

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



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Carol Moreland, MSN, RN  
Executive Administrator

Kansas State Board of Nursing

Laura Kelly, Governor

April 25, 2023

A public hearing will be conducted at 10:00 A.M. Monday, July 24, 2023, in Room 560 of the Landon State Office Building, 900 S.W. Jackson St., Topeka, KS to consider the adoption of proposed amended changes in one existing regulation, K.A.R. 60-2-103, relating to nursing program faculty and preceptor qualifications.

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 regulation. 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 regulation during the public hearing. Phone comments will be taken by calling 1-877-278-8686 (access code 110858) 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 regulation 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 copy of the proposed regulation 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. A summary of the proposed regulation and the economic impact follows.

**K.A.R. 60-2-103. Nursing program faculty and preceptor qualifications.** The proposed amended revision for this regulation includes an addition of preceptor qualifications for a practical nursing (PN) program. The preceptor qualifications for a PN program would include the following requirements: be licensed as a registered professional nurse in the state in which the individual is currently practicing nursing; and complete a preceptor orientation that includes information about the pedagogical aspects of the student-preceptor relationship and course information. Each nursing program shall have a written plan that includes the method of selection of preceptors, the roles of the faculty members and preceptors, and the methods of contact between faculty members and preceptors during the preceptorship. There is minimal economic impact to the Board of Nursing. Communication of the changes can be communicated to nursing programs via existing communication venues. The economic impact to PN programs and community colleges is minimal. There is no economic impact to licensees and the general public.

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**60-2-103. Nursing program faculty and preceptor qualifications.** (a) Professional nursing programs.

(1) Each nurse faculty member shall be licensed as a registered professional nurse in Kansas.

(2) Each preceptor shall meet the following requirements:

(A) Be licensed as a registered professional nurse in the state in which the individual is currently practicing nursing; and

(B) complete a preceptor orientation that includes information about the pedagogical aspects of the student-preceptor relationship and course information.

(3) Each nursing program shall have a written plan that includes the method of selection of preceptors, the roles of the faculty members and preceptors, and the methods of contact between faculty members and preceptors during the preceptorship.

(4) Each nurse faculty member shall have academic preparation and experience as follows:

(A) Each nurse faculty member who is assigned the responsibility of a course shall hold a graduate degree. Each person who is hired as a nurse faculty member shall have a graduate degree in nursing, preferably in the clinical area being taught, except for any person whose graduate degree was conferred before July 1, 2001.

(B) Each nurse faculty member responsible for clinical instruction shall possess a graduate degree or provide to the board a faculty degree plan that projects completion of a graduate degree. Each person who is hired as a nurse faculty member responsible for clinical instruction shall meet one of the following requirements:

(i) Have a graduate degree in nursing, preferably in the clinical area being taught, except for any person whose graduate degree was conferred on or before July 1, 2001; or

(ii) provide to the board a faculty degree plan that projects completion of a graduate degree in nursing.

(b) Practical nursing programs.

(1) Each nurse faculty member shall be licensed as a registered professional nurse in Kansas.

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(2) Each preceptor shall meet the following requirements:

(A) Be licensed as a registered professional nurse in the state in which the individual is currently practicing nursing; and

(B) complete a preceptor orientation that includes information about the pedagogical aspects of the student-preceptor relationship and course information.

(3) Each nursing program shall have a written plan that includes the method of selection of preceptors, the roles of the faculty members and preceptors, and the methods of contact between faculty members and preceptors during the preceptorship.

(2)(4) Each nurse faculty member shall have academic preparation and experience as follows:

(A) Each nurse faculty member who is assigned the responsibility of a course shall hold a baccalaureate degree. Each person who is hired as a nurse faculty member shall have a baccalaureate or higher degree in nursing, except for any person whose degree was conferred on or before July 1, 2001.

