

Approved: 2-23-99
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE.

The meeting was called to order by Chairperson Sandy Praeger at 10:00 a.m. on February 18, 1999 in Room 526-S of the Capitol.

All members were present except:

Committee staff present: Emalene Correll, Legislative Research Department
Norman Furse, Revisor of Statutes
JoAnn Bunten, Committee Secretary

Conferees appearing before the committee:

Representative Becky Hutchins
Norma J. Fox

Others attending: See attached list

Continued Hearing and Action on: SB 110 - Requirements for an exempt license for board of nursing

Representative Becky Hutchins testified before the Committee in support of **SB 110**, passage of which would end the current requirement that applicants (registered professional nurses, licensed practical nurses, advanced registered nurse practitioners and mental health technicians) be a charitable health care provider when applying for an exempt license. (Attachment 1)

Also speaking in support of the bill was Norma J. Fox, R.N. (Inactive status) who noted that at present to apply for an exempt license, one must become a charitable health care provider, but to become a charitable health care provider, one must have an exempt or regular license. Ms. Fox gave her personal background history as a counselor for developmentally disabled adults for the Committee to explain her interest in the bill as noted in her written testimony. (Attachment 2)

Staff briefed the Committee on a balloon of the bill showing amendments from the Board of Nursing that would allow the Board to issue an exempt license to a person who is not regularly engaged in the practice of professional nursing, etc, but volunteers such services. (Attachment 3)

After Committee discussion on amendments to the bill, Senator Becker made a motion the Committee adopt the balloon amendments to the bill, seconded by Senator Salmans. The motion carried.

Senator Becker made a motion that the Committee recommend SB 110 as amended favorably for passage, seconded by Senator Hardenburger. The motion carried.

Action on: SB 106 - Emergency medical trauma board

Staff briefed the Committee on balloon amendments to **SB 106** which were recommendations from a subcommittee composed of Senators Salmans and Steineger. Members of the Committee reviewed the proposed amendments and further recommendations were added as shown in the balloon of the bill. (Attachment 4)

Senator Salmans made a motion the Committee adopt the balloon amendments to the bill with conceptual changes by staff, seconded by Senator Hardenburger. The motion carried.

Senator Lee made a motion the Committee recommend SB 106 as amended favorably for passage, seconded by Senator Becker. The motion carried.

Continued Action on: SB 190 -Healing Arts licenses expiration date and fees

Staff noted that an amendment was made to **SB 190** at the February 15th meeting to strike all references to "annual" in the bill as well as action taken by the Committee by striking the word "annual" in **SB 194** to

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE, Room 526-S, Statehouse, at 10:00 a.m. on February 18, 1999.

conform with the language and policy in **SB 190**. Staff also briefed the Committee on an amendment offered by Senator Salmans relating to protocols established by a psychiatrist. (Attachment 5)

After Committee discussion, Senator Salmans made a motion the Committee adopt the proposed amendments, seconded by Senator Langworthy. The motion carried.

Senator Becker made a motion the Committee recommend **SB 190 as amended** favorably for passage, seconded by Senator Salmans. The motion carried.

Action on: SB 232 - Establishing a task force on long-term care services

After discussion by Committee and staff on changing the composition and duties of the task force, Senator Lee made a motion the Committee adopt the conceptual amendments, and that the Committee recommend **SB 232 as amended** favorably for passage, seconded by Senator Becker. The motion carried.

Adjournment

The meeting was adjourned at 11:00 a.m.

The next meeting is scheduled for February 22, 1999.

SENATE PUBLIC HEALTH AND WELFARE COMMITTEE GUEST LIST

DATE: 2-18-99

NAME	REPRESENTING
Norma Fox	Self & Retired Nurses
KEITH R LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
Ruth Guttman	Health Midwest
Rep. Becky Hutchinson	50 th Dist
Cory Robbins	Ks Optometric Assn
Tom Bell	KS - Hosp. Assn.
Sarah Tidwell	KS - Bd of Nursing
Heather Arndt	ESU Nursing Student
Katy Allen	ESU Nursing Student
Samantha Sabares	ESU Nursing Student
Marc Slavin	ESU Nursing Student
Phillip Stadler	ESU NU Student
Pat Johnson	Bd of Nsg.
Jim Berger	
Jenny Pearson	Pratt Regional Medical Center
Larry Luning	Bd of Hearing Act.

STATE OF KANSAS



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

MEMBER: AGRICULTURE
ENVIRONMENT
HEALTH AND HUMAN SERVICES
JOINT COMMITTEE ON HEALTH CARE
REFORM LEGISLATIVE OVERSIGHT

BECKY HUTCHINS
REPRESENTATIVE, FIFTIETH DISTRICT
JACKSON AND SHAWNEE COUNTIES
700 WYOMING
HOLTON, KANSAS 66436
(913) 364-2612

ROOM 427-S
STATE CAPITOL
TOPEKA, KANSAS 66612-1504
(913) 296-7698

February 18, 1999

To: Madam Chairman, Members of Senate Public Health & Welfare Committee

Subject: Senate Bill 110

Thank you for this opportunity to come before you today in support of SB 110.

This issue first was brought to my attention by a constituent of mine, Norma Fox. Ms. Fox is a retired registered nurse who had acted as Camp Nurse at White Memorial Camp for the Developmentally Disabled Adult Camp in 1995, 1996 and 1997.

In 1997 the Kansas Legislature passed a bill authorizing an exempt license for registered nurses to do volunteer work without having to acquire continuing education units for licensures. This piece of legislation would make available a valuable resource of retired nurses who are on inactive status.

Ms. Fox planned to act as camp nurse in 1998 but was unable to get her exempt license after repeated attempts with the Kansas State Board of Nursing.

This past summer the Health Care Reform Legislative Oversight Committee reviewed the letter I received from Ms. Fox. At the August 31 meeting, Ms. Johnson, executive director of the Board of Nursing, stated that no exempt licenses had been issued since passage of the 1997 bill.

One obstacle that may be preventing exempt licenses being issued may be due to the Board of Nursing's interpretation of the statute to require an applicant for an exempt license to be registered with the Secretary of Health and Environment as a charitable care provider. This interpretation places the applicant for an exempt license in a "catch 22" situation since he or she could not be registered as a charitable health care provider if not the holder of a valid license to practice. I do not feel the Board's interpretation of the statute reflects the intent of the Legislature. However, the Board's interpretation may reflect the literal reading of the statute. Under current qualifications for an exempt license set out in the Nurse Practice Act, my constituent, Ms. Fox, would not qualify unless the persons attending the camp qualified as medically indigent or are receiving assistance under Medicaid or MediKan.

