse who has not been licensed to
21 practice advanced practice registered nursing for five years preceding
22 application shall be required to successfully complete a refresher course as
23 defined by the board. The board shall by rules and regulations establish
24 appropriate continuing education requirements for inactive licensees to
25 become licensed to regularly engage in advanced practice registered
26 nursing in this state. An advanced practice registered nurse who has been
27 granted an inactive license pursuant to this subsection shall be exempt
28 from the requirements of K.S.A. 40-3402 and 40-3404, and amendments
29 thereto.

30 (e) The board shall have authority to adopt rules and regulations to
31 carry out the provisions of this section.

32 Sec. 9. K.S.A. 65-1132 is hereby amended to read as follows: '65-
33 1132. (a) (1) *Except as further provided by this section*, all licenses issued
34 under the provisions of this act, whether initial or renewal, shall ~~expire~~
35 *have a renewal date set every two years. The expiration renewal date shall*
36 *be established by rules and regulations of the board.*

37 (2) The board shall send a notice for renewal of a license to every
38 advanced practice registered nurse at least 60 days prior to the ~~expiration~~
39 *renewal date of such person's license, unless such licensee elects to opt out*
40 *of such notice of renewal being sent to such licensee. The board shall send*
41 *a digital notice for renewal of license to every registered advanced*
42 *practice registered nurse at least 90, 60, 30, and seven days prior to the*
43 *renewal date of such person's license, on the date of renewal of such*

1 *person's license and seven days following the renewal date of such*
 2 *person's license. If a licensee has already renewed the license, no notice*
 3 *shall be sent.*

4 (3) Every person who desires to renew such license shall file with the
 5 board, on or before the *renewal date of expiration* of such license:

6 ~~(1)~~(A) A renewal application together with the prescribed biennial
 7 renewal fee;

8 ~~(2)~~(B) evidence of completion of continuing education in the
 9 advanced practice registered nurse role, which has met the continuing
 10 education requirement for an advanced practice registered nurse as
 11 developed by the board or by a national organization whose certifying
 12 standards are approved by the board as equal to or greater than the
 13 corresponding standards established by the board. These continuing
 14 education credits approved by the board may be applied to satisfy the
 15 continuing education requirements established by the board for licensed
 16 professional nurses under K.S.A. 65-1117, and amendments thereto, if the
 17 board finds such continuing education credits are equivalent to those
 18 required by the board under K.S.A. 65-1117, and amendments thereto; and

19 ~~(3)~~(C) proof of evidence of current licensure as a professional nurse.

20 (4) (A) Upon receipt of such application and payment of any
 21 applicable fee, and upon being satisfied that the applicant for renewal of a
 22 license meets the requirements established by the board under K.S.A. 65-
 23 1130, and amendments thereto, in effect at the time of initial qualification
 24 of the applicant, the board shall verify the accuracy of the application and
 25 grant a renewal license.

26 (B) *Once the requirements of this paragraph have been met, a digital*
 27 *notification of submission that contains a receipt for payment of any fees*
 28 *shall promptly be sent to the applicant or licensee. If the board grants a*
 29 *renewal license or a late renewal license, a digital notification of such*
 30 *renewal shall be sent to the applicant or licensee.*

31 (b) (1) ~~Any~~ *If a person who fails to secure complete a renewal license*
 32 *prior to the expiration renewal date of the license, may secure a*
 33 *reinstatement of such lapsed license by making the board shall provide*
 34 *such person notice of the failure to complete a renewal license, which*
 35 *shall include information that:*

36 (A) *The license may be canceled if not renewed within 90 days*
 37 *following the renewal date;*

38 (B) *upon receipt of the renewal application—therefor on a form*
 39 *provided by the board,—upon furnishing proof that the applicant is*
 40 *competent and qualified to act as an advanced practice registered nurse*
 41 *and—upon by satisfying all of the requirements for—reinstatement late*
 42 *renewal, including payment to the board of a—reinstatement late renewal*
 43 *fee as established by the board, within the 90-day period, the license will*

1 not be canceled; and

2 (C) if both fees are not received within the 90-day period, the license
3 will be deemed canceled by operation of law and without further
4 proceedings.

