

**Proposed**

## Kansas State Board of Technical Professions

### Notice of Hearing on proposed Administrative Regulations, K.A.R. 66-14-1, 66-14-2, 66-14-3, 66-14-5, 66-14-6, 66-14-7, 66-14-8, 66-14-9, 66-14-10, 66-14-11 and 66-14-12

A public hearing will be conducted at 10:30 am on Friday, September 18, 2020 at the Kansas State Board of Technical Professions, 900 SW Jackson, Suite 507, Topeka, Kansas 66612, or remotely to consider the adoption of the proposed amended regulations referenced above regarding continuing education requirements for licensure in Kansas. If the hearing is conducted remotely notice will be provided on public square and the Board's website.

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 comments prior to the hearing to Larry G. Karns, Executive Director, at the Kansas State Board of Technical Professions' above address, or via email to

[KSBTAdmin@ks.gov](mailto:KSBTAdmin@ks.gov). All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the proposed regulations during the public hearing. In order to provide all parties with an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to ten minutes.

Copies of the proposed regulations as well as the economic impact statement for the proposed regulations may be obtained from the Kansas State Board of Technical Professions, 900 SW Jackson, Suite 507, Topeka,

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Kansas 66612, by contacting Larry G. Karns at 785-296-3055 or by emailing the agency at [KSBTAdmin@ks.gov](mailto:KSBTAdmin@ks.gov).

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation to be considered and the economic impact statement for the regulation 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 Jessica Pierce at 785-296-3052 or at [KSBTAdmin@ks.gov](mailto:KSBTAdmin@ks.gov).

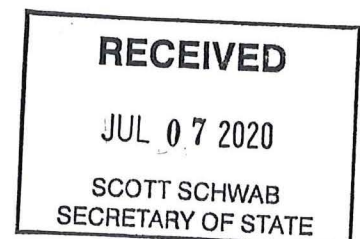
Individuals with hearing and /or speech disabilities may contact the Kansas Relay Center at 800-776-3777 for communication accommodations.

Handicapped parking is available at the south end of the Landon State Office Building, 900 SW Jackson, Topeka, Kansas 66612, 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 amended regulations and the economic impact of the regulations follows:

K.A.R. 66-14-1, as proposed, changes the term previously used for continuing education from professional development hours to continuing education units or CEU's and states that 24 of the 30 CEU's required shall be related to health, safety, property and welfare for licensees licensed in one profession and 16 of the 20 CEU's required for licensees renewing their licenses in more than one profession. Additionally, the proposed regulation provides that a maximum of 10 CEU's may be obtained in any 24 hour period and that a maximum of 15 health, safety, property and welfare CEU's may be carried forward into a subsequent renewal period.

K.A.R. 66-14-2, as proposed, defines the terms college or university course continuing education unit, contact hour, continuing education activity continuing education unit and sponsor.



K.A.R. 66-14-3, as proposed, lists continuing education activities that satisfy the continuing education requirements.

K.A.R., 66-14-5, as proposed, states the computation for continuing education activities in continuing education units.

K.A.R. 66-14-6, as proposed, states exemptions for continuing education requirements.

K.A.R. 66-14-7, as proposed, states licensees are required to maintain records on forms prescribed by the board of continuing education units claimed by the licensee.

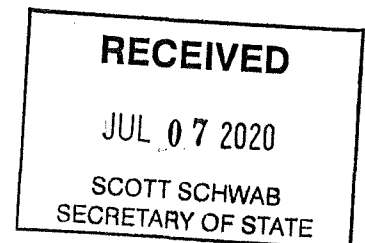
K.A.R., 66-14-8, as proposed, states continuing education requirements for reinstatement of a cancelled license.

K.A.R. 66-14-9, as proposed, states that each licensee shall provide proof of meeting the continuing education requirements as required by the board.

K.A.R. 66-14-10, as proposed, revokes the provisions of K.A.R. 66-14-10.