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Attachment No. 1

Following the October meeting, the Health Care Reform Oversight Committee requested a bill (SB 110) amending the Kansas Nurse Practice Act.

I feel that passage of SB 110 would address this so called "catch 22" situation and enable Ms. Fox and others to qualify for an exempt license.

Thank you.

Becky Hutchins

Becky Hutchins
Representative Fiftieth District

The Honorable Senator Sandy Praeger
Members of the Public Health and Welfare Committee

Date: February 18, 1999

Re: SB 110

Thank you for allowing me to testify on SB 110. I would like the Public Health and Welfare committee to change the language as proposed in SB 110.

First a little history to explain my interest in this bill. A week or so before I had planned to work one week as a counselor for developmentally disabled adults at White Memorial Camp, United Church of Christ Camp in Council Grove, the nurse who had volunteered to be the camp nurse that week was inducted into the army. I had converted my license to Inactive status, but my active license was still in force for another month. The camp would be canceled if I was unable to take over as camp nurse. Though it was not in my area of expertise, which was Operating Room Nursing, I prepared the best I could. Then I re-activated my license and was a camp nurse for one week in 1996 and again in 1997.

The difficulty in acquiring nurses for the camp, is what spurred my interest in the exempt license. When I was working full time as at nursing, I very much needed my vacation to be just that, a vacation, a complete rest of my mind and body from nursing. I am not surprised that it is difficult to find volunteer nurses. Yet there is an untapped reservoir of retired nurses out there, who surely would wish to fill some of these needs.

At present to apply for an exempt license, one must become a charitable health care provider, but to become a charitable health care provider one must have an exempt or regular license. I understand that no exempt licenses have been issued.

In regard to the Board of Nursing's objection, based on the comparison of the settings in which physicians practice as opposed to the settings in which nurses practice, I find that less relevant when considering a practice limited to charitable work on an exempt license. Those who wish to be truly mobile, and/or work for compensation will want to keep up their license.

If the proposed change is adopted, then the Board of Nursing has done its job by making Available the exempt license. The requirement to become a charitable provider for some agencies then is the responsibility of the nurse.

The Board of Nursing felt there was not a clear definition between what constitutes volunteer and regular paid positions. I think the exempt law for physicians does not spell this out either, but if that is necessary there certainly ways to handle this. Perhaps an agency using volunteer nurses would be required to fill out a form, attesting to the type of unremunerated service the particular nurse was providing, and send this to the Board of Nursing. Or there could be a clarification added to the bill which defines clearly, but more broadly what constitutes volunteer nursing under an exempt license. For instance:

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The

80 board ~~may~~ **will** issue an exempt license to a person and who is not regularly
81 engaged in the practice of professional nursing in Kansas ~~but is a chari-~~
82 ~~table health care provider as defined by K.S.A. 75-6102 and amendments~~
83 ~~thereto~~ **and receives no payment or other considerations for such services, excepting**
travel expenses. Such services, under an exempt license may be provided only to agencies of
state or local government, an organization organized under provisions of 501c or affiliated
with a religious, fraternal or benevolent organization. The agency, the 501c organization, the
religious organization, the fraternal organization or benevolent organization will provide a
description of the services desired, including duration to the Board on a form provided by the
Board.

Another problem that was mentioned was that a nurse would not be covered under the Kansas Tort Claims Act. When I was working, it was always considered wise to check on your employer's coverage and perhaps carry your own malpractice insurance, or make the decision to go without coverage.. I think that advice could still be issued to nurses. Malpractice insurance for nurses is usually not very expensive. It is not the Board of Nursing's responsibility to protect nurses from mal-practice claims.

When I asked for an application for exempt license, I received the form , along with a letter telling me I did not qualify. However, since 99% of the developmentally disabled adults were from group homes and carried medical cards, I think I do qualify. Since I am a nurse on inactive status, the way the law reads now, I am in a catch 22, in that I would have to get my 30 hours of continuing education in interesting but unrelated subjects and a regular professional license, at a cost to me of at least \$300 in order to become a charitable provider so that I could get an exempt license which I then would not need.

Thank You

Norma J. Fox, R.N. [Inactive Status]
5949 NW 35th St.
Topeka, KS 66618
Phone: 286-3343
email: lairfox@aol.com

I am available for questions.

1 of the applicant's licensure status shall be required from the original state
2 of licensure.

3 (3) *Refresher course.* Notwithstanding the provisions of subsections
4 (a) and (b), an applicant for a license to practice as a registered profes-
5 sional nurse who has not been licensed to practice professional nursing
6 for five years preceding application shall be required to successfully com-
7 plete a refresher course as defined by the board.

8 (4) *Renewal license.* A licensed professional nurse licensed under this
9 act shall be eligible for renewal licenses upon compliance with K.S.A. 65-
10 1117 and amendments thereto.

11 (5) *Repeated examination failure.* Persons who are unsuccessful in
12 passing the licensure examination within 24 months after graduation shall
13 petition the board for permission prior to subsequent attempts. The board
14 may require the applicant to submit and complete a plan of study related
15 to deficiencies identified on the failed examination profiles prior to taking
16 the licensure examination a subsequent time.

17 (6) An application for initial licensure or endorsement will be held
18 awaiting completion of meeting qualifications for a time period specified
19 in rules and regulations.

20 (d) *Title and abbreviation.* Any person who holds a license to practice
21 as a registered professional nurse in this state shall have the right to use
22 the title, "registered nurse," and the abbreviation, "R.N." No other per-
23 son shall assume the title or use the abbreviation or any other words,
24 letters, signs or figures to indicate that the person is a registered profes-
25 sional nurse.

26 (e) *Temporary permit.* The board may issue a temporary permit to
27 practice nursing as a registered professional nurse for a period not to
28 exceed 120 days. A temporary permit for 120 days may be issued to an
29 applicant for licensure as a registered professional nurse who is a graduate
30 of a professional school of nursing in a foreign country after verification
31 of licensure in that foreign country and approval of educational
32 credentials.