5 (2) **A license shall remain valid and active during the 90-day
6 period following the renewal date.**

7 (3) *If a licensee who has been provided notice of failure to renew
8 does not renew within 30 days following the renewal date and has not
9 submitted an affidavit or a request for inactive license as specified in
10 subsection (a)(3), the board shall digitally send a survey to such person
11 requesting the reason for nonrenewal.*

12 ~~(3)~~(4) *If the board determines that an applicant or licensee is not
13 qualified for licensure or renewal or payment has not been received, the
14 board's sole recourse is to withhold licensure or renewal until such time
15 that the licensee or applicant is qualified and payment is received. If the
16 board makes a determination that an applicant or licensee is not qualified
17 for licensure, the board shall promptly inform the applicant or licensee.*

18 Sec. 10: K.S.A. 2025 Supp. 74-1106 is hereby amended to read as
19 follows: 74-1106. (a) *Appointment, term of office.* (1) The governor shall
20 appoint, *subject to confirmation by the senate as provided in K.S.A. 75-*
21 *4315b, and amendments thereto,* a board consisting of 11 members of
22 which six shall be registered professional nurses *or advanced practice*
23 *registered nurses,* two shall be licensed practical nurses and three shall be
24 members of the general public, ~~which~~. *The 11 members shall constitute a*
25 *board of nursing, with the duties, power and authority set forth in this act.*

26 (2) Upon the expiration of the term of any registered professional
27 nurse, the Kansas state nurses association shall submit to the governor a
28 list of registered professional nurses containing names of not less than
29 three times the number of persons to be appointed, and appointments shall
30 be made after consideration of such list for terms of four years and until a
31 successor is appointed and qualified.

32 (3) On the effective date of this act, the Kansas federation of licensed
33 practical nurses shall submit to the governor a list of licensed practical
34 nurses containing names of not less than three times the number of persons
35 to be appointed, and appointments shall be made after consideration of
36 such list for a term of four years and until a successor is appointed and
37 qualified.

38 (4) Each member of the general public shall be appointed for a term
39 of four years and successors shall be appointed for a like term.

40 (5) Whenever a vacancy occurs on the board of nursing, it shall be
41 filled by appointment for the remainder of the unexpired term in the same
42 manner as the preceding appointment. No person shall serve more than
43 two consecutive terms as a member of the board of nursing and

1 appointment for the remainder of an unexpired term shall constitute a full
2 term of service on such board.

3 (b) *Qualifications of members.*—~~(1)~~ Each member of the board shall be
4 a citizen of the United States and a resident of the state of Kansas.
5 Registered professional nurse members shall possess a license to practice
6 as a professional nurse in this state with at least five years' experience in
7 nursing as such and shall be actively engaged in professional nursing in
8 Kansas at the time of appointment and reappointment. The licensed
9 practical nurse members shall be licensed to practice practical nursing in
10 the state with at least five years' experience in practical nursing and shall
11 be actively engaged in practical nursing in Kansas at the time of
12 appointment and reappointment. The governor shall appoint successors so
13 that the registered professional nurse membership of the board shall
14 consist of at least two members who are engaged in nursing service, at
15 least two members who are engaged in nursing education and at least one
16 member who is engaged in practice as an advanced practice registered
17 nurse or a registered nurse anesthetist. The consumer members shall
18 represent the interests of the general public. At least one consumer
19 member shall not have been involved in providing healthcare. Each
20 member of the board shall take and subscribe the oath prescribed by law
21 for state officers, which oath shall be filed with the secretary of state.

