

Proposed

State Board of Technical Professions
Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10:30 a.m. Friday, April 26, at the Kansas State Board of Technical Professions, 900 SW Jackson, Ste. 507, Topeka, Kansas, 66612, to consider the adoption of proposed amendments to the rules and regulations for the education standard acceptable to the board for reciprocity applicants, the architectural experience satisfactory to the board, and the architectural experience required of a reciprocity applicant.

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 amended regulations. All interested parties may submit comments prior to the hearing to Sarah J. Easter, Deputy Director, at the Board of Technical Professions' address above, or via email to KSBTPadmin@ks.gov. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the amended 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 limit any oral presentations to ten minutes.

Copies of the amended regulations as well as the economic impact statement for each amended regulation may be obtained from the Kansas State Board of Technical Professions, 900 SW Jackson, Ste. 507, Topeka, KS, 66612, by contacting Sarah J. Easter at 785-296-4800 or by e-mailing the agency at KSBTPadmin@ks.gov.

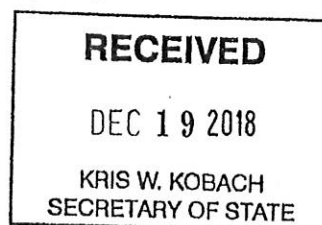
Any individual with a disability may request accommodation in order to participate in the public hearing and may request the amended regulations being considered and the economic impact statement for each in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Jessica Pierce at 785-296-3052 or at KSBTPadmin@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 on Jackson Street at the front of the building.

A summary of the amended regulations and the economic impact of each follows:

K.A.R. 66-9-7 Education standard acceptable to the board for reciprocity applicants. This regulation is revised to allow applicants for a license to practice architecture by reciprocity an alternate path to obtain licensure without obtaining certification from NCARB. The proposed amendment minimizes the cost to individuals applying for licensure as an architect by reciprocity; the current fee for NCARB certification is \$1,100.

K.A.R. 66-10-1 Architectural experience satisfactory to the board. Effective June 29, 2016 NCARB renamed the "Intern Development Program" to the "Architectural Experience Program" and reduced the number of experience hours to 3,740. This regulation is revised to remove the reference to the "Intern Development Program" and align with nationally accepted guidelines which require 3,740 experience hours. The proposed amendment minimizes the cost to individuals applying for licensure as an architect by allowing individuals to be eligible for licensure earlier in their career.

K.A.R. 66-10-3 Architectural experience required of a reciprocity applicant. This regulation is revised to allow applicants for a license to practice architecture by reciprocity an alternate path to obtain licensure without obtaining certification from NCARB. The proposed amendment minimizes the cost to individuals applying for licensure as an architect by reciprocity; the current fee for NCARB certification is \$1,100.



Sarah J. Easter
Interim Executive Director

Proposed

66-9-7. ~~Educational~~ Education standard acceptable to the board for reciprocity applicants. For purposes of K.S.A. 74-7024 and amendments thereto, the following shall apply:

(a) Each applicant for a license to practice engineering, surveying, landscape architecture, or geology by reciprocity shall be deemed to have met the ~~educational~~ education standard acceptable to the board if the applicant's educational qualifications when the original license was issued would have met the Kansas requirements in effect on that date.

(b) Each applicant for a license to practice architecture by reciprocity shall provide one of the following to the board, for the board's review and consideration for approval:

(1) Proof that the applicant's educational qualifications comply with K.A.R. 66-9-1; or

(2) proof of certification from ~~provide proof of certification by the national council of architectural registration boards (NCARB). The requirements for this certification shall be those specified in sections one through five on pages 11-15 of the "certification guidelines," published by the national council of architectural registration boards and revised January 2014. These five sections are hereby adopted by reference. (Authorized by K.S.A. 2013 2017 Supp. 74-7013, as amended by 2014 SB 349, sec. 12; implementing K.S.A. 2017 Supp. 74-7024, as amended by 2014 SB 349, sec. 18; effective Feb. 4, 2005; amended Jan. 6, 2012; amended Dec. 27, 2013; amended Sept. 26, 2014; amended P-~~

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66-10-1. Architectural experience of a character satisfactory to the board. Each applicant shall complete the intern development program (IDP) as specified on pages 9-20 in the "intern development program guidelines," dated December 2013 and published by the national council of architectural registration boards (NCARB). These pages are hereby adopted by reference. Each applicant shall provide a completed record of architectural experience prepared by the NCARB.

