

## HOUSE BILL No. 2030

By Representative George

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9 AN ACT concerning institutional licenses under the Kansas healing arts  
10 act; amending K.S.A. 2006 Supp. 65-2895 and repealing the existing  
11 section.

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

14 Section 1. K.S.A. 2006 Supp. 65-2895 is hereby amended to read as  
15 follows: 65-2895. (a) There is hereby created an institutional license which  
16 may be issued by the board to a person who:

17 (1) Is a graduate of an accredited school of medicine or osteopathic  
18 medicine or a school which has been in operation for not less than 15  
19 years and the graduates of which have been licensed in another state or  
20 states which have standards similar to Kansas;

21 (2) has completed at least two years in a postgraduate training pro-  
22 gram in the United States approved by the board; and

23 (3) who is employed as provided in this section.

24 (b) Subject to the restrictions of this section, the institutional license  
25 shall confer upon the holder the right and privilege to practice medicine  
26 and surgery and shall obligate the holder to comply with all requirements  
27 of such license.

28 (c) The practice privileges of institutional license holders are re-  
29 stricted and shall be valid only during the period in which:

30 (1) The holder is employed by any institution within the department  
31 of social and rehabilitation services, *employed by or working for a Kansas*  
32 *licensed community mental health center or one of its contracted affiliates*  
33 *located in an area of the state identified as a federal health professional*  
34 *shortage area*, employed by any institution within the department of cor-  
35 rections or employed pursuant to a contract entered into by the depart-  
36 ment of social and rehabilitation services or the department of corrections  
37 with a third party, and only within the institution to which the holder is  
38 assigned; *or*

39 (2) ~~the holder has been employed for at least three years as described~~  
40 ~~in subsection (c)(1) and~~ is employed to provide mental health services in  
41 the employ of a Kansas licensed community mental health center, or one  
42 of its contracted affiliates, or a federal, state, county or municipal agency,  
43 or other political subdivision, or a contractor of a federal, state, county or

1 municipal agency, or other political subdivision, or a duly chartered ed-  
2 ucational institution, or a medical care facility licensed under K.S.A. 65-  
3 425 et seq. and amendments thereto, in a psychiatric hospital licensed  
4 under K.S.A. 75-3307b and amendments thereto, or a contractor of such  
5 educational institution, medical care facility or psychiatric hospital, and  
6 whose practice, in any such employment, is limited to providing mental  
7 health services, is a part of the duties of such licensee's paid position and  
8 is performed solely on behalf of the employer; or

9 (3) the holder has been employed for at least three years as described  
10 in subsection (c)(1) and is providing mental health services pursuant to a  
11 written protocol with a person who holds a license to practice medicine  
12 and surgery other than an institutional license.

13 (d) An institutional license shall be valid for a period of two years  
14 after the date of issuance and may be renewed for additional two-year  
15 periods if the applicant for renewal meets the requirements under sub-  
16 section (c) of this section, has submitted an application for renewal on a  
17 form provided by the board, has paid the renewal fee established by rules  
18 and regulations of the board of not to exceed \$500 and has submitted  
19 evidence of satisfactory completion of a program of continuing education  
20 required by the board. In addition, an applicant for renewal who is em-  
21 ployed as described in subsection (c)(1) shall submit with the application  
22 for renewal a recommendation that the institutional license be renewed  
23 signed by the superintendent of the institution to which the institutional  
24 license holder is assigned *or by the executive director of the community*  
25 *mental health center or one of its contracted affiliates which employs the*  
26 *institutional license holder.*

27 (e) Nothing in this section shall prohibit any person who was issued  
28 an institutional license prior to the effective date of this act from having  
29 the institutional license reinstated by the board if the person meets the  
30 requirements for an institutional license described in subsection (a).

31 (f) This section shall be a part of and supplemental to the Kansas  
32 healing arts act.

33 Sec. 2. K.S.A. 2006 Supp. 65-2895 is hereby repealed.

34 Sec. 3. This act shall take effect and be in force from and after its  
35 publication in the statute book.