22 ~~(2) A member shall not serve on the board while also elected to the~~
23 ~~office of governor or attorney general or a member of the legislature.~~

24 (c) *Duties and powers.* (1) The board shall meet annually at Topeka
25 during the month of September and shall elect from its members a
26 president, vice-president and secretary, each of whom shall hold their
27 respective offices for one year. The board shall employ an executive
28 administrator, who shall be a registered professional nurse, who shall not
29 be a member of the board and who shall be in the unclassified service
30 under the Kansas civil service act, and shall employ such other employees,
31 who shall be in the classified service under the Kansas civil service act as
32 necessary to carry on the work of the board. The information technology
33 and operational staff shall remain employees of the board. As necessary,
34 the board shall be represented by an attorney appointed by the attorney
35 general as provided by law, whose compensation shall be determined and
36 paid by the board with the approval of the governor. The board may hold
37 such other meetings during the year as may be deemed necessary to
38 transact its business.

39 (2) (A) The board shall adopt rules and regulations consistent with
40 this act necessary to carry into effect the provisions thereof, and such rules
41 and regulations may be published and copies thereof furnished to any
42 person upon application.

43 (B) *Except for rules and regulations revoked pursuant to K.S.A. 77-*

1 *426(d), and amendments thereto, prior to the adoption, amendment or*
2 *repeal of any permanent rule and regulation, the board shall provide at*
3 *least 60 days' notice via email of such board's intended action to all*
4 *licenses who have an email on file with the board.*

5 (3) The board shall prescribe curricula and standards for professional
6 and practical nursing programs and mental health technician programs,
7 and provide for surveys of such schools and courses at such times as it
8 may deem necessary. It shall accredit such schools and approve courses as
9 meet the requirements of the appropriate act and rules and regulations of
10 the board.

11 (4) The board shall examine, license and renew licenses of duly
12 qualified applicants and conduct hearings upon charges for limitation,
13 suspension or revocation of a license or approval of professional and
14 practical nursing and mental health technician programs and may limit,
15 deny, suspend or revoke for proper legal cause, licenses or approval of
16 professional and practical nursing and mental health technician programs,
17 as hereinafter provided. Examination for applicants for registration shall
18 be given at least twice each year and as many other times as deemed
19 necessary by the board. The board shall promote improved means of
20 nursing education and standards of nursing care through institutes,
21 conferences and other means.

22 (5) The board shall have a seal of which the executive administrator
23 shall be the custodian. The president and the secretary shall have the
24 power and authority to administer oaths in transacting business of the
25 board, and the secretary shall keep a record of all proceedings of the board
26 and a register of professional and practical nurses and mental health
27 technicians licensed and showing the certificates of registration or licenses
28 granted or revoked, which register shall be open at all times to public
29 inspection.

30 (6) The board may enter into contracts as may be necessary to carry
31 out its duties.

32 (7) The board is hereby authorized to apply for and to accept grants
33 and may accept donations, bequests or gifts. The board shall remit all
34 moneys received by it under this paragraph ~~(7)~~ to the state treasurer in
35 accordance with the provisions of K.S.A. 75-4215, and amendments
36 thereto. Upon receipt of each such remittance, the state treasurer shall
37 deposit the entire amount in the state treasury to the credit of the grants
38 and gifts fund which is hereby created. All expenditures from such fund
39 shall be made in accordance with appropriation acts upon warrants of the
40 director of accounts and reports issued pursuant to vouchers approved by
41 the president of the board or a person designated by the president.

42 (8) A majority of the board of nursing including two professional
43 nurse members shall constitute a quorum for the transaction of business.

1 (d) *Subpoenas.* In all investigations and proceedings, the board shall
2 have the power to issue subpoenas and compel the attendance of witnesses
3 and the production of all relevant and necessary papers, books, records,
4 documentary evidence and materials. Any person failing or refusing to
5 appear or testify regarding any matter about which such person may be
6 lawfully questioned or to produce any books, papers, records,
7 documentary evidence or relevant materials in the matter, after having
8 been required by order of the board or by a subpoena of the board to do so,
9 upon application by the board to any district judge in the state, may be
10 ordered by such judge to comply therewith. Upon failure to comply with
11 the order of the district judge, the court may compel obedience by
12 attachment for contempt as in the case of disobedience of a similar order
13 or subpoena issued by the court. A subpoena may be served upon any
14 person named therein anywhere within the state with the same fees and
15 mileage by an officer authorized to serve subpoenas in civil actions in the
16 same procedure as is prescribed by the code of civil procedure for
17 subpoenas issued out of the district courts of this state.