33 (f) *Exempt license.* The board may issue an exempt license to any
34 licensee as defined in rules and regulations who makes written application
35 for such license on a form provided by the board and, who remits a fee
36 as established pursuant to K.S.A. 65-1118 and amendments thereto. ~~The~~
37 ~~board may issue an exempt license to a person and~~ who is not regularly
38 engaged in the practice of professional nursing in Kansas ~~but is a chari-~~
39 ~~table health care provider as defined by K.S.A. 75-6102 and amendments~~
40 ~~hereto.~~ Each exempt licensee shall be subject to all provisions of the
41 nurse practice act, except as otherwise provided in this subsection (f).
42 Each exempt license may be renewed biennially subject to the provisions
43 of this section. The holder of the exempt license shall not be required to

The board may issue an exempt license to any licensee as defined in rule and regulation who makes written application for such license on a form provided by the board and remits a fee as established pursuant to K.S.A. 65-1118 and amendments thereto. The board may issue an exempt license to a person who is not regularly engaged in the practice of professional nursing in Kansas but volunteers professional nursing service or is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto.

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1 (5) *Repeated examination failure.* Persons who are unsuccessful in
 2 passing the licensure examination within 24 months after graduation shall
 3 petition the board for permission prior to subsequent attempts. The board
 4 may require the applicant to submit and complete a plan of study related
 5 to deficiencies identified on the failed examination profiles prior to taking
 6 the licensure examination for a subsequent time.

7 (6) An application for initial licensure or endorsement will be held
 8 awaiting completion of meeting qualifications for a time period specified
 9 in rules and regulations.

10 (d) *Title and abbreviation.* Any person who holds a license to practice
 11 as a licensed practical nurse in this state shall have the right to use the
 12 title, "licensed practical nurse," and the abbreviation, "L.P.N." No other
 13 person shall assume the title or use the abbreviation or any other words,
 14 letters, signs or figures to indicate that the person is a licensed practical
 15 nurse.

16 (e) *Temporary permit.* The board may issue a temporary permit to
 17 practice nursing as a licensed practical nurse for a period not to exceed
 18 120 days. A temporary permit for 120 days may be issued to an applicant
 19 for licensure as a licensed practical nurse who is a graduate of a practical
 20 school of nursing in a foreign country after verification of licensure in
 21 that foreign country and approval of educational credentials.

22 (f) *Exempt license.* The board may issue an exempt license to any
 23 licensee as defined in rules and regulations who makes written application
 24 for such license on a form provided by the board and, who remits a fee
 25 as established pursuant to K.S.A. 65-1118 and amendments thereto. ~~The~~
 26 ~~board may issue an exempt license to a person and~~ who is not regularly
 27 engaged in the practice of practical nursing in Kansas ~~but is a charitable~~
 28 ~~health care provider as defined by K.S.A. 75-6102 and amendments~~
 29 ~~thereto.~~ Each exempt licensee shall be subject to all provisions of the
 30 nurse practice act, except as otherwise provided in this subsection (f).
 31 Each exempt license may be renewed biennially subject to the provisions
 32 of this section. The holder of the exempt license shall not be required to
 33 submit evidence of satisfactory completion of a program of continuing
 34 nursing education for renewal. To convert an exempt license to an active
 35 license, the exempt licensee shall meet all the requirements of subsection
 36 (c) or K.S.A. 65-1117 and amendments thereto. The board shall have
 37 authority to write rules and regulations to carry out the provisions of this
 38 section.

39 Sec. 3. K.S.A. 1998 Supp. 65-1131 is hereby amended to read as
 40 follows: 65-1131. (a) (1) *Certification.* Upon application to the board by
 any professional nurse in this state and upon satisfaction of the standards
 and requirements established by the board under K.S.A. 65-1130 and
 43 amendments thereto, the board may issue a certificate of qualification to

The board may issue an exempt license to any licensee
 as defined in rules and regulations who makes written
 application for such license on a form provided by the
 board and remits a fee as established pursuant to K.S.A.
 65-1118 and amendments thereto. The board may issue
 an exempt license to a person who is not regularly engaged
 in the practice of practical nursing in Kansas but volunteers
practical nursing service or is a charitable health care
 provider as defined by K.S.A. 75-6102 and amendments
 thereto.

1 such applicant authorizing the applicant to perform the duties of an ad-
 2 vanced registered nurse practitioner as defined by the board under K.S.A.
 3 65-1130 and amendments thereto.

4 (2) The board may issue a certificate to practice nursing as an ad-
 5 vanced registered nurse practitioner to an applicant who has been duly
 6 licensed or certified as an advanced registered nurse practitioner under
 7 the laws of another state or territory if, in the opinion of the board, the
 8 applicant meets the qualifications required of an advanced registered
 9 nurse practitioner in this state. Verification of the applicant's licensure or
 10 certification status shall be required from the original state of licensure
 11 or certification.

12 (3) An application to the board for a certificate of qualification, for a
 13 certificate of qualification with temporary permit, for renewal of a certif-
 14 icate of qualification and for reinstatement of a certificate of qualification
 15 shall be upon such form and contain such information as the board may
 16 require and shall be accompanied by a fee, to be established by rules and
 17 regulations adopted by the board, to assist in defraying the expenses in
 18 connection with the issuance of certificates of qualification as advanced
 19 registered nurse practitioners, in an amount fixed by the board under
 20 K.S.A. 65-1118 and amendments thereto.

21 (4) An application for initial certification or endorsement will be held
 22 awaiting completion of meeting qualifications for a time period specified
 23 in rules and regulations.

24 (5) The executive administrator of the board shall remit all moneys
 25 received pursuant to this section to the state treasurer as provided by
 26 K.S.A. 74-1108 and amendments thereto.

27 (b) The board may grant a one-time temporary permit to practice as
 28 an advanced registered nurse practitioner for a period of not more than
 29 180 days pending completion of the application for a certificate of
 30 qualification.

31 (c) *Exempt certificate.* The board may issue an exempt certificate to
 32 any advanced registered nurse practitioner as defined in rules and regu-
 33 lations who makes written application for such certificate on a form pro-
 34 vided by the board and, who remits a fee as established pursuant to K.S.A.
 35 65-1118 and amendments thereto. ~~The board may issue an exempt cer-~~
 36 ~~tificate to a person and who is not regularly engaged in advanced regis-~~
 37 ~~tered nurse practice in Kansas but is a charitable health care provider as~~
 38 ~~defined by K.S.A. 75-6102 and amendments thereto.~~ Each exempt ad-
 39 vanced registered nurse practitioner shall be subject to all provisions of
 40 the nurse practice act. Each exempt license may be renewed biennially
 41 subject to the provisions of this section. To convert an exempt certificate
 42 to an active certificate, the exempt advanced registered nurse practitioner
 43 shall meet all the requirements of subsection (a) or K.S.A. 65-1132 and

The board may issue an exempt certificate to any
 advanced registered nurse practitioner as defined
 in rules and regulations who makes written
 application for such certificate on a form provided
 by the board and remits a fee as established pursuant
 to K.S.A. 65-1118 and amendments thereto. The
 board may issue an exempt certificate to a person
 who is not regularly engaged in advanced registered
 nurse in Kansas **but who volunteers advanced**
registered nurse service or is a charitable health care
 provider as defined by K.S.A. 75-6102 and amendments
 thereto.