K.A.R. 66-14-11, as proposed, revokes the provisions of K.A.R. 66-14-11.

K.A.R. 66-14-12, as proposed, would allow applicants for renewal 120 days following notification of disallowance of any continuing education units by the board to substantiate the original claim or to earn other continuing education units to meet the minimum requirement.



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The proposed regulations are not anticipated to have any significant economic impact.

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**66-14-1. Requirements.** (a) Except as provided in subsections (b) and (c), each licensee shall have completed 30 professional development hours (PDHs) continuing education units (CEUs) of acceptable continuing education requirements activities during the two-year period immediately preceding the biennial renewal date established in K.A.R. 66-6-6 as a condition for license renewal. At a minimum, 24 of the required 30 CEUs shall be related to health, safety, property, and welfare (HSPW). If the licensee exceeds the requirement in any renewal period, the licensee may carry a maximum of 15 PDHs HSPW CEUs forward into the subsequent renewal period. Any licensee may obtain a maximum of 10 HSPW CEUs in any 24-hour period.

(b) Each licensee renewing a license in more than one profession shall have completed 20 HSPW CEUs for each profession every two years before renewal. At least 16 of the required 20 CEUs for each profession shall be HSPW CEUs. The number of CEUs that may be carried over into the next renewal period for each licensee renewing in more than one profession shall not exceed 15 HSPW CEUs in each technical profession.

(b)(c)(1) Each professional surveyor shall complete, ~~as part of the 30 PDHs required,~~ at least two PDHs CEUs of preapproved continuing education activity on the Kansas minimum standards adopted by reference in K.A.R. 66-12-1(b).

(2) Each provider of a continuing education activity on the Kansas minimum standards specified in paragraph (b)(c)(1) shall submit an application for preapproval of the continuing education activity on a form provided by the board.

(3) To qualify for preapproval, each continuing education activity shall meet the following conditions:

(A) The continuing education activity has a definable purpose and objective.

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(B) The continuing education activity is created and conducted by a person qualified in the subject area.

(C) The continuing education activity equals two contact hours.

(D) ~~Documentation is~~ A certificate will be provided to the participant upon completion of the continuing education activity.

~~This regulation shall be effective on and after September 1, 2015.~~ (Authorized by K.S.A. 2014 Supp. 74-7013; implementing K.S.A. 2014 Supp. 74-7013 and 74-7025; effective March 1, 1996; amended Feb. 4, 2000; amended Jan. 23, 2009; amended Dec. 27, 2013; amended Sept. 1, 2015; amended P-\_\_\_\_\_.)

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**66-14-2. Definitions.** Each of the following terms used in this article of the board's regulations shall have the meaning specified in this regulation:

(a) "College or university course continuing education unit" means a continuing education unit acceptable to the board for successfully completing a semester credit hour in a course. One semester credit hour shall be the equivalent of 15 CEUs.

(a)(b) "Contact hour" means one clock-hour of at least 50 minutes of instruction or presentation of a continuing education activity.

(b)(c) "Continuing education activity" means an activity that meets the following requirements:

(1) Enhances a licensee's level of technical, professional, managerial, or ethical competence in order to further the goal of protecting the health, safety, property, and welfare of the public (HSPW); and

(2) reinforces the need for life-long learning in order to stay current with changing technology, changing procedures, changing processes, and established standards.

(e)(d) "Continuing education unit" (CEU) means and "CEU" mean a unit of credit customarily used for continuing education courses. One CEU shall be the equivalent of 10 PDHs accepted by the board for participation in a continuing education activity as specified in K.A.R. 66-14-3. One contact hour shall be the equivalent of one CEU.

(d) "Dual licensee" means a person who is licensed in two technical professions.

(e) "Professional development hour" (PDH) means a unit of credit given by the board for participation in a continuing education activity as specified in this article.

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(f)(e) "Sponsor" means an individual, organization, association, institution, or other entity that provides ~~an educational offering~~ a continuing education activity for the purpose of fulfilling the continuing educational requirements of these regulations.

