



**Kansas Legislative Research Department**

*Providing nonpartisan, objective research and fiscal  
analysis for the Kansas Legislature since 1934*

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July 21, 2022

**To:** Kansas Legislature

**From:** Jill Shelley, Principal Research Analyst

**Re:** Report of the July 18, 2022, Meeting of the Joint Committee on Administrative Rules and Regulations

With this report, the Joint Committee on Administrative Rules and Regulations (Committee) provides its comments on rules and regulations reviewed at its meeting of July 18, 2022. Agencies are asked to respond to each comment or request for information; responses are compiled and maintained by staff of the Kansas Legislative Research Department.

### **Department of Agriculture**

Grain warehouse: KAR 4-25-1a, definitions; KAR 4-25-2, record retention; KAR 4-25-4, revoked (was storage space, exception); KAR 4-25-5, storage liability reports; KAR 4-25-7, public warehouse receipts; form; KAR 4-25-8, scale tickets; inbound form; KAR 4-25-9, scale tickets; outbound form; KAR 4-25-10, grain bank grain; KAR 4-25-11, revoked (was allowance to licensed warehouses for the purpose of handling and storage of dry edible beans); KAR 4-25-15, revoked (was definition of 12-month period); KAR 4-25-16, fees and charges; KAR 4-25-19, licensed storage, conditional storage, and emergency storage; KAR 4-25-20, undermeasurements and overmeasurements of stored grain; KAR 4-25-21, unpaid grain contracts; KAR 4-25-22, safety of facilities; KAR 4-25-23, disciplinary actions.

The Committee had no comments.

### **Emergency Medical Services Board**

KAR 109-17-3, sponsoring organization; initial course of instruction.

The Committee had no comments.

## **State Board of Healing Arts**

KAR 100-29-7, fees; KAR 100-29-9, license and certificate renewal; continuing education; KAR 100-29-15, professional liability insurance.

The Committee asks which states allow physical therapist and physical therapist assistant licensees to submit credit hours earned online to fulfill their continuing education requirements and which of those states allow all such continuing education credit hours to be earned online.

## **Real Estate Commission**

KAR 86-1-5, fees.

The Committee had no comments.

## **Department of Health and Environment**

KAR 28-4-520, definitions; KAR 28-4-521, reporting notifiable conditions.

The Committee requests information on the demographic information collected on infants with notifiable conditions, specifically whether information on the race of the infant is collected.

The Committee requests information on the roles played by nonprofit organizations in the development of these rules and regulations and in the Kansas Birth Defects Surveillance Reporting Manual to be adopted by reference in KAR 28-4-521.

## **Board of Nursing**

KAR 60-11-101, definition of expanded role; KAR 60-11-103, licensure and educational requirements for advanced practice registered nurses; KAR 60-11-104, functions of the advanced practice registered nurse in the role of nurse practitioner; KAR 60-11-104a, prescription orders; KAR 60-11-105, functions of the advanced practice registered nurse in the role of nurse-midwife; KAR 60-11-107, functions of the advanced practice registered nurse in the role of clinical nurse specialist; KAR 60-11-113, license renewal.

The Committee requests the agency provide information regarding the differences between the definitions of “medical plan of care” and “nursing plan of care” or “nursing regimen,” a term used in the definition of “practice of nursing” in the Nurse Practice Act, and the reason the Board chose to retain “medical plan of care” in the rules and regulations.

## **Kansas Department of Wildlife and Parks**

KAR 115-1-1, definitions; KAR 115-2-1, amount of fees; KAR 115-4-11, big game and wild turkey permit applications; KAR 115-7-1, fishing; legal equipment, methods of taking, and other provisions; KAR 115-7-4, fish; processing and possession; KAR 115-9-3, purchase of lifetime hunting or lifetime combination hunting and fishing licenses without certificate of completion of an approved hunter education course; KAR 115-17-3, commercial fish bait permit; requirement, application, and general provisions.

The Committee had no comments.

KAR 115-25-9a, deer; open season, bag limit, and permits; additional considerations; military subunits; KAR 115-25-20, sandhill crane; management unit, hunting season, shooting hours, bag and possession limits, and permit validation.

The Committee had no comments.

## **Secretary of State**

KAR 7-36-7, processing advance voting ballot applications; KAR 7-36-9, signature verification for advance voting by mail.

The Committee requests any readily available information or statistics regarding numbers of ballots, or statistics by locality, cast in recent elections for which signature matching by local election officials was required, for which signatures were found to not match or were missing, and for which the signature was verified or its absence corrected.

KAR 7-43-1, revocation (was definitions); KAR 7-43-2, revocation (was registration requirements); KAR 7-43-3, revocation (was notarization requirements); KAR 7-43-4, revocation (was personal appearance requirement); KAR 7-43-5, revocation (was form of evidence of authenticity of electronic notarial act); KAR 7-43-6, revocation (was applicability of statutes); KAR 7-43-7, definitions; KAR 7-43-8, notary public commission with respect to notarial acts for electronic records and for remotely located individuals; KAR 7-43-9, course of study and examination; KAR 7-43-10, surety bond; KAR 7-43-11, fees to perform notarial acts with respect to electronic records and for remotely located individuals; KAR 7-43-12, renewal of notary public commission; KAR 7-43-13, stamping device; official stamp for a tangible record; KAR 7-43-14, official stamp for an electronic record; KAR 7-43-15, notary public's journal; KAR 7-43-16, fee for performing a notarial act; KAR 7-43-17, short form notarial certificates; statement for notarial act for a remotely located individual; KAR 7-43-18, standards for identity verification of a remotely located individual; KAR 7-43-19, security of records bearing a notarial certificate; KAR 7-43-20, notarial acts for remotely located individuals; KAR 7-43-21, notarial acts for a remotely located individual; communication technology standards; KAR 7-43-22, notarial acts for remotely located individuals; providers of communication technology;

KAR 7-43-23, record retention and repositories; KAR 7-43-24, alleged complaints and errors by notaries public.

The Committee had no comments.