

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

Carol Moreland, MSN, RN
Executive Administrator



Kansas State Board of Nursing

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SECRETARY OF STATE

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www.ksbn.org

Laura Kelly, Governor

January 23, 2023

A public hearing will be conducted at 10:00 A.M. Friday, April 7, 2023, in Room 560 of the Landon State Office Building, 900 S.W. Jackson St., Topeka, KS to consider the adoption of proposed changes in three existing regulations relating to continuing nursing education definitions, continuing nursing education for license renewal, and approval of continuing nursing education.

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. 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 266223) 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 statement 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 prior to the date of the hearing.

K.A.R. 60-9-105. Definitions. The proposed revisions for this regulation include a definition of classic reference that can be used as reference in a bibliography. There is a definition added that defines a formula that can be utilized to recognize the amount of continuing education credit provided by a program when offering an independent study. There is minimal economic impact to the Board of Nursing. Addition of these two definitions will be helpful to the approved continuing nursing education providers in Kansas. Communication of the changes can be communicated to licensees and stakeholders via existing communication venues. The economic impact to continuing education providers is minimal. There is no economic impact to licensees and the general public.

K.A.R. 60-9-106. Continuing nursing education for license renewal. The proposed revisions include a list of the national organizations whose focus is patient safety and improving nursing practice that are approved for continuing nursing education, adding the need for a rationale statement as part of the

application for an individual offering approval, clarifying that fractions of hours 30 mins or greater are accepted, and setting a maximum of 15 contact hours shall be accepted for renewal of certifications listed. There is minimal economic impact to the Board of Nursing. There is no economic impact for licensees, continuing education providers, and the general public.

K.A.R. 60-9-107. Approval of continuing nursing education. The proposed revisions to this regulation include providing clarity to information that must be on published information and certificates of completion, the number of classic references accepted in a bibliography, clarity on a daily roster, allowing electronic signature utilization, and language that should be included on a CE transcript. There is minimal economic impact to the Board of Nursing, continuing nursing education providers, and licensees. There is no economic impact on businesses and the general public.

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60-9-105. Definitions. ~~For the purposes of these regulations,~~ Each of the following terms, as used in this article of the board's regulations, shall have the meaning specified in this regulation:

(a) "Approval" means the act of determining that a providership application or course offering meets applicable standards based on review of either the total program or the individual offering.

(b) "Approved provider" means a person, organization, or institution that is approved by the board and is responsible for the development, administration, and evaluation of the continuing nursing education (CNE) program or offering.

(c) "Authorship" means a person's development of a manuscript for print or a professional paper for presentation. Each page of text that meets the definition of continuing nursing education (CNE), as defined in K.S.A. 65-1117 and amendments thereto, and is formatted according to the American psychological association's guidelines shall equal three contact hours.

(1) Authorship of a manuscript means a person's development of an original manuscript for a journal article or text accepted by a publisher for statewide or national distribution on a subject related to nursing or health care. Proof of acceptance from the editor or the published work shall be deemed verification of this type of credit. Credit shall be awarded only once per topic per renewal period.

(2) Authorship of a professional research paper means a person's completion of a nursing research project as principal investigator, co-investigator, or project director and presentation to other health professionals. A program brochure, course syllabus, or letter from the offering provider identifying the person as a presenter shall be deemed verification of this type of credit. Credit shall be awarded only once each renewal period.

(d) "Behavioral objectives" means the intended outcome of instruction stated as measurable learning behaviors.

(e) "Certificate" means a document that is proof of completion of an offering consisting of one or more contact hours.

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(f) "CE transcript" means a document that is proof of completion of one or more CNE offerings. Each CE transcript shall be maintained by a CNE provider.

(g) "Classic reference" means a book published more than 10 years ago or a periodical published more than five years ago, either of which is the most current available source with a recognized value pertinent to the content of an offering.

(h) "Clinical hours" means planned learning experiences in a clinical setting. Three clinical hours equal one contact hour.

~~(h)~~ (i) "College course" means a class taken through a college or university, as described in K.S.A. 65-1119 and amendments thereto, and meeting the definition of CNE in K.S.A. 65-1117, and amendments thereto. One college credit hour equals 15 contact hours.

~~(i)~~ (j) "Computer-based instruction" means a learning application that provides computer control to solve an instructional problem or to facilitate an instructional opportunity.

~~(j)~~ (k) "Contact hour" means 50 total minutes of participation in a learning experience that meets the definition of CNE in K.S.A. 65-1117, and amendments thereto. Fractions of hours ~~over~~ 30 minutes or greater to be computed towards a contact hour shall be accepted.