(a) Each applicant for a license to practice architecture by examination shall complete a structured experience program of at least 3,740 hours in the following experience areas:

- (1) In practice management, 160 hours;
- (2) in project management, 360 hours;
- (3) in programming and analysis, 260 hours;
- (4) in project planning and design, 1,080 hours;
- (5) in project development and documentation, 1,520 hours; and
- (6) in construction and evaluation, 360.

At least 1,860 of these 3,740 hours shall be completed under the supervision of an architect.

(b) Compliance with the "architectural experience program guidelines," dated May 2017 and published by the national council of architectural registration boards (NCARB), shall be prima facie evidence of satisfactory completion of the structured experience program. (Authorized by K.S.A. 2013 Supp. 74-7013, as amended by 2014 SB 349, sec. 12, and K.S.A. 74-7019, as amended by 2014 SB 349, sec. 13; implementing K.S.A. 74-7019, as amended by 2014 SB 349, sec. 13; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 13, 1995; amended March 1, 1996; amended Feb. 6, 1998; amended Feb. 9, 2001; amended Nov. 1, 2002; amended Feb. 3, 2006; amended March 28, 2008; amended Nov. 6, 2009; amended June 18, 2010; amended Jan. 6, 2012; amended Dec. 27, 2013; amended Sept. 26, 2014; amended P-_____.)

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66-10-3. Architectural experience required of a reciprocity applicant. ~~Each applicant for a license to practice architecture by reciprocity shall provide proof of certification by the national council of architectural registration boards (NCARB), for approval by the board. The requirements for this certification shall be those specified in the portions of the "certification guidelines" adopted by reference in K.A.R. 66-9-7.~~ Each applicant for a license to practice architecture by reciprocity shall provide one of the following to the board, for review and consideration for approval:

(a) Proof that the applicant's experience qualifications comply with K.A.R. 66-10-1; or

(b) proof of certification from the national council of architectural registration boards

(NCARB). (Authorized by K.S.A. 2012 2017 Supp. 74-7013; implementing K.S.A. 2017 Supp. 74-7019; effective May 1, 1984; amended May 1, 1985; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 13, 1995; amended Jan. 6, 2012; amended Dec. 27, 2013; amended P-_____.)

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

Board of Technical Professions
Agency

Shelby Lopez
Agency Contact

296.3055
Contact Phone Number

K.A.R. 66-9-7
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).

The regulation establishes the education required for a license to practice Professional Engineering, Architecture, Professional Land Surveying, Landscape Architecture, or Professional Geology by reciprocity. The current regulation requires all applicants for licensure to practice Architecture by reciprocity to obtain certification from the National Council of Architectural Registration Boards (NCARB). The Kansas State Board of Technical Professions proposes to revise the current regulation to allow applicants for a license to practice architecture by reciprocity an alternate path to obtain licensure without obtaining certification from NCARB.

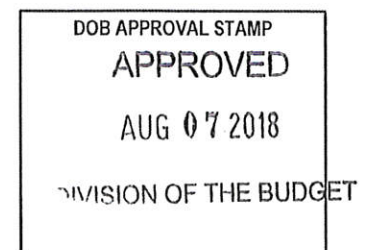
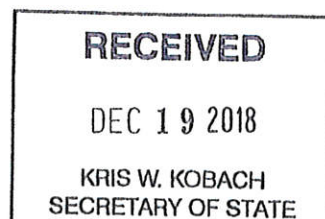
II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement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

This regulation is 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;

The KSBTP realizes that the economic impact statement requires the agency to include the economic impact on business, as a licensing and regulatory agency we are interpreting that to mean the economic impact on professionally licensed individuals. The proposed amendment reduces barriers to professional licensing by allowing individuals an alternate pathway to licensure with obtaining certification from NCARB and fosters economic growth by enhancing individual economic opportunity.



- 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 proposed amendment minimizes the cost to individuals applying for licensure as an Architect by reciprocity by allowing an alternate pathway to obtaining certification from NCARB. The current fee for NCARB certification is \$1,100.

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

The proposed amendment affects Architects already licensed in another jurisdiction who are seeking licensure in Kansas.

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

The proposed amendment reduces barriers to licensure for Architects already licensed in another jurisdiction by providing an alternate path for licensure that does not require NCARB certification.

- 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 proposed amendment minimizes the cost to individuals applying for licensure as an Architect by reciprocity by allowing an alternate path for licensure that does not require NCARB certification. The current fee for NCARB certification is \$1,100.

- 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

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.

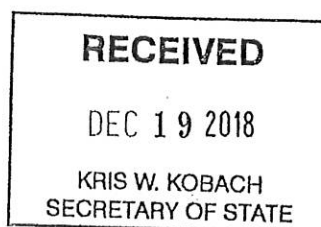
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Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

YES NO

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

There is no estimated cost.