~~This regulation shall be effective on and after September 1, 2015.~~ (Authorized by K.S.A. 2014 Supp. 74-7013; implementing K.S.A. 2014 Supp. 74-7013 and 74-7025; effective March 1, 1996; amended Jan. 23, 2009; amended Sept. 1, 2015; amended P-\_\_\_\_\_.)

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**66-14-3. Continuing education activities.** (a) Continuing education activities that satisfy meet the continuing education requirement shall include the following:

(1) Attending professional or technical presentations at meetings, conventions, or conferences;

(2) attending in-house programs sponsored by corporations or other organizations;

(3) successfully completing seminars, tutorials, short courses, correspondence courses, televised courses, or videotaped courses;

(4) making professional or technical presentations at meetings, conventions, or conferences;

(5) teaching or instructing, as described in ~~K.A.R. 66-14-5(a)(2)~~ K.A.R. 66-14-5(d);

(6) authoring published papers, articles, or books;

(7) serving as an officer or committee member of a technical profession society or organization, as described in ~~K.A.R. 66-14-5(a)(4)~~ K.A.R. 66-14-5(f);

(8) successfully completing a course semester credit hour at an approved courses ~~sponsored by a college or university~~; and

(9) ~~successfully completing courses that are awarded PDHs~~ successfully completing health, safety, property, and welfare continuing education activities, which shall include instruction in technical and professional subjects that safeguard the public and that are within any of the following areas necessary for the evaluation, design, construction, and utilization of the built environment:

(A) Practice management focused on areas related to the management of the licensee's practice and details of running a business;

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(B) project management focused on areas related to the management of projects through execution, in the profession of the licensee;

(C) programming and analysis focused on areas related to the evaluation of project requirements, constraints, and opportunities;

(D) project planning and design focused on areas related to the preliminary design of sites, buildings, and environmental considerations;

(E) project development and documentation focused on areas related to the integration and documentation of building systems, material selection, and material assemblies into a project; or

(F) construction and evaluation focused on areas related to construction contract administration and post-occupancy evaluation of projects.

(b) Each of the continuing education activities identified in paragraphs (a)(1), (2), (3), (8), and (9) shall meet all of the following conditions:

(1) The continuing education activity has a definable purpose and objective relevant to the licensee's field of practice.

(2) The program is conducted by a person qualified in the subject area.

(3) The licensee retains a record of registration and attendance.

~~This regulation shall be effective on and after September 1, 2015.~~ (Authorized by K.S.A. 2014 Supp. 74-7013; implementing K.S.A. 2014 Supp. 74-7013 and 74-7025; effective March 1, 1996; amended Feb. 4, 2005; amended Jan. 23, 2009; amended Sept. 1, 2015; amended P-\_\_\_\_\_.)

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**66-14-5. Computation of credit.** (a) Continuing education ~~units~~ activities shall be measured in ~~professional development hours (PDHs)~~ continuing education units (CEUs) and shall be computed as follows:

(1) (a) Successfully completing one contact hour of ~~professional development education~~ in coursework or seminars ~~or making professional or technical presentations at meetings, conventions, or conferences, or in-house programs~~ shall be the equivalent of one ~~PDH~~ CEU.

(b) Taking an educational tour of a technically significant project shall be the equivalent of one CEU for each toured project, if the tour is conducted by a sponsor including a college, university, or professional organization.

(2)(c) ~~Teaching or instructing,~~ Preparation and making presentations, as specified in K.A.R. 66-14-3(a)(5)(4), shall constitute four ~~PDHs~~ CEUs for each contact hour spent in the ~~classroom~~ the first contact hour of presentation plus one CEU for each additional contact hour of presentation.

(d) Teaching credit shall be valid for teaching a course or seminar in its initial presentation only. Full-time faculty at a college, university, or other educational institution shall otherwise not receive teaching credit for teaching their regularly assigned courses. Teaching or instructing a new college or university course for the first time shall be the equivalent of 10 CEUs.