~~(k)~~ (l) "Distance learning" means the acquisition of knowledge and skills through information and instruction delivered by means of a variety of technologies.

~~(l)~~ (m) "Independent study" means a self-paced learning activity undertaken by the participant in an unstructured setting under the guidance of and monitored by an approved provider. This term shall include self-study programs, distance learning, and authorship.

~~(m)~~ (n) "Individual offering approval" and "IOA" mean a request for approval of an education offering meeting the definition of CNE, pursuant to K.S.A. 65-1117 and amendments thereto, but not presented by an approved provider or other acceptable approving body, as described in K.S.A. 65-1119 and amendments thereto.

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(n) (o) "In-service education" and "on-the-job training" mean learning activities in the work setting designed to assist the individual in fulfilling job responsibilities. In-service education and on-the-job-training shall not be eligible for CNE credit.

(p) "Mergener formula" means a formula utilized to recognize the amount of continuing education credit provided by a program based upon the material utilized when measured against complexity, time, questions, and participant feedback.

(o) (q) "Offering" means a single CNE learning experience designed to enhance knowledge, skills, and professionalism related to nursing. Each offering shall consist of at least 30 minutes to be computed towards a contact hour.

(p) (r) "Orientation" means formal or informal instruction designed to acquaint employees with the institution and the position. Orientation shall not be considered CNE.

(q) ~~"Program" means a plan to achieve overall CNE goals.~~

(r) (s) "Refresher course" means a course of study providing review of basic preparation and current developments in nursing practice.

(s) (t) "Total program evaluation" means a systematic process by which an approved provider analyzes outcomes of the overall CNE program in order to make subsequent decisions. (Authorized by and implementing K.S.A. ~~2015~~ 2021 Supp. 65-1117 and K.S.A. 65-1119; effective Sept. 2, 1991; amended March 9, 1992; amended April 26, 1993; amended April 3, 1998; amended April 20, 2001; amended Oct. 25, 2002; amended March 6, 2009; amended May 10, 2013; amended April 29, 2016; amended P-_____.)

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60-9-106. Continuing nursing education for license renewal. (a) At the time of license renewal, any licensee may be required to submit proof of completion of 30 contact hours of approved continuing nursing education (CNE). This proof shall be documented as follows:

(1) For each approved CNE offering, a certificate or a transcript that clearly designates the number of hours of approved CNE that have been successfully completed, showing the following:

- (A) Name of CNE offering;
- (B) provider name or name of the accrediting organization;
- (C) provider number or number of the accrediting organization, if applicable;
- (D) offering date;
- (E) number of contact hours awarded; and
- (F) the licensee's name and license number as shown on the course roster; or

(2) an approved Kansas state board of nursing IOA, which shall include approval of college courses that meet the definition of continuing education in K.S.A. 65-1117, and amendments thereto.

(b) The required 30 contact hours of approved CNE shall have been completed during the most recent prior licensing period between the first date of the licensing period and the date that the licensee submits the renewal application as required in K.S.A. 65-1117, and amendments thereto, and K.A.R. 60-3-108. Contact hours accumulated in excess of the 30-hour requirement shall not be carried over to the next renewal period.

(c) Acceptable CNE may include any of the following:

(1) An offering presented by an approved ~~long-term or single~~ provider or national organization whose focus is patient safety and improving nursing practice, including the following: American academy of nurse practitioners, American association of critical-care nurses, American midwifery certification board, American nurses association, American nurses credentialing center, emergency nurses association, national board of certification and recertification for nurse anesthetists, and pediatric nursing certification board;

(2) an offering as designated in K.S.A. 65-1119, and amendments thereto;

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(3) an offering for which a licensee has submitted an IOA, which may include credit requested for a college course that meets the definition of continuing education in K.S.A. 65-1117, and amendments thereto. Before licensure renewal, the licensee may submit an application for an IOA to the board, accompanied by the following:

(A) A rationale statement that applies the meaning of continuing nursing education, as defined in K.S.A. 65-1113 (h) or continuing education, as specified in K.S.A. 65-1132 (a)(2) and amendments thereto;

(B) an agenda representing exact learning time in minutes;

(B) (C) official documentation of successfully completed hours, which may include a certificate of completion or an official college transcript; and

(C) (D) learning or behavior objectives describing learning outcomes;

(4) a maximum of 15 contact hours for the first-time preparation and presentation as an instructor of an approved offering to licensed nurses. Two contact hours of instructor credit shall be granted for each hour of presentation;

(5) an offering utilizing a board-approved curriculum developed by the American heart association, emergency nurses association, or Mandt, which may include the following:

(A) Advanced cardiac life support;

(B) emergency nursing pediatric course;

(C) pediatric advanced life support;

(D) trauma nurse core course;

(E) neonatal resuscitation program; or

(F) Mandt program;

(6) independent study;

(7) distance learning offerings;

(8) a board-approved refresher course if required for licensure reinstatement as specified in K.A.R. 60-3-

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105 and K.A.R. 60-11-116;

(9) participation as a member of a nursing organization board of directors or the state board of nursing, including participation as a member of a committee reporting to the board. The maximum number of allowable contact hours shall be six and shall not exceed three contact hours each year. A letter from an officer of the board confirming the dates of participation shall be accepted as documentation of this type of CNE; or

(10) any college courses in science, psychology, sociology, or statistics that are prerequisites for a nursing degree.

(d) Fractions of hours ~~over~~ 30 minutes or greater to be computed towards a contact hour shall be accepted.

(e) A maximum of 15 contact hours shall be accepted for renewal of certification in advanced cardiac life support (ACLS), pediatric advanced life support (PALS), or similar standardized recertification courses developed by the American heart association, emergency nurses association, or Mandt each licensing period.

(f) Contact hours shall not be recognized by the board for any of the following:

(1) Identical offerings completed within a renewal period;

(2) offerings containing the same content as that of courses that are part of basic preparation at the level of current licensure ~~or certification~~;

(3) in-service education, on-the-job training, orientation, and institution-specific courses;

(4) an incomplete or failed college course or any college course in literature and composition, public speaking, basic math, algebra, humanities, or other general education requirements unless the course meets the definition of CNE;

(5) offerings less than 30 minutes in length; or

(6) a board-approved refresher course for license renewal. (Authorized by and implementing K.S.A. ~~2015~~ 2021 Supp. 65-1117; effective Sept. 2, 1991; amended April 3, 1998; amended April 20, 2001; amended July 20, 2007; amended May 10, 2013; amended April 29, 2016; amended P-_____.)

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60-9-107. Approval of continuing nursing education. (a) ~~Offerings of approved providers shall be recognized by the board.~~ Each person, organization, or institution wanting to become an approved provider shall meet the following requirements:

(1) Long-term provider. A completed application for initial approval or five-year renewal for a long-term continuing nursing education (CNE) providership shall be submitted to the board at least 60 days before a scheduled board meeting.

(2) Single offering provider. The application for a single CNE offering shall be submitted to the board at least 30 days before the anticipated date of the first offering.

(b) Each applicant shall include the following information on the application:

(1)(A) The name and address of the organization; and

(B) the name and address of the department or unit within the organization responsible for approving CNE, if different from the name and address of the organization;

(2) the name, education, and experience of the program coordinator responsible for CNE, as specified in subsection (c);

(3) written policies and procedures, including at least the following areas:

(A) Assessing the need and planning for CNE activities;

(B) fee assessment;

(C) advertisements, or offering announcements, and certificates of completion. Published information and each certificate of completion shall contain the following statement: "~~(name of provider)~~ [Name of provider] is approved as a provider of CNE by the Kansas State Board of Nursing. This course offering is approved for contact hours applicable for [specify each applicable license type: APRN, RN, or LPN, or LMHT] relicensure. Kansas State Board of Nursing provider number: _____";

(D) for long-term providers, the offering approval process as specified in subsection (d);

(E) awarding contact hours, as specified in subsection (e);

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(F) verifying participation and successful completion of the offering, as specified in subsections (f) and (g);

(G) recordkeeping and record storage, as specified in subsection (h);

(H) notice of change of coordinator or required policies and procedures. The program coordinator shall notify the board in writing of any change of the individual responsible for the providership or required policies and procedures within 30 days; and

(I) for long-term providers, a copy of the total program evaluation plan; and

(4) the proposed CNE offering, as specified in subsection (i).

(c)(1) Long-term provider. The program coordinator for CNE shall meet ~~these~~ the following requirements:

(A) Be a licensed professional nurse;

(B) have three years of clinical experience;

(C) have one year of experience in developing and implementing nursing education; and

(D) have a baccalaureate degree in nursing, except those individuals exempted under K.S.A. 65-1119

~~(e)(6)~~ and amendments thereto.

(2) Single offering provider. If the program coordinator is not a nurse, the applicant shall also include the name, education, and experience of the nurse consultant. The individual responsible for CNE or the nurse consultant shall meet ~~these~~ the following requirements:

(A) Be licensed to practice nursing; and

(B) have three years of clinical experience.