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1 amendments thereto. The board shall have authority to write rules and
2 regulations to carry out the provisions of this section.

3 Sec. 4. K.S.A. 1998 Supp. 65-4203 is hereby amended to read as
4 follows: 65-4203. (a) *Qualification.* An applicant for a license to practice
5 as a mental health technician shall:

6 (1) Have graduated from a high school accredited by the appropriate
7 legal accrediting agency or has obtained the equivalent of a high school
8 education, as determined by the state department of education;

9 (2) have satisfactorily completed an approved course of mental health
10 technology; and

11 (3) file with the board a written application for a license.

12 (b) A license to perform as a mental health technician may only be
13 issued by the board to an applicant meeting the qualifications set forth
14 in subsection (a) and who has successfully passed a written examination
15 in mental health technology as prescribed and conducted by the board.

16 (c) Persons who are unsuccessful in passing the licensure examination
17 within 24 months after graduation shall be required by the board to sub-
18 mit and complete a plan of study prior to taking the licensure examination
19 for a subsequent time.

20 (d) An application for initial licensure will be held awaiting comple-
21 tion of meeting qualifications for a time period specified in rules and
22 regulations.

23 (e) The board may issue a one-time temporary permit to practice as
24 a mental health technician for a period not to exceed 120 days when a
25 reinstatement application has been made.

26 (f) *Exempt license.* The board may issue an exempt license to any
27 licensee as defined in rules and regulations who makes written application
28 for such license on a form provided by the board and, who remits a fee
29 as established pursuant to K.S.A. 65-4208 and amendments thereto. ~~The~~
30 ~~board may issue an exempt license to a person and who is not regularly~~
31 ~~engaged in mental health technician practice in Kansas but is a charitable~~
32 ~~health care provider as defined by K.S.A. 75-6102 and amendments~~
33 ~~thereto.~~ Each exempt licensee shall be subject to all provisions of the
34 mental health technician act, except as otherwise provided in this sub-
35 section (e). Each exempt license may be renewed biennially subject to
36 the provisions of this section. The holder of the exempt license shall not
37 be required to submit evidence of satisfactory completion of a program
38 of continuing education for renewal. To convert an exempt license to an
39 active license, the exempt licensee shall meet all the requirements of
40 subsection (b) or K.S.A. 65-4205 and amendments thereto. The board
shall have authority to write rules and regulations to carry out the pro-
visions of this section.

43 (g) The board may adopt rules and regulations as necessary to ad-

The board may issue an exempt license to any licensee
as defined in rule and regulation who makes written
application for such license on a form provided by the
board and remits a fee as established pursuant to
K.S.A. 65-4208 and amendments thereto. The board
may issue an exempt license to a person who is not
regularly engaged in mental health technician practice
in Kansas **but who volunteers licensed mental health**
service or is a charitable health care provider as defined
by K.S.A. 75-6102 and amendments thereto.

SENATE BILL No. 106

By Committee on Public Health and Welfare
(By Request of the Health Care Reform
Legislative Oversight Committee)

1-21

*reflect
urban/rural
interests*

Senate Public Health & Welfare
Date: 2-18-99
Attachment No. 4

11 AN ACT concerning emergency medical and trauma services; creating a
12 board; establishing a trauma registry; amending K.S.A. 20-2801 and
13 K.S.A. 1998 Supp. 8-2106, 12-4117, 12-4214 and 12-4305 and repeal-
14 ing the existing sections.

15

, two of whom shall be

16 *Be it enacted by the Legislature of the State of Kansas:*
17 New Section 1. (a) There is hereby established the Kansas trauma
18 system board which shall be located at and attached to the Wichita branch
19 of the university of Kansas school of medicine, Wichita, Kansas.

and one of whom shall be appointed by the
governor from a list of three who shall be
nominated by the Kansas association of
osteopathic medicine

20 (b) The board shall be composed of [14] members appointed as
21 follows:

22 (1) Three members shall be persons licensed in medicine and surgery
23 appointed by the governor from a list of six who shall be nominated by
24 the Kansas medical society;

25 (2) three members shall be representatives of hospitals appointed by
26 the governor from a list of six who shall be nominated by the Kansas
27 hospital association;

two members

28 (3) [one member] shall be [a] licensed professional [nurse] specializing in
29 trauma care appointed by [the] governor from a list of two who shall be
30 nominated by [the] Kansas state nurses association;

nurses

31 [(4) one member shall be a representative of the department of trans-
32 portation appointed by the secretary thereof;]

33 (5) one member shall be a representative of the department of health
34 and environment appointed by the secretary thereof;

35 (6) one member shall be a representative of the board of emergency
36 medical services appointed by the board of emergency medical services;

37 [(7) two members shall be public members appointed by the governor.
38 One member shall be from rural Kansas. The other member shall be
39 from urban Kansas; and]

(4) two members shall be attendants as defined
in K.S.A. 65-6112 and amendments thereto who are
on the roster of an ambulance service permitted
by the board of emergency medical services, one
of whom shall be appointed by the Kansas
emergency medical services association and one of
whom shall be appointed by the Kansas emergency
medical technician association;

40 (8) two legislators, one from the house of representatives and one
41 from the senate shall be members of the board. The speaker of the house
42 shall appoint one member and the president of the senate shall appoint
43 the other member. The appointees from the legislature shall be from

(See attached)

(7) one member shall be an administrator of an ambulance service appointed by the governor from a list of ten, two nominated by the Kansas emergency medical technician association and two nominated by the Kansas emergency medical services association; and

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1 opposing political parties.

2 All members shall be residents of the state of Kansas. Appointments
3 to the board shall be made with due consideration that representation of
4 the four congressional districts of the state is ensured.