Proposed

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.

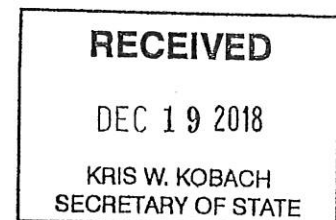
Not applicable.

- 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).

The proposed amendment has been extensively reviewed by the Board's Architect/Landscape Architect/Geologist Committee and all Board members. The Board recommended to provide an alternative pathway to licensure for Architects licensed in another jurisdiction who do not hold NCARB certification. The Board adopted this proposed amendment.

- 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.



*Kansas State Board of Technical Professions
Shelby Lopez, Executive Director*

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

K.A.R. 66-10-1

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 the Division of the Budget.

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

The regulation establishes the experience required for a license to practice Architecture. The current regulation requires applicants for licensure to complete the Intern Development Program of the National Council of Architectural Registration Boards (NCARB), which requires 5,600 experience hours. Effective June 29, 2016 NCARB renamed the Intern Development Program to the Architectural Experience Program and reduced the number of experience hours required to 3,740. The Kansas State Board of Technical Professions proposes to remove the reference to the "Intern Development Program" and align with nationally accepted guidelines which require 3,740 experience hours.

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)

The regulation is 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;

K.A.R. 66-10-1: The KSBTP realizes that the economic impact statement requires the agency to include the economic impact on business, as a licensing and regulatory agency we are interpreting that to mean the economic impact on professionally licensed individuals. The proposed amendment reduces the number of experience hours required for licensure from 5,600 to 3,740 thereby reducing barriers to professional licensing by allowing individuals to be eligible for licensure earlier in their career and enhancing individual economic opportunities.

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- 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;**

K.A.R. 66-10-1: The proposed amendment reduces barriers to licensure for Architects by reducing the number of experience hours required for licensure from 5,600 to 3,740, thereby reducing barriers to professional licensing by allowing individuals to be eligible for licensure earlier in their career and enhancing individual economic opportunities and economic growth.

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

K.A.R. 66-10-1: The proposed amendment affects Architects seeking initial licensure in Kansas.

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

K.A.R. 66-10-1: The proposed amendment reduces barriers to licensure for Architects by reducing the number of experience hours required for licensure from 5,600 to 3,740, thereby reducing barriers to professional licensing by allowing individuals to be eligible for licensure earlier in their career and enhancing individual economic opportunities and economic growth.

- 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;**

K.A.R. 66-10-1: The proposed amendment minimizes the cost to individuals applying for licensure as an Architect by allowing individuals to be eligible for licensure earlier in their career.

- 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

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\$0

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

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YES NO

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

There is no estimated cost.

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).

K.A.R. 66-10-1: The proposed amendment has been extensively reviewed by the Board's Architect/Landscape Architect/Geologist Committee and all Board members. The Board recommended to provide opportunities for individuals to be eligible for licensure as soon as they have completed the requirements of nationally accepted guidelines. The Board adopted this proposed amendment. Informal input from licensure candidates suggests that current students in Kansas' two architectural programs are considering initial licensure in other jurisdictions due to the additional 1,860 currently required for Kansas licensure.

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

Board of Technical Professions
Agency

Shelby Lopez
Agency Contact

296.3055
Contact Phone Number

K.A.R. 66-10-3
K.A.R. Number(s)

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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 establishes the experience required for a license to practice Architecture by reciprocity. The current regulation requires all applicants for licensure to practice Architecture by reciprocity to obtain certification from the National Council of Architectural Registration Boards (NCARB). The Kansas State Board of Technical Professions proposes to revise the current regulation to allow applicants for a license to practice architecture by reciprocity an alternate path to obtain licensure without obtaining certification from NCARB.

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- 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 proposed amendment minimizes the cost to individuals applying for licensure as an Architect by reciprocity by allowing an alternate pathway to obtaining certification from NCARB. The current fee for NCARB certification is \$1,100.

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

K.A.R. 66-10-3: The proposed amendment affects Architects already licensed in another jurisdiction who are seeking licensure in Kansas.

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

The proposed amendment reduces barriers to licensure for Architects already licensed in another jurisdiction by providing an alternate path for licensure that does not require NCARB certification.

- 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;**

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- 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.**

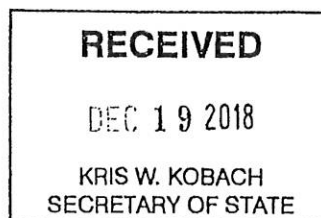
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\$0

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.

There is no estimated cost.

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.

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Not applicable.

