

HB 2528 New Section 1 (g) Publication of Section 1 on Front Page of the board's website

HOUSE BILL No. 2528

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

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

New Section 1. (a) (1) Any board action occurring or record created on or after January 1, 2005, but prior to the effective date of this act, that arises from disciplinary action based upon a violation of the following statutes and regulations that arises from or is related to applications for licensure, license renewal, license reinstatement or practicing while a license has lapsed or expired shall be void:

(A) K.S.A. 65-1120(a)(6) prior to July 1, 2019, K.S.A. 65-1117(a) or (b), 65-1118, 65-1119, 65-1120(a)(1), 65-1120(a)(7) or (a)(8), 65-1122(f), 65-1132, 65-1154, 65-1155, 65-1159, 65-4205(a) or (b), 65-4208, 65-4209(a)(8) or 74-1110, as in effect prior to the effective date of this act; or

(B) K.A.R. 60-3-110(v) prior to April 29, 2016, K.A.R. 60-3-110(w) on or after April 29, 2016, K.A.R. 60-3-103, 60-3-108, 60-3-110(b) 60-4-101, 60-8-101, 60-9-106, 60-11-113(a) or (b), 60-12-104, 60-12-106, 60-13-101, 60-13-111, 60-13-112 or 60-13-113, as in effect prior to the effective date of this act.

(2) If an alleged violation or disciplinary action occurs prior to the effective date of this act, any board action arising from disciplinary action based upon a violation of the statutes or rules and regulations cited in paragraph (1) shall be deemed void.

(3) The provisions of this subsection shall not invalidate disciplinary action or void any board action or record based upon an allegation or violation of any other statute or rule and regulation solely because such disciplinary action also makes reference to a statute or rule and regulation cited in paragraph (1). The provisions of this subsection shall not be construed to invalidate disciplinary action or void any board action or record for unprofessional conduct based upon an allegation or violation of any paragraph of K.A.R. 60-3-110 unless listed in subsection (a)(1)(B).

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

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

(d) If the board fails to comply with the requirements of this section prior to September 1, 2026, an individual aggrieved by a violation of this section shall have a private cause of action for actual damages, injunctive relief and any other appropriate relief. Any action commenced under this section shall be brought within two years following the violation. In an action brought for a violation of this section, a prevailing plaintiff shall recover damages and the cost of the suit, including reasonable attorney fees.

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

(f) Void materials under this section shall be confidential and not

be subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2031, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2031.

(g) The board shall publish this section by displaying this section on the front page of the board's website and include this section in the first two pages of the board's newsletter in the first two months after the effective date of this act.

(h) (1) As used in this section, "void" and "voided" mean all allegations, proceedings, reports, investigations, findings, records, documents, contracts, consent agreements, hearings, determinations, conclusions, judgments, decisions, summary denials, inactivations, probation agreements, diversion agreements, revocations, suspensions, limitations, censures, fines, fees, cost denials or actions are reversed, overturned and declared null and void.

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

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

(2) The board shall send a notice for renewal of license to every registered professional nurse and licensed practical nurse at least 60 days prior to the ~~expiration~~ *renewal* date of such person's license, *unless such licensee elects to opt out of such notice of renewal being sent to such licensee. The board shall send a digital notice for renewal of license to every registered professional nurse and licensed practical nurse at least 60 and seven days prior to the renewal date of such person's license. If a licensee has already renewed a license, no notice shall be sent.*

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

(4) Except for the first renewal for a license that ~~expires is set for renewal~~ *expires is set for renewal* within 30 months following licensure examination or for renewal of a license that ~~expires is set for renewal~~ *expires is set for renewal* within the first nine months following licensure by reinstatement or endorsement, every licensee with an active nursing license shall submit with the renewal application evidence of satisfactory completion of a program of continuing nursing education required by the board. ~~The board by duty adopted shall adopt~~ *shall adopt* rules and regulations ~~that~~ *that* establish the requirements for such program of continuing nursing education. *The renewal application shall require a licensee to provide such licensee's current contact information, including address, phone number and email address. A licensee shall notify the board of a change in name or contact information.*

(5) (A) Upon receipt of such application, payment of fee, ~~upon~~ *upon* receipt of the evidence of satisfactory completion of the required program of continuing nursing education and ~~upon~~ *upon* being satisfied that the applicant meets the requirements set forth in K.S.A. 65-1115 or 65-1116, and amendments thereto, in effect at the time of initial licensure

For a complete copy of HB 2528 see the Kansas Register on April 16, 2026.

<https://sos.ks.gov/publications/Register/Volume-45/Issues/Issue-16/04-16-26-54067.html>