At least one member appointed under paragraphs
(4) and (7) of this subsection shall be from a
rural area.

5 (c) Of the members first appointed to the board, four shall be ap-
6 pointed for terms of one year, five for terms of two years, and five for
7 terms of three years. Thereafter, members shall be appointed for terms
8 of three years and until their successors are appointed and qualified. In
9 the case of a vacancy in the membership of the board, the vacancy shall
10 be filled for the unexpired term. All members appointed to fill vacancies
11 in the membership of the board and all members appointed to succeed
12 members appointed to the board shall be appointed in like manner as
13 that provided for the original appointment of the member succeeded.

14 (d) The board shall meet at least four times annually and at the call
15 of the chairperson or at the request of any eight members of the board.
16 At the first meeting of the board after January 1 each year, the members
17 shall elect a chairperson and a vice-chairperson who shall serve a term of
18 one year. The vice-chairperson shall exercise all of the powers of the
19 chairperson in the absence of the chairperson.

20 (e) The first person appointed by the governor to the board shall call
21 the first meeting of the board and shall serve as temporary chairperson
22 of the board until a chairperson and vice-chairperson are elected by the
23 board at such meeting.

24 (f) Members of the Kansas trauma system board attending meetings
25 of the board or attending a subcommittee of the board or other authorized
26 meeting of the board shall not be paid compensation but shall be paid
27 amounts provided in subsection (e) of K.S.A. 75-3223 and amendments
28 thereto.

29 New Sec. 2. The Kansas trauma system board shall appoint a chief
30 administrative officer. The administrator shall be in the unclassified serv-
31 ice under the Kansas civil service act and shall serve at the pleasure of
32 the board. The administrator shall administer the duties and responsibil-
33 ities of the Kansas trauma system board as directed by the board. The
34 administrator shall appoint other officers and employees as may be nec-
35 essary to carry out the functions of the board. All such officers and em-
36 ployees shall be within the classified service under the Kansas civil service
37 act.

38 New Sec. 3. The Kansas trauma system board shall:

39 (a) Develop rules and regulations necessary to carry out the provi-
40 sions of this act;

41 develop a statewide trauma system plan including the establish-
42 ment of regional trauma councils, using the 1998 Kansas EMS-Trauma
43 Systems Plan study as a guide. The board shall ensure that each council

not more restrictive than state law

6-4

1 consist of at least six members. Members of the councils shall consist of
2 persons chosen for their expertise in and commitment to emergency med-
3 ical and trauma services. Such members shall be chosen from the region
4 and include prehospital personnel, physicians, nurses and hospital per-
5 sonnel involved with the emergency medical and trauma services and a
6 representative of a county health department. The plan should:

7 (1) Maximize local and regional control over decisions relating to
8 trauma care;

9 (2) minimize bureaucracy;

10 (3) adequately protect the confidentiality of proprietary and personal
11 health information;

12 (4) promote cost effectiveness;

13 (5) encourage participation by groups affected by the system;

14 (6) emphasize medical direction and involvement at all levels of the
15 system;

16 (7) rely on accurate data as the basis for system planning and devel-
17 opment; and

18 (8) facilitate education of health care providers in trauma care;

19 (c) plan, develop and administer a trauma registry to collect and an-
20alyze data on incidence, severity and causes of trauma and other pertinent
21 information which may be used to support the board's decision-making
22 and identify needs for improved trauma care;

23 (d) provide all technical assistance to the regional councils as neces-
24 sary to implement the provisions of this act;

25 (e) collect data elements for the trauma registry that are consistent
26 with the recommendations of the American college of surgeons commit-
27 tee on trauma and centers for disease control;

28 (f) develop a phased-in implementation schedule for each component
29 of the trauma system, including the trauma registry, which considers the
30 additional burden placed on the emergency medical and trauma
31 providers;

32 (g) develop standard quality management reports to be utilized by
33 the regional trauma councils in performing their functions;

34 (h) assess the fiscal impact on all components of the trauma system,
35 and thereafter recommend other funding sources for the trauma system
36 and trauma registry;

37 (i) prepare and submit an annual budget in accordance with the pro-
38 visions of this act. Such budget shall include costs for the provision of
39 technical assistance to the regional trauma councils and the cost of de-
40 veloping and maintaining the trauma registry and analyzing and reporting
on the data collected;

41 (j) in addition to any fine or penalty charged for a moving traffic
42 violation under K.S.A. 8-2118, and amendments thereto, as defined by
43

[and those who report data to the registry

1 rules and regulations adopted under K.S.A. 8-249, and amendments
 2 thereto, there is hereby imposed on all traffic infractions classified as
 3 moving violations under chapter 8 of the Kansas Statutes Annotated, city
 4 ordinance or county resolution a \$2 surcharge to be deposited in the
 5 trauma board fund; and

6 (k) enter into contracts as deemed necessary to carry out the duties
 7 and functions of the board under this act.

8 New Sec. 4. As used in this act:

9 (a) "Administrator" means the chief administrative officer of the Kan-
 10 sas trauma system board.

11 (b) "Board" means the Kansas trauma system board.

12 (c) "Council" means one of the regional trauma councils.

13 (d) "Hospital" means a hospital as defined by K.S.A. 65-425, and
 14 amendments thereto.

15 (e) "Physician" means a person licensed by the state board of healing
 16 arts to practice medicine and surgery.

17 New Sec. 5. (a) The board shall develop and maintain a statewide
 18 trauma registry. All designated trauma centers, prehospital trauma pro-
 19 viders, designated trauma facilities and acute medical care facilities that
 20 provide any service or care to or for persons with trauma injury in this
 21 state shall collect and report to the trauma registry data and information
 22 deemed appropriate by the board, after consultation with the health care
 23 data governing board, to monitor patient outcome.

24 (b) The board is hereby authorized to collect data pertaining to all
 25 trauma care occurring in Kansas. The board shall adopt rules and regu-
 26 lations which use the most efficient, least intrusive means for collecting
 27 the trauma care data consistent with ensuring the quality, timeliness, com-
 28 pleteness and confidentiality of the trauma registry.

29 (c) Any health care provider, whether a person or institution, who
 30 reports trauma information to the registry in good faith and without mal-
 31 ice, in accordance with the requirements of this section, shall have im-
 32 munity from any liability, civil or criminal, which might otherwise be
 33 incurred or imposed in an action resulting from such report. Notwith-
 34 standing K.S.A. 60-427 and amendments thereto, there shall be no priv-
 35 ilege preventing the furnishing of such information or reports as required
 36 by this act by any health care provider. Nothing in this section shall be
 37 construed to apply to the unauthorized disclosure of confidential or priv-
 38 ileged information when such disclosure is due to gross negligence or
 39 willful misconduct.

