

HOUSE BILL No. 2871

By Committee on Health and Human Services

2-9

9 AN ACT concerning the board of nursing; relating to a central registry
10 of information concerning nurses; amending K.S.A. 65-1117 and re-
11 pealing the existing section.
12

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

14 New Section 1. (a) The executive administrator of the board of nurs-
15 ing shall establish and maintain a central registry of all nurses licensed
16 pursuant to article 11 of chapter 65 of the Kansas Statutes Annotated,
17 and amendments thereto. The purpose of the registry is to be a resource
18 for health care providers who employ licensed nurses when reviewing
19 employment applications of such nurses. The registry shall be made avail-
20 able only to those health care providers who employ licensed nurses.

21 (b) The administrator shall provide forms for registration and shall
22 refuse any registration not submitted on such form in full detail.

23 (c) Within 30 days of termination or resignation of employment, every
24 health care provider shall submit the name of any licensed nurse termi-
25 nated or resigned from employment and the date of such termination or
26 resignation.

27 (d) Upon request of a prospective employer, the board of nursing
28 shall release in a timely manner the following information to employers
29 of licensed nurses; the names and addresses of their previous employers
30 and the employment and termination dates for each previous employer.

31 (e) The board of nursing, any officer or employee of the board of
32 nursing, health care provider or any employee of the health care provider
33 shall be absolutely immune from civil liability:

34 (1) For the report made in accordance with subsection (d);

35 (2) when responding in writing to a written request concerning a
36 current or former nurse from a prospective health care provider of that
37 nurse for the report made in accordance with subsection (d) and for the
38 disclosure of such report; and

39 (3) for the maintenance and distribution of information in the central
40 registry.

41 (f) An employer or prospective employer shall not further disclose
42 any information received from the central registry.

43 (g) The board of nursing may adopt rules and regulations to imple-

1 ment the provisions of this section.

2 (h) As used in this section, “health care provider” has the meaning
3 ascribed thereto in K.S.A. 65-4921, and amendments thereto.

4 Sec. 2. K.S.A. 65-1117 is hereby amended to read as follows: 65-
5 1117. (a) All licenses issued under the provisions of this act, whether initial
6 or renewal, shall expire every two years. The expiration date shall be
7 established by the rules and regulations of the board. The board shall mail
8 an application for renewal of license to every registered professional nurse
9 and licensed practical nurse at least 60 days prior to the expiration date
10 of such person’s license. Every person so licensed who desires to renew
11 such license shall file with the board, on or before the date of expiration
12 of such license, a renewal application together with the prescribed bi-
13 ennial renewal fee. Every licensee who is no longer engaged in the active
14 practice of nursing may so state by affidavit and submit such affidavit with
15 the renewal application. An inactive license may be requested along with
16 payment of a fee which shall be fixed by rules and regulations of the
17 board. Except for the first renewal period following licensure by exami-
18 nation or for the first nine months following licensure by reinstatement
19 or endorsement, the board shall require every licensee with an active
20 nursing license to submit with the renewal application evidence of satis-
21 factory completion of a program of continuing nursing education required
22 by the board. The board by duly adopted rules and regulations shall es-
23 tablish the requirements for such program of continuing nursing educa-
24 tion. Continuing nursing education means learning experiences intended
25 to build upon the educational and experiential bases of the registered
26 professional and licensed practical nurse for the enhancement of practice,
27 education, administration, research or theory development to the end of
28 improving the health of the public. Upon receipt of such application,
29 payment of fee, upon receipt of the evidence of satisfactory completion
30 of the required program of continuing nursing education and upon being
31 satisfied that the applicant meets the requirements set forth in K.S.A. 65-
32 1115 or 65-1116 and amendments thereto in effect at the time of initial
33 licensure of the applicant, the board shall verify the accuracy of the ap-
34 plication and grant a renewal license.

35 (b) Any person who fails to secure a renewal license within the time
36 specified herein may secure a reinstatement of such lapsed license by
37 making verified application therefor on a form provided by the board, by
38 rules and regulations, and upon furnishing proof that the applicant is
39 competent and qualified to act as a registered professional nurse or li-
40 censed practical nurse and by satisfying all of the requirements for rein-
41 statement including payment to the board of a reinstatement fee as es-
42 tablished by the board. A reinstatement application for licensure will be
43 held awaiting completion of such documentation as may be required, but

1 such application shall not be held for a period of time in excess of that
2 specified in rules and regulations.

3 (c) *Within 30 days of initial employment, each licensee shall notify*
4 *the board in writing of the place and date of employment.* Each licensee
5 shall notify the board in writing of a change in name ~~or~~, address *or em-*
6 *ployment* within 30 days of the change. Failure to so notify the board
7 shall not constitute a defense in an action relating to failure to renew a
8 license, nor shall it constitute a defense in any other proceeding.

9 Sec. 3. K.S.A. 65-1117 is hereby repealed.

10 Sec. 4. This act shall take effect and be in force from and after Jan-
11 uary 1, 2007, and its publication in the statute book.