(3)(e) Authoring a published paper, article, or book shall be the equivalent of one of the following:

(A) (1) 10 ~~PDHs~~ CEUs for each book or peer-reviewed published paper in the licensee's area of professional practice; or

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(B) ~~(2)~~ two PDHs five CEUs for each paper or article in the licensee's area of professional practice.

~~(4)(f)~~ Serving as an officer or committee member of a technical profession society or public commissions organization shall be the equivalent of two ~~PDHs~~ CEUs. ~~Professional development hours~~ Continuing education units shall be limited to two ~~PDHs~~ CEUs for each organization and shall not be earned until the completion of each year of service.

~~(g)~~ Serving as a mentor or sponsor for the architectural experience program (AXP) of the national council of architectural registration boards (NCARB) shall be the equivalent of two CEUs annually.

~~(5)(h)~~ Successfully completing one university semester hour of credit shall be the equivalent of 15 CEUs ~~45 PDHs~~.

~~(6)(i)~~ Successfully completing one university quarter hour of credit shall be the equivalent of 30 PDHs Successfully completing one contact hour of professional development self-study coursework that is offered by a third-party sponsor with evidence of achievement with a final graded test shall be the equivalent of one CEU. A maximum of five self-study CEUs may be applied in any one renewal period. Proof of course completion shall be required.

~~(b) Final authority regarding the approval of continuing education activities shall rest with the board.~~

~~This regulation shall be effective on and after September 1, 2015. (Authorized by K.S.A. 2014 Supp. 74-7013; implementing K.S.A. 2014 Supp. 74-7013 and 74-7025; effective March 1, 1996; amended Nov. 2, 2001; amended Feb. 4, 2005; amended Jan. 23, 2009; amended Sept. 1, 2015; amended P-\_\_\_\_\_.)~~

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**66-14-6. Exemptions.** A licensee may be exempt, upon board review and approval, from continuing education requirements in any of the following situations To qualify for an exemption from the continuing education requirement, the licensee shall submit an application to the board documenting the existence of one of the following conditions:

(a) The licensee is renewing for the first time.

(b) The licensee is called to active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a calendar year renewal period. This individual may be exempt from obtaining the 15 professional development hours (PDH) CEUs of the 30 CEUs required only during that year during the renewal period.

(c) The licensee chooses to have the license placed on inactive status or emeritus status as specified in K.A.R. 66-6-10. If the licensee elects to return to practice, the licensee shall earn 30 professional development hours CEUs for the last renewal period or shall meet the requirement specified in ~~K.A.R. 66-14-10 or K.A.R. 66-14-11~~ K.A.R. 66-14-1(b). (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12, and K.S.A. 2013 Supp. 74-7025, as amended by 2014 SB 349, sec. 19; effective March 1, 1996; amended Feb. 4, 2000; amended Nov. 1, 2002; amended Sept. 26, 2014; amended P-\_\_\_\_\_.)

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**66-14-7. Records.** (a) Each licensee shall maintain records on forms prescribed and furnished by the board to support the ~~professional development hours~~ continuing education units claimed by the licensee.

The records shall include the following:

(1) A log showing the type of continuing education activity claimed; and the number of ~~professional development hours~~ CEUs earned; ~~and other information as applicable;~~ and

(2) supporting documentation, which may include documentation of either of the following:

(A) Presentations or attendance at meetings, conventions, conferences, programs, seminars, and similar ~~activities~~ functions, which shall be documented by verification records in the form of completion certificates, sign-in sheets, or other documents supporting evidence of attendance; or

(B) authoring published papers, articles, or books, which shall be documented by proof of publication.

(b) Each licensee shall maintain the records specified in subsection (a) for at least four years and shall provide a copy to the board, upon request.

