

## HOUSE BILL No. 2813

By Committee on Federal and State Affairs

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9 AN ACT concerning the practice of nursing; amending K.S.A. 65-1124  
10 and repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 65-1124 is hereby amended to read as follows: 65-

14 1124. No provisions of this law shall be construed as prohibiting:

15 (a) Gratuitous nursing by friends or members of the family;

16 (b) the incidental care of the sick by domestic servants or persons  
17 primarily employed as housekeepers;

18 (c) caring for the sick in accordance with tenets and practices of any  
19 church or religious denomination which teaches reliance upon spiritual  
20 means through prayer for healing;

21 (d) nursing assistance in the case of an emergency;

22 (e) the practice of nursing by students as part of a clinical course  
23 offered through a school of professional or practical nursing or program  
24 of advanced registered professional nursing approved in the United States  
25 or its territories;

26 (f) the practice of nursing in this state by legally qualified nurses of  
27 any of the other states as long as the engagement of any such nurse  
28 requires the nurse to accompany and care for a patient temporarily re-  
29 siding in this state during the period of one such engagement not to  
30 exceed six months in length, and as long as such nurses do not represent  
31 or hold themselves out as nurses licensed to practice in this state;

32 (g) the practice by any nurse who is employed by the United States  
33 government or any bureau, division or agency thereof, while in the dis-  
34 charge of official duties;

35 (h) auxiliary patient care services performed in medical care facilities,  
36 adult care homes or elsewhere by persons under the direction of a person  
37 licensed to practice medicine and surgery or a person licensed to practice  
38 dentistry or the supervision of a registered professional nurse or a licensed  
39 practical nurse;

40 (i) the administration of medications to residents of adult care homes  
41 or to patients in hospital-based long-term care units, including state op-  
42 erated institutions for the mentally retarded, by an unlicensed person who  
43 has been certified as having satisfactorily completed a training program

- 1 in medication administration approved by the secretary of health and  
2 environment and has completed the program on continuing education  
3 adopted by the secretary, or by an unlicensed person while engaged in  
4 and as a part of such training program in medication administration;
- 5 (j) the practice of mental health technology by licensed mental health  
6 technicians as authorized under the mental health technicians' licensure  
7 act;
- 8 (k) performance in the school setting of nursing procedures when  
9 delegated by a licensed professional nurse in accordance with the rules  
10 and regulations of the board;
- 11 (l) performance of attendant care services directed by or on behalf  
12 of an individual in need of in-home care as the terms "attendant care  
13 services" and "individual in need of in-home care" are defined under  
14 K.S.A. 65-6201 and amendments thereto;
- 15 (m) performance of a nursing procedure by a person when that pro-  
16 cedure is delegated by a licensed nurse, within the reasonable exercise of  
17 independent nursing judgment and is performed with reasonable skill and  
18 safety by that person under the supervision of a registered professional  
19 nurse or a licensed practical nurse;
- 20 (n) the practice of nursing by an applicant for Kansas nurse licensure  
21 in the supervised clinical portion of a refresher course;
- 22 ~~(o) the practice of nursing by graduates of approved schools of pro-~~  
23 ~~fessional or practical nursing pending the results of the first licensure~~  
24 ~~examination scheduled following such graduation but in no case to exceed~~  
25 ~~120 days, whichever comes first; or~~
- 26 ~~(p)~~ (o) the teaching of the nursing process in this state by legally  
27 qualified nurses of any of the other states while in consultation with a  
28 licensed Kansas nurse as long as such individuals do not represent or hold  
29 themselves out as nurses licensed to practice in this state.
- 30 Sec. 2. K.S.A. 65-1124 is hereby repealed.
- 31 Sec. 3. This act shall take effect and be in force from and after its  
32 publication in the statute book.