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JAN 28 2020

Proposed

Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson St., Suite 1051  
Topeka, KS 66612-1230

SCOTT SCHWAB  
SECRETARY OF STATE



Phone: 785-296-4929  
Fax: 785-296-3929  
www.ksbn.org

Carol Moreland, MSN, RN  
Executive Administrator

Kansas State Board of Nursing

Laura Kelly, Governor

January 29, 2020

A public hearing will be conducted at 1:00 P.M. Thursday, May 7, 2020 in Room 1051 of the Landon State Office Building, 900 S.W. Jackson, Topeka, KS to consider the adoption of proposed changes in three existing regulations relating to licensure and authorization of Advanced Practice Registered Nurses (APRNs).

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Executive Administrator of the Kansas State Board of Nursing, 900 S.W. Jackson, St., Room 1051, Topeka KS 66612 or by email to [carol.moreland@ks.gov](mailto:carol.moreland@ks.gov). All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. Phone comments will be taken by calling 1-877-278-8686 (access code 865816) at the time of the hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

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

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

**K.A.R. 60-11-116. Reinstatement of inactive or lapsed license.** The proposed revision adds the language of inactive license to this regulation that covers reinstatement of a license. Prior to this revision the APRNs did not have the option of an inactive license, only to let their license lapse if not renewed. There is no economic impact difference to an APRN that reinstates an inactive or lapsed license. The cost of reinstatement is the same for a lapsed and an inactive license. There is no economic impact difference to the Board of Nursing for a reinstatement of an inactive vs. a lapsed license. The reinstatement application for an inactive license and a lapsed license is the same application. There is no economic impact on businesses or the general public.

**K.A.R. 60-11-119. Payment of fees.** The proposed revision adds language for fees for an inactive license and renewal of an inactive license. The economic impact of an inactive license for APRNs is a cost of \$20 vs. a lapsed license has no cost. An inactive license must be renewed every two years for a cost of

\$20 and a lapsed license is not renewed. The economic impact to the Board of Nursing is the revenue of the inactive license and renewal of the inactive license. There is no economic impact on business or the general public.

**K.A.R. 60-13-110. Reinstatement of inactive or lapsed authorization.** The proposed regulation adds language of inactive status for a nurse anesthetist authorized to practice in Kansas who wishes to reinstate their authorization to practice. Prior to this revision the nurse anesthetists did not have the option of an inactive authorization, only to let their authorization lapse if not renewed. There is no economic impact difference to a nurse anesthetist that reinstates an inactive or lapsed authorization. The cost of reinstatement is the same for a lapsed and an inactive authorization. There is no economic impact difference to the Board of Nursing for a reinstatement of an inactive vs. a lapsed authorization. The reinstatement application for both is the same application. There is no economic impact on businesses or the general public.

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**60-11-116. Reinstatement of inactive or lapsed license.** (a) ~~Any~~ Each nurse anesthetist whose Kansas APRN license is inactive or has lapsed and who ~~desires~~ wants to obtain a reinstatement of APRN licensure shall meet the same requirements as those in K.A.R. 60-13-110.

(b) Any nurse practitioner, clinical nurse specialist, or nurse-midwife whose Kansas APRN license is inactive or has lapsed may, within five years of its expiration date, reinstate the license by submitting proof that the applicant individual has met either of the following requirements:

(1) Obtained 30 hours of continuing nursing education related to the advanced practice registered nurse role within the preceding two-year period; or

(2) been licensed in another jurisdiction and, while licensed in that jurisdiction, has accumulated 1,000 hours of advanced practice registered nurse practice within the preceding five-year period.

