

Approved 3-19-90  
Date sh

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Marvin L. Littlejohn at  
Chairperson

1:50 /~~a.m.~~/p.m. on March 12, 1990 in room 423-S of the Capitol.

All members were present except:

Representative Shallenburger, Representative Flower, both excused

Committee staff present:

Emalene Correll, Research  
Bill Wolff, Research  
Sue Hill, Committee Secretary

Conferees appearing before the committee:

Chairman called meeting to order when quorum was present at 1:50 p.m.

**HB 3003.** Chair noted the Department on Aging and Department of Health/Environment have requested discussion and committee action be delayed on HB 3003. Chair has agreed to do so.

**HCR 5056.** Chair drew attention to HCR 5056 which would designate March as Developmental Disabilities Awareness Month. Chair asked wishes of members. Rep. Weimer moved to adopt HCR 5056 favorably, seconded by Rep. Scott, motion carried.

Chair drew attention to minutes of March 2, and March 5th. Rep. Amos noted page 2 of minutes on March 2, read minutes being approved for March 20, 21, 22, 26th, should read February 20, 21, 22, 26th. He then moved to approve minutes for March 2nd with these corrections made, and also to approve minutes as written for March 5th, 1990. Motion seconded by Rep. Wiard, motion carried.

**HB 3022.**

Chair drew attention to HB 3022, and recognized Rep. Branson who offered amendments. Rep. Branson explained amendments shown in (Attachment No. 1). These have been proposed by the Kansas State Nurses Association, and agreed upon by Kansas Hospital Association, Kansas Organization of Nurse Executives, Kansas Association of Hospital Education Coordinators. Rep. Branson outlined changes indicated in Attachment. Chair requested these amendments be acted upon separately. At this point, Chair asked if anyone present representing various groups could state their position on proposed amendments.

Tom Bell, Kansas Hospital Association said their Association is in agreement with these amendments.

Terri Roberts, Kansas State Nurses Association said their Association is in agreement with proposed amendments.

There was no one present from Organization of Nurse Executives. There was no one present from Association of Hospital Education Coordinators.

Rep. Branson then detailed amendments, i.e., changes in fees indicated on Page 3, Sec. 3. Rep. Weimer moved to amend HB 3022 by accepting proposed fee changes detailed by Rep. Branson, and indicated on Page 3, Sec. 3, shown in Attachment No. 1. Motion seconded by Rep. Amos. There was a discussion in regard to fees requested, which at present are at the maximum allowed. Pat Johnson, Acting Director of Kansas Board of Nursing was asked if they were aware of proposed amendments, she responded not until she came into committee room

CONTINUATION SHEET

MINUTES OF THE HOUSE \_\_\_\_\_ COMMITTEE ON \_\_\_\_\_ PUBLIC HEALTH AND WELFARE \_\_\_\_\_,  
room 423-S Statehouse, at 1:50 a.m./p.m. on March 12, \_\_\_\_\_, 1990

HB 3022, Discussion/action continued.

today. She also indicated the fee changes proposed in amendments would not affect them, since they were looking into future years so they wouldn't have to come before the Legislature again soon to ask to have caps raised. However, if they are not permitted increases requested this year, it will not have an adverse effect on their operation. It was noted the Board has currently reached maximums on fees however. Vote taken, motion carried.

Chair and Rep. Branson indicated further amendments on HB 3022 are indicated on Page 6, to delete lines 6-21. Rep. Sader moved to accept these proposed changes on Page 6, seconded by Rep. Cribbs. Discussion ensued, in regard to site visits by a Board member in Continuing Education Classes. Vote taken, motion carried.

Staff drew attention to Page 4, Sub. (c). It had been earlier discussed this should be eliminated. Rep. Branson moved to strike lines 2 and 3 in Sub. (c) Page 4, of HB 3022, seconded by Rep. Wiard, motion carried.

Further discussion in regard to "moral turpitude". It was the consensus this language might be deleted to conform with other language changes being made in statutes recently. Rep. Branson moved to amend HB 3022 further on Page 7, line 14 and 15, after the word "trust" insert a period, and strike rest of lines 14 and 15. Motion seconded by Rep. Shumway. Motion carried.

On the bill as a whole, Rep. Branson moved to pass HB 3022 favorably as amended, seconded by Rep. Wells, motion carried.

Chair announced there would be no committee meeting tomorrow, but on Wednesday there would be a full agenda.

Meeting adjourned.



1 prescribe. Each written examination may be supplemented by an  
 2 oral or practical examination. Upon successfully passing such ex-  
 3 aminations, the board shall issue to the applicant a license to practice  
 4 as a licensed practical nurse. (2) *Without examination.* The board  
 5 may issue a license to practice as a licensed practical nurse without  
 6 examination to any applicant who has been duly licensed or regis-  
 7 tered by examination as a licensed practical nurse or a person entitled  
 8 to perform similar services under a different title under the laws of  
 9 any other state, territory or foreign country if, in the opinion of the  
 10 board, the applicant meets the requirements for licensed practical  
 11 nurses in this state. (3) A licensed practical nurse licensed under  
 12 the provisions of this act shall be eligible for renewal licenses upon  
 13 compliance with K.S.A. 65-1117 and any amendments thereto.