(B) Each nurse faculty member responsible for clinical instruction shall possess a baccalaureate degree or provide to the board a faculty degree plan that projects completion of a baccalaureate degree. Each person who is hired as a nurse faculty member responsible for clinical instruction shall meet one of the following requirements:

(i) Have a baccalaureate or higher degree in nursing, except for any person whose degree was conferred on or before July 1, 2001; or

(ii) provide to the board a faculty degree plan that projects completion of a baccalaureate or higher degree in nursing.

(c)(1) For each nursing program, each nursing program administrator shall submit to the board the following:

(A) A faculty qualification report for each faculty member newly employed. Faculty with a continuing appointment shall have an appropriate degree;

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(B) a faculty degree plan reflecting completion of the degree within six years for each instructor without the appropriate degree. Upon completion of the degree, a transcript showing completion of the nursing program shall be submitted to the board; and

(C) notification and a rationale for each faculty member who is not following the degree plan as submitted.

(2) The nursing program administrator may request a faculty hire exception to be approved by the board's professional staff, if faculty meeting the criteria specified in this regulation are not available, by providing documentation of the following:

- (A) A lack of qualified applicants;
- (B) a rationale for the need to hire the applicant;
- (C) the applicant's qualifications; and
- (D) a plan for faculty recruitment.

~~This regulation shall be effective on and after January 1, 2022.~~ (Authorized by K.S.A. 65-1129; implementing K.S.A. 65-1119; effective April 4, 1997; amended Jan. 24, 2003; amended January 1, 2022; amended P- \_\_\_\_\_.)

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## Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas State Board of Nursing  
Agency

Carol Moreland  
Agency Contact

785-296-3068  
Contact Phone Number

60-2-103  
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.

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## Section I

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

Description of qualifications needed for nursing program faculty and preceptors in both professional (RN) programs and practical (LPN) nursing programs.

## 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.)*

There are no requirements by federal law for qualifications of nursing program faculty and preceptors

## 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;

This change to allow the PN programs to utilize preceptors will enhance their ability to do business as they will not be as restricted in the clinical site because of a shortage of qualified faculty.

- 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;

There will be no implementation and compliance costs for this change for the Kansas State Board of Nursing. There should be minimal implementation and compliance costs for the PN nursing programs as the preceptors are employees of the clinical site the nursing program utilizes for clinical experiences. The clinical sites already have the employees that would be serving as preceptors.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Practical nursing programs and health care facilities in which clinical experiences occur.

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

The number of students in PN nursing programs will not be as restricted because of a shortage of clinical faculty employed by the nursing programs. If there are more graduates from the PN nursing programs, this should help the LPN shortage in Kansas.

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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;

This revised regulation originated in the Education Committee, a subcommittee of the Kansas Board of Nursing. There is representation on this committee from the PN nursing programs. The request for this revision has come from many of the PN programs in Kansas and they are getting feedback from their clinical sites this would be helpful to 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 implementation costs

Costs to Local Governmental Units – \$Not known

Costs to Members of the Public – \$Minimal to no cost

**Total Annual Costs – \$Minimal**

(sum of above amounts)

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

Click here to enter agency response.

- ☐ 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)
- ☐ No and regulation(s), did the agency hold a public hearing to find that the estimated costs
- ☒ Not Applicable 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.

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 if any

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.

Immediate and long-range economic impact is the number of students in PN nursing programs will not be restricted because of inadequate number of clinical faculty. If the PN nursing programs can admit more students, they will graduate more students and there will be more LPNs entering the

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healthcare workforce in Kansas to care for Kansas citizens. It is difficult to put a dollar amount as there needs to be qualified applicants to the PN nursing programs and individuals interested in becoming an LPN.

- 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.

Most Kansas PN programs are in community colleges. The Executive director of the Kansas Association of Community College Trustees stated there will be minimal, if any decrease of revenue for the community colleges due to the proposed revision of this regulation. It is difficult to project the impact of this on the increase in revenues.

- 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).

There was feedback from the PN nursing program administrators who had consulted with the clinical facilities at which they have clinical experiences.

## 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.

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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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