40 (d) The information obtained by the trauma registry, including dis-
 41 cussions and activities using the information generated from the trauma
 42 registry, shall be confidential and shall not be disclosed or made public,
 43 upon subpoena or otherwise, except such information may be disclosed

*and consult with the
 data bd.*

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17

1 if:

2 (1) No person can be identified in the information to be disclosed
3 and the disclosure is for statistical purposes;

4 (2) all persons who are identifiable in the information to be disclosed
5 consent in writing to its disclosure;

6 (3) the disclosure is necessary, and only to the extent necessary, to
7 protect the public health; or

8 (4) the information to be disclosed is required in a court proceeding
9 involving child abuse and the information is disclosed *in camera*.

[and does not identify providers or facilities

10 New Sec. 6. To aid the purposes of section 1 through section 5 of
11 this act, one of the documents given to the trauma patient or responsible
12 party accompanying the trauma patient shall contain a disclosure state-
13 ment stating that nonidentifying data regarding the trauma injury and
14 trauma care may be reported to a central registry to facilitate better pre-
15 vention and care of trauma injuries.

16 New Sec. 7. Nothing in the trauma system act shall limit a patient's
17 right to choose the physician, hospital, facility, rehabilitation center, spe-
18 cialty level burn or pediatric trauma center, or other provider of health
19 care services.

[unless the local component medical society and municipality establish a trauma system

20 New Sec. 8. The statutes, rules and regulations and procedures shall
21 be consistent with the federal consolidated omnibus budget reconciliation
22 act of 1989, 42 U.S.C. § 1395cc (COBRA) and the emergency medical
23 treatment and active labor act, 42 U.S.C. § 1395dd (EMTALA).

24 New Sec. 9. (a) There is hereby established in the state treasury the
25 trauma board fund which shall be administered by the Wichita branch of
26 the University of Kansas school of medicine. All moneys received from
27 the \$2 surcharge levied on moving violations under subsection (j) of sec-
28 tion 3, and amendments thereto, for the purpose of financing the activities
29 and expenses of the trauma system board, regional trauma councils, chief
30 administrator and trauma registry, shall be deposited in the state treasury
31 and credited to the trauma board fund. All expenditures from the trauma
32 board fund shall be made in accordance with appropriation acts upon
33 warrants of the director of accounts and reports issued pursuant to vouch-
34 ers approved by the trauma system board or by a person or persons des-
35 ignated by such board.

36 (b) On or before the 10th of each month, the director of accounts
37 and reports shall transfer from the state general fund to the trauma board
38 fund established in subsection (a) interest earnings based on:

39 (1) The average daily balance of money in the trauma board fund for
the preceding month; and

40 (2) the net earnings rate of the pooled money investment portfolio
41 for the preceding month.

42 Sec. 10. K.S.A. 1998 Supp. 8-2106 is hereby amended to read as
43

1 follows: 8-2106. (a) A law enforcement officer may prepare and deliver
2 to a person a written traffic citation on a form approved by the division
3 of motor vehicles, if the law enforcement officer stops the person for a
4 violation of:

5 (1) The uniform act regulating traffic on highways, which violation is
6 a misdemeanor or a traffic infraction;

7 (2) K.S.A. 8-262, 8-2,144, 8-1599, 21-3610, 21-3610a, 21-3722, 21-
8 3724, 21-3725, 21-3728, 21-4101, 40-3104, 40-3106, 41-715, 41-724, 41-
9 727, 41-2719, 41-2720, 41-2721, 47-607, 66-1,111, 66-1,129, 66-1,139,
10 66-1,140, 66-273, 66-1314, 66-1324, 66-1325, 66-1330, 66-1331, 66-1332,
11 68-2104, 68-2106 or subsection (b) of K.S.A. 79-34,122, and amendments
12 thereto;

13 (3) K.S.A. 31-155 and amendments thereto involving transportation
14 of bottle rockets;

15 (4) K.S.A. 66-1314 or 66-1328, and amendments thereto, and any
16 rules and regulations adopted pursuant thereto;

17 (5) any rules and regulations adopted pursuant to K.S.A. 2-1212, 68-
18 2001 or 31-146, and amendments thereto;

19 (6) any rules and regulations adopted pursuant to K.S.A. 31-133 and
20 amendments thereto relating to transportation of materials or fuel; or

21 (7) K.S.A. 8-1343 through 8-1347 and amendments thereto relating
22 to the child passenger safety act; or

23 (8) K.S.A. 8-2501 through 8-2507 and amendments thereto relating
24 to the safety belt use act.

25 (b) The citation shall contain a notice to appear in court, the name
26 and address of the person, the type of vehicle the person was driving,
27 whether hazardous materials were being transported, whether an acci-
28 dent occurred, the state registration number of the person's vehicle, if
29 any, a statement whether the vehicle is a commercial vehicle, whether
30 the person is licensed to drive a commercial motor vehicle, the offense
31 or offenses charged, the time and place when and where the person shall
32 appear in court, the signature of the law enforcement officer, and any
33 other pertinent information. *The citation shall also provide for a \$2 sur-*
34 *charge to be collected if the traffic violation was a moving violation.*

35 (c) The time specified in the notice to appear shall be at least five
36 days after the alleged violation unless the person charged with the vio-
37 lation demands an earlier hearing.

38 (d) The place specified in the notice to appear shall be before a judge
39 of the district court within the county in which the offense is alleged to
40 have been committed.

41 (e) Except in the circumstances to which subsection (a) of K.S.A. 8-
42 2104, and amendments thereto, apply, in the discretion of the law en-
43 forcement officer, a person charged with a misdemeanor may give written

1 promise to appear in court by signing at least one copy of the written
2 citation prepared by the law enforcement officer, in which event the law
3 enforcement officer shall deliver a copy of the citation to the person and
4 shall not take the person into physical custody.