~~This regulation shall be effective on and after September 1, 2015.~~ (Authorized by K.S.A. 2014 ~~Supp.~~ 74-7013; implementing K.S.A. 2014 ~~Supp.~~ 74-7013 and 74-7025; effective March 1, 1996; amended Jan. 23, 2009; amended Sept. 1, 2015; amended P-\_\_\_\_\_.)

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**66-14-8. Reinstatement.** Any individual may apply for reinstatement of ~~reinstate~~ a cancelled license by performing the following:

(a) Submitting an application for reinstatement;

(b) paying the required reinstatement fee; and

(c) providing evidence of ~~by obtaining all delinquent professional development hours, not to exceed 30 PDH CEUs in the immediately preceding two-year period. Upon proof that the individual has complied with the requirements for obtaining continuing education, the individual shall meet the board's other requirements for reinstatement before reinstatement shall be granted.~~

(Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A.

74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996; amended P-

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**66-14-9. Proof of compliance.** Each licensee shall provide proof of satisfying meeting the continuing education requirements ~~as required by~~ of the board. If the licensee fails to furnish the information as required by the board, the individual's license shall not be renewed. (Authorized by K.S.A. 74-7013, ~~as amended by L. 1995, ch. 104, sec. 1;~~ implementing K.S.A. 74-7025, ~~as amended by L. 1995, ch. 104, sec. 2;~~ effective March 1, 1996; amended P-\_\_\_\_\_.)

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**66-14-10.** (Authorized by K.S.A. 2014 Supp. 74-7013; implementing K.S.A. 2014 Supp. 74-7013 and 74-7025; effective March 1, 1996; amended Feb. 9, 2001; amended June 18, 2010; amended Sep. 1, 2015; revoked P-\_\_\_\_\_.)

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**66-14-11.** (Authorized by K.S.A. 2014 Supp. 74-7013; implementing K.S.A. 2014 Supp. 74-7013 and 74-7025; effective March 1, 1996; amended Sept. 1, 2015; revoked P-

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**66-14-12. Disallowance.** If the board disallows the professional development hours any continuing education units claimed by an applicant for license renewal or reinstatement, the applicant for ~~license renewal or reinstatement~~ shall have 120 days after notification of the disallowance to substantiate the original claim or to earn other ~~credit~~ continuing education units to meet the minimum requirement. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996; amended P-\_\_\_\_\_.)

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

**Proposed**

Kansas State Board of  
Technical Professions  
Agency

Larry Karns  
Agency Contact

785-296-3055  
Contact Phone Number

K.A.R. 66-14-1, 66-14-2, 66-  
14-3, 66-14-5, 66-14-6, 66-  
14-7, 66-14-8, 66-14-9, 66-  
14-10, 66-14-11, 66-14-12,  
K.A.R. Number(s)

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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)**

Amended regulations regarding the required continuing education for licensure in Kansas as specified by K.S.A. 74-7013 and K.S.A. 74-7025 and amendments thereto. The regulations change the terms used for continuing education from professional development hours to continuing education units or CEU's and clarifies the specific requirements.

- 11. 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)**

These regulations are not mandated by the federal government.

**111. 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 health, safety, property and welfare of the people of Kansas is protected by licensing qualified individual is to practice in areas of technical professions. The legislature by statute, K.S.A. 74-7001 et seq, requires both education and experience to be licensed. These regulations, as proposed, state the number and type of continuing education for all persons licensed by the board of technical professions. It does not 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, individual is, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;**

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DIVISION OF THE BUDGET These regulations have a neutral economic impact. No additional costs are anticipated.

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

Architects, Engineers, Geologists, Land Surveyors and Landscape Architects

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

These regulation do not add any new costs to the licensed professions.

**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 individual is;**

The proposed regulations do not add costs or negatively impact economic development.

**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.**

None.

**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.**

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- 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).**

The Board of Technical professions, which is comprised of appointed representative of each of the licensed professions, has determined that the continuing education for licensure, renewal and reinstatement required by these regulations is appropriate.

- 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 Applicable

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