

SENATE BILL No. 131

By Senators Pittman, Doll and Erickson

1 AN ACT concerning certain healthcare providers; relating to the powers,
2 duties and functions thereof; providing an exemption from licensure
3 requirements for certain out-of-state physicians practicing medicine on
4 a limited basis in the state during certain sporting events; authorizing
5 the state board of healing arts to adopt rules and regulations related
6 thereto.
7

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

9 Section 1. (a) Notwithstanding any other provision of law to the
10 contrary, ~~a physician licensed in good standing to practice medicine in~~
11 ~~another state shall be exempt from the licensure requirements of the state~~
12 ~~board of healing arts while practicing medicine in this state if either of the~~
13 ~~following apply:~~

14 (1) The physician has ^{entered into} ~~a written or oral agreement~~ with a sports team
15 to provide medical care to team members and coaching staff traveling with
16 the team for a specific sporting event to take place in this state; or

17 (2) (A) the physician has been invited by a national sport governing
18 body to provide medical services to team members and coaching staff at a
19 national sport training center in this state; or
20 (B) to provide medical services at an event or competition in this state
21 that is sanctioned by a national sport governing body.

22 (b) ~~The physician's practice of medicine shall be limited to that~~
23 ~~required by the national sport governing body and such medical services~~
24 ~~provided by the physician shall be limited to those within the physician's~~
25 ~~board certification.~~

the
individual's
healthcare
profession

26 (c) ~~Nothing in this act shall be construed to permit a physician~~
exempt from state licensure requirements by the provisions of this act to:

(1) Provide medical care or consultation to any individual residing in
this state, ~~other than individuals described in subsection (a); or~~

(2) practice medicine at a licensed healthcare facility in this state.

31 (d) ~~A licensure exemption obtained pursuant to the provisions of~~
32 ~~subsection (a)(1) shall be valid while the physician is traveling with the~~
33 ~~sports team, except that no exemption shall be granted for longer than 10~~
34 ~~days in duration for each respective sporting event. A maximum of 20~~
35 ~~additional days per sporting event may be granted upon request made prior~~
36 ~~to the sporting event to the state board of healing arts, except that no~~

an out-of-state physician holding a license issued by the applicable licensing agency of another state may practice medicine on a limited basis in this state during certain sporting events, if such physician receives a sports waiver issued by the state board of healing arts. The board shall issue such a waiver within 15 days from receipt of a complete application if the physician:
(1) Submits a complete application in a manner determined by the board;
(2) holds an unrestricted license to practice medicine and surgery in another state and is not the subject of any investigation or disciplinary action by any applicable licensing agency; and
(3) has professional liability coverage for the duration of the sporting event that meets the minimum level of coverage required to practice in Kansas; and
(4) meets at least one of the following qualifications:
(A)
(and redesignate accordingly)

Any person practicing under a sports waiver issued by the state board of healing arts

:
(1) The scope of practice defined by Kansas law for such healthcare profession; and
(2) such healthcare services required under the written agreement either with a sports team for team members and coaching staff or healthcare services

Any person practicing on a sports waiver under the provisions of this section shall be subject to all rules and regulations pertaining to the practice of the licensed profession in this state and shall be considered a licensee for the purposes of the professional acts administered by the board
(d) A sports waiver issued under this section shall be valid for the time certified by the healthcare professional or national sports governing body for each respective sporting event, except that no waiver shall be valid for longer than 30 days.
(e) No individual shall be permitted to be issued more than five sports waivers in a calendar year, unless otherwise approved by the board for an extenuating, unforeseen circumstance.

1 ~~physician shall receive an exemption of more than 30 additional days in a~~
2 ~~calendar year.~~

3 ~~(e) A licensure exemption obtained pursuant to the provisions of~~
4 ~~subsection (a)(2) shall be valid during the time certified by the national~~
5 ~~sport governing body, except that no exemption shall be granted for longer~~
6 ~~than 30 days.~~

7 (f) ~~The state board of healing arts~~ may enter into agreements with the
8 medical and osteopathic licensing boards of other states to implement the
9 provisions of this act. Agreements may include, but not be limited to,
10 procedures for reporting potential medical license violations.

11 (g) ~~The state board of healing arts~~ is hereby authorized to adopt rules
12 and regulations necessary to implement the provisions of this section,
13 including, but not limited to, procedures for reporting potential medical
14 violations.

15 (h) This section shall be a part of and supplemental to article 28 of
16 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

17 Sec. 2. This act shall take effect and be in force from and after its
18 publication in the statute book.

Any individual issued a sports waiver or out of state sports team shall report to the board any potential violation of the healing arts act or other applicable practice act, including but not limited to professional incompetence or unprofessional conduct.
(g) Nothing in this section shall be construed to prohibit the board from denying an application for a sports waiver under this section if the board determines that the individual does not meet technical qualifications or that granting the application may endanger the health and safety of the public.
(h)
(and renumber subsections accordingly)

(1)

(2) Consistent with this section, the board may adopt procedures to allow other healthcare professionals licensed and regulated by the board to be issued a sports waiver to ensure patient safety.