



Kansas Legislative Research Department

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July 14, 2023

To: Kansas Legislature

From: Jill Shelley, Principal Research Analyst

Re: Report of the July 10, 2023, 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 on July 10, 2023. 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.

Kansas Insurance Department

KAR 40-1-54, pharmacy benefits manager; network adequacy report.

KAR 40-2-14a, revoked (was life insurance and annuities; recommendation standards); KAR 40-3-12, revoked (was fire and casualty insurance companies; rating plans; requirements); KAR 40-3-13, fire and casualty insurance companies, rating plans, duplication prohibited.

KAR 40-1-54. The Committee requests the agency provide the numbers of complaints regarding pharmacy benefit managers that were reported to the agency in the past year (or years, depending on the data available), in the detail available, and asks whether in-person complaints are recorded and included in the data.

Board of Nursing

KAR 60-2-103, nursing program faculty and preceptor qualifications.

The Committee had no comments.

Kansas State Board of Healing Arts

KAR 100-11-1, amount.

The Committee notes the agency's fee fund has been growing and recommends delaying these fee increases and addition of staff until the agency's proposed budget is reviewed via the legislative budget process.

Kansas Department of Wildlife and Parks

KAR 115-7-10, fishing; special provisions; KAR 115-18-10, importation and possession of certain wildlife; prohibition, permit requirement, and restrictions; KAR 115-25-14, fishing; creel limit, size limit, possession limit, and open season.

KAR 115-25-7, antelope; open season, bag limit, and permits; KAR 115-25-8, elk, open season, bag limit, and permits; and KAR 115-25-9, deer, open season, bag limit, and permits.

KAR 115-25-9a, deer; open season, bag limit, and permits; additional considerations; military subunits.

KAR 115-20-2, certain wildlife; legal equipment, taking methods, possession, and license requirement.

The Committee had no comments.

Board of Pharmacy

KAR 68-20-32, 8-bromo-6-(2-fluorophenyl)-1-methyl-4H-benzo [1,2,4] triazolo[4,3-a] [1,4]diazepine included in schedule I [flubromazolam].

The Committee had no comments.

Department of Transportation

KAR 36-43-1, crew requirements; exceptions.

The Committee expresses its concerns regarding the potential economic and workforce implications of this proposed rule and regulation and notes other topics such as federal preemption and public safety related to railroads appear to need further discussion. The Committee recommends the proposed rule and regulation be withdrawn at this time and this proposal be brought before the Legislature.