(d) For long-term providers, the policies and procedures for the offering approval process shall include the following:

(1) A summary of the planning;

(2) the behavioral objectives;

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- (3) the content, ~~which shall meet the definition of CNE in K.S.A. 65-1117 and amendments thereto;~~
- (4) the instructor's education and experience, documenting knowledge and expertise in the content area;
- (5) a current bibliography that is reflective of the offering content. The bibliography shall include books published within the past 10 years, periodicals published within the past five years, or both. Classic references, if included, shall be limited to less than 25 percent of the bibliography; and
- (6) an offering evaluation that includes each participant's assessment of the following:
- (A) The achievement of each objective; and
- (B) the expertise of each individual presenter.
- (e) An approved provider may award any of the following:
- (1) Contact hours as documented on an offering agenda for the actual time attended, including partial credit for ~~one or more contact hours~~ fractions of hours 30 minutes or greater to be computed towards a contact hour;
- (2) ~~credit for fractions of hours over 30 minutes to be computed towards a contact hour;~~
- (3) (2) instructor credit, which shall be twice the length of the first-time presentation of an approved offering, excluding any standardized, prepared curriculum;
- (4) (3) independent study credit that is based on the time required to complete the offering, as documented by the provider's pilot test results or determined by the Mergener formula; or
- (5) (4) clinical hours.
- (f)(1) Each provider shall maintain ~~documentation~~ a daily roster to verify that each participant attended the offering. ~~The provider shall require each participant to sign a daily roster, which. The roster shall~~ contain the following information:
- (A) The provider's name, address, provider number, and coordinator;
- (B) the date and title of the offering, and the presenter or presenters; and
- (C) the participant's name and license number, and the number of contact hours awarded.

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(2) Each provider shall maintain documentation to verify completion of each independent study offering, if applicable. To verify completion of an independent study offering, the provider shall maintain documentation that includes the following:

- (A) The provider's name, address, provider number, and coordinator;
- (B) the participant's name and license number, and the number of contact hours awarded;
- (C) the title of the offering;
- (D) the date on which the offering was completed; and
- (E) either the completion of a posttest or a return demonstration.

(g)(1) A certificate of attendance shall be awarded to each participant after completion of an offering, or a CE transcript shall be provided according to the policies and procedures of the ~~long-term~~ approved provider.

(2) Each certificate and each CE transcript shall be complete before distribution to the participant.

(3) Each certificate and each CE transcript shall contain the following information:

- (A) The provider's name, address, and provider number;
- (B) the title of the offering;
- (C) the date or dates of attendance or completion;
- (D) the number of contact hours awarded and, if applicable, the designation of any independent study or instructor contact hours awarded;

(E) the handwritten or electronic signature of the individual responsible for the providership; and

(F) the name and license number of the participant; and

(G) the following statement: "[Name of provider] is approved as a provider of CNE by the Kansas State Board of Nursing. This course offering is approved for contact hours for [specify each applicable license type: APRN, RN, LPN or LMHT] relicensure. Kansas State Board of Nursing provider number _____."

(h)(1) For each offering, the approved provider shall retain the following for two years:

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- (A) A summary of the planning;
- (B) a copy of the offering announcement or brochure;
- (C) the title and objectives;
- (D) the offering agenda or, for independent study, pilot test results;
- (E) a bibliography;
- (F) a summary of the participants' evaluations;
- (G) each instructor's education and experience; and
- (H) documentation to verify completion of the offering, as specified in subsection (f).

(2) The record storage system used shall ensure confidentiality and easy retrieval of records by authorized individuals.

(3) Each approved single offering CNE provider shall submit to the board ~~the original signature roster~~ and a typed, alphabetized roster of the individuals who have completed an offering, within 15 working days of course completion.

(i)(1) Long-term provider application. The provider shall submit two proposed offerings, including the following:

- (A) A summary of planning;
- (B) a copy of the offering announcement or brochure;
- (C) the title and behavioral objectives;
- (D) the offering agenda or, for independent study, pilot test results;
- (E) each instructor's education and experience;
- (F) a current bibliography, as specified in paragraph (d)(5); and
- (G) the offering evaluation form.

(2) Single offering provider application. The provider shall submit the proposed offering, which shall include the information specified in paragraphs (i)(1)(A) through (G).

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(j)(1) Long-term provider application. Each prospective coordinator who has submitted an application for a long-term CNE providership that has been reviewed once and found deficient, or has approval pending, shall submit all materials required by this regulation at least two weeks before the next board meeting. If the application does not meet all of the requirements or the prospective coordinator does not contact the board for an extension on or before this deadline, the application process shall be considered abandoned. A new application and fee shall be submitted if the prospective coordinator still wants a providership ~~is still desired~~.