5 (f) When a person is charged with a traffic infraction, the notice to
6 appear shall provide a place where the person may make a written entry
7 of appearance, waive the right to a trial and plead guilty or no contest.
8 The notice to appear shall provide a space where the law enforcement
9 officer shall enter the appropriate fine specified in the uniform fine sched-
10 ular contained in K.S.A. 8-2118, and amendments thereto, for the violation
11 charged and court costs in the amount provided by law. *If the fine spec-*
12 *ified in the uniform fine schedule contained in K.S.A. 8-2118, and amend-*
13 *ments thereto, is a moving violation the law enforcement officer shall enter*
14 *the required \$2 surcharge under subsection (j) of section 3, and amend-*
15 *ments thereto.* If the notice to appear does not do so, the law enforcement
16 officer shall provide a person charged with a traffic infraction a form
17 explaining the person's right to appear and right to a trial, the person's
18 right to pay the appropriate fine and court costs prior to the appearance
19 date, and that failure to either pay such fine and court costs or appear at
20 the specified time may result in suspension of the person's driver's license.
21 The law enforcement officer shall provide the person with the address of
22 the court to which the written entry of appearance, waiver of trial, plea
23 of guilty or no contest and payment of fine and court costs shall be mailed.

24 (g) Any officer violating any of the provisions of subsection (f) is guilty
25 of misconduct in office and shall be subject to removal from office.

26 Sec. 11. K.S.A. 1998 Supp. 12-4117 is hereby amended to read as
27 follows: 12-4117. (a) On and after July 1, 1996, in each case filed in
28 municipal court charging a criminal or public offense or charging an of-
29 fense defined to be a moving violation by rules and regulations adopted
30 pursuant to K.S.A. 8-249 and amendments thereto, where there is a find-
31 ing of guilty or a plea of guilty, a plea of no contest, forfeiture of bond or
32 a diversion, a sum in an amount of \$6 \$8 shall be assessed and such
33 assessment shall be credited as follows:

34 (1) During the period commencing July 1, 1996, and ending June 30,
35 1997, \$1 to the local law enforcement training reimbursement fund es-
36 tablished pursuant to K.S.A. 74-5620 and amendments thereto, \$4 to the
37 law enforcement training center fund established pursuant to K.S.A. 74-
38 5619 and amendments thereto, \$.50 to the protection from abuse fund
39 established pursuant to K.S.A. 74-7325 and amendments thereto and \$.50
40 to the crime victims assistance fund established pursuant to K.S.A. 74-
41 7334 and amendments thereto; ~~and~~

42 (2) on and after July 1, 1997, \$1 to the local law enforcement training
43 reimbursement fund established pursuant to K.S.A. 74-5620 and amend-

1 ments thereto, \$2 to the law enforcement training center fund established
2 pursuant to K.S.A. 74-5619 and amendments thereto, \$2 to the juvenile
3 detention facilities fund established pursuant to K.S.A. 79-4803 and
4 amendments thereto to be expended for operational costs of facilities for
5 the detention of juveniles, \$.50 to the protection from abuse fund estab-
6 lished pursuant to K.S.A. 74-7325 and amendments thereto and \$.50 to
7 the crime victims assistance fund established pursuant to K.S.A. 74-7334
8 and amendments thereto; *and*

9 (3) *on and after July 1, 1999, \$2 to the trauma board fund established*
10 *pursuant to section 9, and amendments thereto.*

11 (b) The judge or clerk of the municipal court shall remit at least
12 monthly the appropriate assessments received pursuant to this section to
13 the state treasurer for deposit in the state treasury to the credit of the
14 local law enforcement training reimbursement fund, the law enforcement
15 training center fund, the juvenile detention facilities fund and the crime
16 victims assistance fund as provided in this section.

17 (c) For the purpose of determining the amount to be assessed ac-
18 cording to this section, if more than one complaint is filed in the municipal
19 court against one individual arising out of the same incident, all such
20 complaints shall be considered as one case.

21 Sec. 12. K.S.A. 1998 Supp. 12-4214 is hereby amended to read as
22 follows: 12-4214. (a) Except as provided further, when a person is charged
23 with an ordinance traffic infraction or an ordinance cigarette or tobacco
24 infraction, the notice to appear shall provide a place where the person
25 may make a written entry of appearance, waive the right to a trial and
26 plead guilty or no contest. The notice to appear shall provide a space in
27 which the law enforcement officer, except as provided in subsection (b),
28 shall enter the appropriate fine specified in the fine schedule established
29 by the municipal judge in accordance with K.S.A. 12-4305 and amend-
30 ments thereto, *and a space in which the law enforcement officer shall*
31 *enter a \$2 surcharge for traffic infractions which are moving violations,*
32 *in the case of a traffic infraction, or a fine of \$25, in the case of an*
33 *ordinance cigarette or tobacco infraction. Either the notice to appear or*
34 *a separate form provided to the person by the law enforcement officer*
35 *shall provide an explanation: (1) Of the person's right to appear and right*
36 *to trial and the person's right to pay the appropriate fine prior to the*
37 *appearance date; (2) that failure to either pay such fine or appear at the*
38 *specified time may result in issuance of a warrant for the person's arrest;*
39 *and (3) in the case of a traffic infraction, that failure to either pay such*
40 *fine or appear at the specified time may result in the suspension of the*
41 *person's driver's license. The law enforcement officer shall provide the*
42 *person with the telephone number and address of the municipal court to*
43 *which the written entry of appearance, waiver of trial, plea of guilty or*

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1 no contest and payment of fine shall be mailed.

2 (b) In lieu of the law enforcement officer entering the appropriate
3 fine for an ordinance traffic infraction, the officer may direct the person
4 charged with an ordinance traffic infraction to contact the clerk of the
5 municipal court to determine the applicable fine or provide the person
6 with a copy of the fine schedule established by the municipal judge in
7 accordance with K.S.A. 12-4305 and amendments thereto. *If the traffic*
8 *infraction violated is a moving violation and the law enforcement officer*
9 *did not fill in the \$2 surcharge, the clerk of the municipal court shall add*
10 *the \$2 surcharge to the fine to be collected.*

11 (c) When a person is charged with an ordinance cigarette or tobacco
12 infraction, the judge may require the juvenile to appear in court with a
13 parent or legal guardian.

14 (d) This section shall be a part of and supplemental to the provisions
15 of article 42 of chapter 12 of the Kansas Statutes Annotated and acts
16 amendatory thereof or supplemental thereto.