(c) Any nurse practitioner, clinical nurse specialist, or nurse-midwife whose Kansas APRN license is inactive or has lapsed for more than five years beyond its expiration date may reinstate the license by submitting evidence of having attained either of the following:

(1) A total of 1,000 hours of advanced practice registered nurse practice in another jurisdiction within the preceding five-year period and 30 hours of continuing nursing education related to the advanced practice registered nurse role; or

(2) completion of a refresher course approved by the board. (Authorized by K.S.A. ~~2010-2019~~ Supp. 65-1117, ~~as amended by L. 2011, ch. 114, sec. 79,~~ and K.S.A. 65-1129; implementing K.S.A. ~~2010-2019~~ Supp. 65-1117, ~~as amended by L. 2011, ch. 114, sec. 79,~~ and K.S.A. ~~2010~~ Supp. 65-1132, ~~as amended by L. 2011, ch. 114, sec. 46;~~ effective Sept. 2, 1991; amended March 22, 2002; amended May 18, 2012; amended P-\_\_\_\_\_.)

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**60-11-119. Payment of fees.** Payment of fees for advanced practice registered nurses shall be as follows:

- (a) Initial application for license..... \$50.00
- (b) Biennial renewal of license..... 55.00
- (c) Application for reinstatement of license without temporary permit .....75.00
- (d) Application for license with temporary permit.....100.00
- (e) Application for exempt license ..... 50.00
- (f) Renewal of exempt license..... 50.00
- (g) Inactive license..... 20.00
- (h) Renewal of inactive license..... 20.00

~~This regulation shall be effective on and after July 1, 2014.~~ (Authorized by K.S.A. 65-1129 and K.S.A. 2013-Supp. 65-1131; implementing K.S.A. ~~2013-2019~~ Supp. 65-1118 and 65-1131; effective Sept. 2, 1991; amended May 17, 1993; amended Feb. 6, 1995; amended April 3, 1998; amended July 1, 2001; amended April 20, 2007; amended May 18, 2012; amended July 1, 2014; amended P-\_\_\_\_\_.)

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**60-13-110. Reinstatement of inactive or lapsed authorization.** (a) Any applicant nurse anesthetist whose Kansas authorization is inactive or has lapsed may, within five years of its expiration date, reinstate the authorization by submitting proof that the applicant individual has met either of the following requirements:

(1) Obtained 30 hours of continuing nursing education related to nurse anesthesia within the preceding two-year period; or

(2) been authorized in another jurisdiction and, while authorized in that jurisdiction, has accumulated 1,000 hours of nurse anesthesia practice within the preceding five-year period.

(b) Any applicant nurse anesthetist whose Kansas authorization is inactive or has ~~been~~ lapsed for more than five years beyond its expiration date may reinstate the authorization by submitting evidence of having attained either of the following:

(1) A total of 1,000 hours of nurse anesthesia practice in another jurisdiction within the preceding five-year period and 30 hours of continuing nursing education related to nurse anesthesia within the preceding two-year period; or

(2) satisfactory completion of a refresher course approved by the board. (Authorized by K.S.A. 65-1164; implementing K.S.A. ~~2000-Supp.~~ 65-1155; effective Sept. 2, 1991; amended May 9, 1994; amended March 22, 2002; amended P-\_\_\_\_\_.)

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

Kansas State Board of Nursing

Carol Moreland

785-296-3068

Agency

Agency Contact

Contact Phone Number

60-11-116

K.A.R. Number(s)

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

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

This regulation includes information about reinstatement of an advanced practice (APRN) license. Prior to this revision a licensed APRN did not have the option of putting their license on inactive status, they only had the option to let their license lapse, if they did not wish to renew it. This revision gives them the option of inactive, which is an option to RNs and LPNs.

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

Not mandated by federal government.

**III. Agency analysis specifically addressing following:**

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

This revised regulation will not enhance or restrict business activities and growth.

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

There is no economic effect on these groups

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

No businesses, the APRN is the one affected.

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

The benefit is the APRN would have the option of inactive instead of letting license lapse.

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

There is no cost and impact on business and economic development within the State of Kansas and local government.

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

\$0.00

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

\$0.00

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

YES ☐ NO ☒

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

Not applicable

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

YES ☐ NO ☒

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

Not applicable

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

APRNs had input into this revision as it originated out of the APRN Committee, which is a subcommittee of our Board.

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

Not an environmental regulation.