(2) Single offering approval application. If the application for a single offering has been reviewed and found deficient, or has approval pending, the CNE coordinator shall submit all materials required by this regulation before the date of offering. If the application does not meet the requirements before the offering deadline, the application shall be considered abandoned. There shall be no retroactive approval of single offerings.

(k)(1) Each approved long-term provider shall pay a fee for the upcoming year and submit an annual report for the period of July 1 through June 30 of the previous year on or before the deadline designated by the board. The annual report shall contain the following:

- (A) An evaluation of all the components of the providership based on the total program evaluation plan;
- (B) a statistical summary report; and
- (C) for each of the first two years of the providership, a copy of the records for one offering as specified in paragraphs (h)(1)(A) through (H).

(2) If approved for the first time after January 1, a new long-term provider shall submit only the statistical summary report and shall not be required to submit the annual fee or evaluation based on the total program evaluation plan.

(l)(1) If the long-term provider does not renew the providership, the provider shall notify the board in writing of the location at which the offering records will be accessible to the board for two years.

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(2) If a provider does not continue to meet the criteria for current approval established by regulation or if there is a material misrepresentation of any fact with the information submitted to the board by an approved provider, approval may be withdrawn or conditions relating to the providership may be applied by the board after giving the approved provider notice and an opportunity to be heard provide a written response.

(3) Any approved provider that has voluntarily relinquished the providership or has had the providership withdrawn by the board may reapply as a long-term provider. The application shall be submitted on forms supplied by the board and accompanied by the designated, nonrefundable fee as specified in K.A.R. 60-4-103(a)(3). (Authorized by and implementing ~~K.S.A. 2011 Supp. 65-1117~~ and K.S.A. 65-1119 and K.S.A. 65-1129; effective March 9, 1992; amended Sept. 27, 1993; amended April 3, 1998; amended Oct. 25, 2002; amended March 6, 2009; amended May 10, 2013; amended P-_____.)

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Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas State Board of Nursing
Agency

Carol Moreland
Agency Contact

785-296-5752
Contact Phone Number

60-9-105, 60-9-106 & 60-9-107
K.A.R. Number(s)

☒ Permanent ☐ Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- ☐ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- ☒ No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- ☐ Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- ☒ No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

DOB APPROVAL STAMP (If Required)

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Section I

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

K.A.R. 60-9-105 contains definitions regarding continuing nursing education (CNE). K.A.R. 60-9-106 contains information regarding continuing nursing education for license renewal. K.A.R. 60-9-107 contains information about approval of continuing nursing education.

Section II

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

These are not mandated by the federal government.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;
- 60-9-105 will clarify for those offering independent study continuing nursing education what the formula will be to figure the number of CNE hours, which could enhance business activities. 60-9-105 will not restrict business activities and growth. 60-9-106 does not restrict business activities but rather clarifies for licensees and CNE providers how much CNE can be awarded for some of the national certification courses. 60-9-107 does not restrict business activities, rather provides clarification for CNE providers regarding approval of continuing nursing education.
- 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(s) and regulation(s) and on the state economy as a whole;
- The economic effect to the CNE providers that would be impacted by these changes should be minimal as these changes are more for clarification, rather than more strict regulations they must follow.
- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);
- Businesses that offer continuing nursing education for Kansas nurses and licensed mental health technicians.
- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;
- Clarification of some areas that we have received many questions about in the past from licensees and providers of continuing nursing education.

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- 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;

These changes originated in our CNE Committee, which is a subcommittee of our board. The members of this committee are Board members and CNE providers, so input was obtained from them.

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

Note: Do not account for any actual or estimated cost savings that may be realized.

Costs to Affected Businesses – \$Minimal (<\$100)

Costs to Local Governmental Units – \$0

Costs to Members of the Public – \$0

Total Annual Costs – \$<100

(sum of above amounts)

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

There may have to be changes in the advertising for the CNE providers (very minimal).

- ☐ Yes If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing 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.
- ☐ No
- ☒ Not Applicable

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

Minimal, cost of publishing in Kansas Register. Communication of the changes can occur through normal communication methods.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

It is unknown whether the clarifications will result in the CNE providers offer more continuing education opportunities.

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- 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.

N/A

- 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).

These changes originated in our CNE Committee, which is a subcommittee of our Board. The members of this committee are Board members and CNE providers, so input was obtained from the. The clarifications are also a result of many questions from our licensees seeking clarification.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- ☐ Yes If yes, complete the remainder of Section IV.
☒ No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

- C. 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).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

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