17 Sec. 13. K.S.A. 1998 Supp. 12-4305 is hereby amended to read as
18 follows: 12-4305. (a) The municipal judge shall establish a schedule of
19 fines which shall be imposed for municipal ordinance violations that are
20 classified as ordinance traffic infractions. Also, the municipal judge may
21 establish a schedule of fines which shall be imposed for the violation of
22 certain other ordinances. Any fine so established shall be within the min-
23 imum and maximum allowable fines established by ordinance for such
24 offenses by the governing body. The following traffic violations are spe-
25 cifically excluded from any schedule of fines:

- 26 (1) Reckless driving;
27 (2) driving while under the influence of alcohol or drugs, or both, or
28 driving with a blood or breath alcohol concentration of .08 or more;
29 (3) driving without a valid license issued or on a canceled, suspended
30 or revoked license;
31 (4) fleeing or attempting to elude a police officer; or
32 (5) offense comparable to those prescribed by K.S.A. 8-1602, 8-1603
33 and 8-1604 and amendments thereto.

34 (b) A person charged with the violation of an ordinance contained in
35 a schedule of fines established under subsection (a) shall, except as pro-
36 vided in subsection (c), appear at the place and time specified in the
37 notice to appear. If the person enters an appearance, waives right to trial,
38 pleads guilty or no contest, the fine shall be no greater than that specified
39 in the schedule *plus the \$2 surcharge if the traffic ordinance violated was*
40 *a moving violation.*

(c) Except as provided in subsection (c) of K.S.A. 12-4214, and
amendments thereto, prior to the time specified in the notice to appear,
43 a person charged with an ordinance cigarette or tobacco infraction or a

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1 violation of an ordinance contained in a schedule of fines established
2 under subsection (a) may enter an appearance, waive right to trial, plead
3 guilty or no contest and pay the fine for the violation as specified in the
4 schedule or in subsection (a) of K.S.A. 12-4214 and amendments thereto.
5 At the election of the person charged, such appearance, waiver, plea and
6 payment may be made by mail or in person and payment may be by
7 personal check. The complaint shall not have been complied with if a
8 check is not honored for any reason, or the fine is not paid in full prior
9 to the time specified in the notice to appear. When a person charged with
10 an ordinance cigarette or tobacco infraction or an ordinance traffic in-
11 fraction or other ordinance violation on a schedule of fines makes pay-
12 ment without executing a written waiver of right to trial and plea of guilty
13 or no contest, the payment shall be deemed such an appearance, waiver
14 of right to trial and plea of no contest.

15 The municipal judge may authorize the clerk of the municipal court or
16 some other person to accept by mail or in person such voluntary appear-
17 ance, plea of guilty or no contest and payment of the fine imposed by the
18 schedule or by subsection (a) of K.S.A. 12-4214 and amendments thereto.

19 The schedule of fines *and notice of the \$2 surcharge for moving vio-*
20 *lations of the traffic ordinance*, and persons authorized to accept such
21 pleas shall be conspicuously displayed in the office where such voluntary
22 appearance, plea of guilty and payment of fine occurs.

23 Sec. 14. K.S.A. 20-2801 is hereby amended to read as follows: 20-
24 2801. (a) At least monthly the clerk of the district court shall remit all
25 moneys payable to the state treasurer from fines, *surcharges*, penalties
26 and forfeitures to the state treasurer, and the state treasurer shall deposit
27 the same in the state treasury to the credit of the state general fund,
28 except as provided in K.S.A. 74-7336 *and section 9, and amendments*
29 *thereto*.

30 (b) In order to determine the amount of moneys available pursuant
31 to this section, the director of accounts and reports or the state treasurer,
32 whenever it is deemed necessary by either of such officers, may request
33 the clerk of the district court to provide such information as provided in
34 this section. Within 10 days of the receipt of any such request, such clerk
35 shall certify the amount of moneys collected pursuant to this section to
36 the director of accounts and reports and the state treasurer.

37 (c) This section shall not apply to municipal courts.

38 Sec. 15. K.S.A. 20-2801 and K.S.A. 1998 Supp. 8-2106, 12-4117, 12-
39 4214 and 12-4305 are hereby repealed.

40 Sec. 16. This act shall take effect and be in force from and after its
1 publication in the statute book.

Proposed Amendment to SB 190

Be amended:

On page 5, following line 39, by inserting:

"Sec. 4. K.S.A. 1998 Supp. 65-2895 is hereby amended to read as follows: 65-2895. (a) There is hereby created a designation of institutional license which may be issued by the board to a person who is a graduate of an accredited school of the healing arts or a school which has been in operation for not less than 15 years and the graduates of which have been licensed in another state or states which have standards similar to Kansas and who is employed as provided in this section. Subject to the restrictions of this section, the institutional license shall confer upon the holder the right and privilege to practice that branch of the healing arts in which the holder of the institutional license is proficient and shall obligate the holder to comply with all requirements of such license. The practice privileges of institutional license holders are restricted as follows: The institutional license shall be valid only during the period in which ~~the holder is~~: (1) The holder is employed by the department of social and rehabilitation services, employed by any institution within the department of corrections or employed pursuant to a contract entered into by the department of social and rehabilitation services or the department of corrections with a third party, and only within the institution to which the holder is assigned; ~~or~~ (2) the holder was issued an institutional

license prior to ~~the effective date of this act~~ May 8, 1997, and is employed to provide mental health services in the employ of a Kansas licensed community mental health center, or one of its contracted affiliates, or a federal, state, county or municipal agency, or other political subdivision, or a contractor of a federal, state, county or municipal agency, or other political subdivision, or a duly chartered educational institution, or a medical care facility licensed under K.S.A. 65-425 et seq, and amendments thereto, in a psychiatric hospital licensed under K.S.A. 75-3307b and amendments thereto, or a contractor of such educational institution, medical care facility or psychiatric hospital, and whose practice, in any such employment, is limited to providing mental health services, is a part of the duties of such licensee's paid position and is performed solely on behalf of the employer; or (3) the holder was issued an institutional license prior to May 8, 1997, and is providing mental health services pursuant to a written protocol with a person who holds a license to practice medicine and surgery other than an institutional license.

(b) An institutional license shall be valid for a period of two years after the date of issuance and may be renewed if the applicant for renewal is eligible to obtain an institutional license under this section, has successfully completed the examination required under subsection (a)(3) of K.S.A. 65-2873 and amendments thereto and has submitted evidence of satisfactory completion of a program of continuing education required by the board. The board shall require each applicant for renewal of an institutional license under this section to submit evidence of

satisfactory completion of a program of continuing education required by the board of licensees of the branch of the healing arts in which the applicant is proficient.

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