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

Kansas State Board of Nursing

Carol Moreland

785-296-3068

Agency

Agency Contact

Contact Phone Number

60-11-119

K.A.R. Number(s)

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

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

This regulation includes the licensure fees that can be charged to advanced practice registered nurses in Kansas. The revision to this regulation is the addition of a \$20.00 fee for an inactive license and renewal of an inactive license.

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

Not mandated by Federal government.

**III. Agency analysis specifically addressing following:**

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

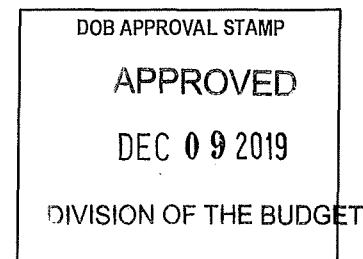
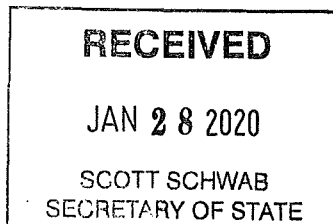
The only enhancement to the business of the Board of Nursing is that we can charge for an inactive APRN license and renewal of an inactive APRN license.

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

The Board of Nursing could see an increase in revenue based on the number of APRNs requesting to put their license in an inactive status and renew the inactive license.

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

Board of Nursing



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

The benefit is the APRNs that do not wish to renew their license now have the option of either an inactive license or lapsed license (if they do not renew their license)

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

This revision will impact a small number of the APRNs licensed in Kansas only.

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

\$20.00 for each APRN that chooses to place their license in an inactive status or renew the inactive license.

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

\$Same as prior answer

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

YES ☐ NO ☒

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

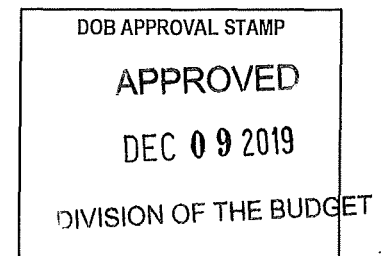
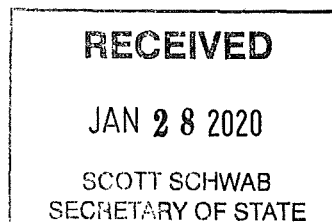
Not applicable

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

YES ☐ NO ☒

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

Will not impact groups listed



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

This revision came from the APRN Committee that has representation of the APRNs licensed in the state. The APRN Committee is a subcommittee of the Board.

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

Not an environmental regulation

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For the Kansas Division of the Budget**

Kansas State Board of Nursing

Carol Moreland

785-296-3068

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Agency Contact

Contact Phone Number

60-13-110

K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to:

Division of the Budget  
900 SW Jackson, Room 504-N  
Topeka, KS 66612

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

This regulation addresses the reinstatement process for a nurse anesthetist. The revision brings in the inactive language.

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

Not mandated by the federal government.

**III. Agency analysis specifically addressing following:**

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

This revision will not enhance or restrict business activities and growth. It clarifies the process.

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

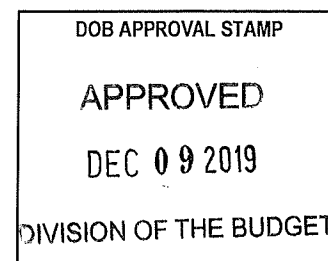
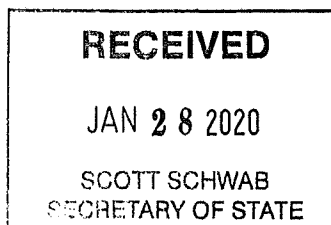
None, this is for clarification

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

The CRNAs that wish to reinstate their inactive or lapsed license are the ones directly affected by this regulation.

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

The benefit is clarification



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

The impact of this regulation is on the CRNAs that wish to reinstate their inactive license, not on business and economic development with Kansas or local government.

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

\$0.00

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

\$0.00

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

YES ☐ NO ☒

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

Not applicable

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

YES ☐ NO ☒

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

Not applicable

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

This revision originated from the APRN committee of which there is representation for the CRNAs licensed in Kansas. The APRN Committee is a subcommittee of the Board.

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

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