14 (c) *Title and abbreviation.* Any person who holds a license to  
 15 practice as a licensed practical nurse in this state shall have the right  
 16 to use the title, "licensed practical nurse," and the abbreviation,  
 17 "L.P.N." No other person shall assume such title or use such ab-  
 18 breviation or any other words, letters, signs or figures to indicate  
 19 that the person using the same is a licensed practical nurse.

20 (d) *Temporary permit.* The board may issue a temporary permit  
 21 to practice nursing as a licensed practical nurse for a period of not  
 22 more than 60 days, *except that the board may issue a temporary*  
 23 *permit to practice nursing as a licensed practical nurse for a period*  
 24 *of not to exceed 180 days to an applicant for a license as a licensed*  
 25 *practical nurse who is enrolled in a refresher course required by*  
 26 *the board for reinstatement of a license which has lapsed for more*  
 27 *than five years or for licensure in this state from another state if*  
 28 *the applicant has not been engaged in practice of nursing for five*  
 29 *years preceding application. The 180 day temporary permit may be*  
 30 *renewed by the board for one additional period of not to exceed*  
 31 *180 days.*

32 Sec. 3. K.S.A. 65-1118a is hereby amended to read as follows:  
 33 65-1118a. (a) The board shall collect ~~in advance~~ fees provided for  
 34 in this act as fixed by the board, but not exceeding:

35	Application for accreditation — schools of nursing .....	\$700.00	<del>3,7500</del>	} \$1000.00	
36	Biennial renewal of accreditation — schools of nursing .....	300.00	<del>1,000</del>		500.00
37	Application for approval of continuing education providers ....	200.00	<del>400</del>		200.00
38	Biennial Annual fee for renewal of approval of continuing education				
39	providers.....	100.00	<del>150</del>		75.00
40	Approval of single continuing education offerings .....	25.00	<del>100</del>		25.00
41	Consultation by request, not to exceed per day on site .....	300.00	<del>600</del>	400.00	

Amend as follows:

42 (b) In addition to the above prescribed fees, consultants' travel  
 43 expenses shall be charged to the person, firm, corporation or insti-

SUPPORTED BY:

- KANSAS HOSPITAL ASSOCIATION
- KANSAS ORGANIZATION OF NURSE EXECUTIVES
- KANSAS STATE NURSES' ASSOCIATION
- KANSAS ASSOCIATION OF HOSPITAL EDUCATION COORDINATORS

*P. Kelly*  
*3-12-90*  
*Attn #1*

1 with an annual report for the previous fiscal year. Applications for  
2 renewal as an approved provider of continuing education offerings  
3 and annual reports shall be made in writing on forms supplied by  
4 the board and shall be submitted to the board together with the  
5 application fee fixed by the board.

6 ~~(2) - Survey of continuing education providers. As deemed nec-~~  
7 ~~essary by the board, a survey of the continuing education provider~~  
8 ~~shall be made by an authorized employee of the board or members~~  
9 ~~of the board, who shall submit a written report of the survey to~~  
10 ~~the board. From time to time, as determined by the board, it shall~~  
11 ~~cause to be made a resurvey of continuing education providers and~~  
12 ~~written reports of such resurveys submitted to the board. If the~~  
13 ~~board determines that any continuing education provider is not main-~~  
14 ~~taining the standards required by this act and by rules and regu-~~  
15 ~~lations prescribed by the board, notice thereof in writing, specifying~~  
16 ~~the failures of such continuing education provider, shall be given~~  
17 ~~immediately to the continuing education provider. A continuing ed-~~  
18 ~~ucation provider which fails to correct such conditions to the sat-~~  
19 ~~isfaction of the board within a reasonable time shall be removed~~  
20 ~~from the list of approved providers of continuing education until~~  
21 ~~such time as the provider shall comply with the standards.~~

22 (f) Criteria for evaluating out-of-state schools. For the purpose  
23 of determining whether an applicant for licensure who is a graduate  
24 of a school of professional or practical nursing located outside this  
25 state meets the requirements of item (2) of subsection (a) of K.S.A.  
26 65-1115 and amendments thereto or the requirements of item (2) of  
27 subsection (a) of K.S.A. 65-1116 and amendments thereto, as ap-  
28 propriate, the board by rules and regulations shall establish criteria  
29 for determining whether a particular school of professional nursing  
30 located outside this state maintains standards which are at least equal  
31 to schools of professional nursing which are accredited by the board  
32 and whether a particular school of practical nursing located outside  
33 this state maintains standards which are at least equal to schools of  
34 practical nursing which are accredited by the board. The board may  
35 send a questionnaire developed by the board to any school of profes-  
36 sional or practical nursing located outside this state for which the  
37 board does not have sufficient information to determine whether the  
38 school meets the standards established under this subsection (f). The  
39 questionnaire providing the necessary information shall be completed  
40 and returned to the board in order for the school to be considered  
41 for approval. The board may contract with investigative agencies,  
42 commissions or consultants to assist the board in obtaining infor-  
43 mation about schools. In entering such contracts the authority to

Delete Lines 6-21

Deletion of this section was supported by:

- Kansas Hospital Association
- Kansas Organization of Nurse Executives
- Kansas State Nurses' Associatic
- Kansas Association of Nursing Continuing Education Providers
- C.F. Menninger Memorial Hospita Continuing Education Divisi
- Kansas Association of Hospital Education Coordinators

*PHed*  
*3-12-90*  
*Attn #1.*  
*Pg. 2.*