18 (e) *Compensation and expenses.* Members of the board of nursing
19 attending meetings of such board, or attending a subcommittee meeting
20 thereof authorized by such board, shall be paid compensation, subsistence
21 allowances, mileage and other expenses as provided in K.S.A. 75-3223,
22 and amendments thereto. No member of the board of nursing shall be paid
23 an amount as provided in K.S.A. 75-3223, and amendments thereto, if
24 such member receives an amount from another governmental or private
25 entity for the purpose for which such amount is payable under K.S.A. 75-
26 3223, and amendments thereto.

27 (f) *Removal of members.* *The governor may remove any member of*
28 *the board of nursing for neglect of any duty required by law or rule and*
29 *regulation, incompetence, for unprofessional or dishonorable conduct or*
30 *any other reason permitted under Kansas law.*

31 Sec. 11. K.S.A. 74-1108 is hereby amended to read as follows: 74-
32 1108. (a) The executive administrator of the board of nursing shall remit
33 all moneys received by the board from fees, charges or penalties,
34 *disciplinary fines, disciplinary fees, costs or any other source* other than
35 moneys received under K.S.A. 74-1109, and amendments thereto, to the
36 state treasurer in accordance with the provisions of K.S.A. 75-4215, and
37 amendments thereto. Upon receipt of each such remittance, the state
38 treasurer shall deposit the entire amount in the state treasury. Ten percent
39 of each such deposit shall be credited to the state general fund and the
40 balance shall be credited to the board of nursing fee fund. All expenditures
41 from such fund shall be made in accordance with appropriation acts upon
42 warrants of the director of accounts and reports issued pursuant to
43 vouchers approved by the president of the board or by a person or persons

1 designated by the president.

2 (b) **Upon request,** the board of nursing shall issue a refund from the
3 board of nursing fee fund to an applicant or licensee under reasonable
4 circumstances, including an overpayment or duplicate payment made by
5 such applicant or licensee.

6 Sec. 12. K.S.A. 74-1110 is hereby amended to read as follows: 74-
7 1110. (a) The board of nursing, in addition to any other penalty prescribed
8 by law, may assess a civil fine, after proper notice and an opportunity to be
9 heard, against any person granted a license, certificate of qualification or
10 authorization to practice by the board of nursing for *committing* a violation
11 of a law or rule and regulation ~~applicable to the practice~~ arising from the
12 practice of nursing as defined in K.S.A. 65-1113, and amendments thereto,
13 for which such person has been granted a license, certificate of
14 qualification or authorization by the board, *if such violation is proven by*
15 *clear and convincing evidence*, in an amount of not to exceed \$1,000 for
16 the first violation, \$2,000 for the second violation and \$3,000 for the third
17 violation and for each subsequent violation. All fines assessed and
18 collected under this section shall be remitted to the state treasurer in
19 accordance with the provisions of K.S.A. 75-4215, and amendments
20 thereto. Upon receipt of each such remittance, the state treasurer shall
21 deposit the entire amount in the state treasury to the credit of the state
22 general fund.

23 (b) *The board shall not assess a fine for any activity related to an*
24 *initial or renewal licensure.*

25 Sec. 13. K.S.A. 65-1119, 65-1120a, 65-1131, 65-1132, 74-1108 and
26 74-1110 and K.S.A. 2025 Supp. 65-1117, 65-1118, 65-1120, 65-1127 and
27 74-1106 are hereby repealed.

28 Sec. 14. This act shall take effect and be in force from and after its
29 publication in the statute book.