

HOUSE BILL No. 2339

By Committee on Commerce, Labor and Economic Development

Requested by Representative Wasinger on behalf of LeadingAge Kansas

2-7

1 AN ACT concerning adult care homes; relating to enhancing adult care
2 home services; providing for adult care home workforce development
3 through scholarships for part-time nursing students; setting minimum
4 education levels for instructors at nursing schools; establishing the
5 intergenerational child care program to enhance the adult care home
6 environment by supporting adult care homes offering child care
7 services through the awarding of grants by the secretary of health and
8 environment; creating the intergenerational child care fund; authorizing
9 the secretary to administer the fund; amending K.S.A. 65-1119 and
10 K.S.A. 2024 Supp. 74-3293 and repealing the existing sections.

11

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

13 New Section 1. For purposes of sections 1 through 6, and
14 amendments thereto:

15 (a) "Adult care home" means an adult care home as defined in K.S.A.
16 39-923, and amendments thereto.

17 (b) "Secretary" means the secretary of health and environment.

18 New Sec. 2. The legislature finds that:

19 (a) There is a pressing need for innovative child care solutions to
20 address the workforce challenges faced by families in Kansas.

21 (b) Adult care homes are uniquely positioned to provide
22 intergenerational child care services that benefit the residents of an adult
23 care home, children, employees and local communities.

24 (c) Supporting adult care homes in establishing and enhancing child
25 care programs will foster collaboration across generations and contribute
26 to workforce stability.

27 (d) Providing grants to adult care homes seeking to provide child care
28 programs will help meet the need for child care in Kansas and enhance the
29 adult care home environment for residents.

30 New Sec. 3. (a) There is hereby established the intergenerational
31 child care program to provide financial assistance through grants to adult
32 care homes for the development and operation of child care programs, to
33 be administered by the secretary of health and environment.

34 (b) The purpose of the intergenerational child care program shall be
35 to:

1 (1) Assist newly licensed adult care homes in covering start-up costs
2 associated with establishing child care services; and

3 (2) support programming and operational costs for existing adult care
4 homes offering child care services.

5 (c) In consultation with stakeholders, including representatives of
6 adult care homes and their respective associations, the secretary shall
7 develop a grant application process for adult care homes seeking to
8 establish child care services. The secretary shall establish eligibility
9 criteria, application requirements, and reporting standards for grant
10 recipients. Grants shall be awarded by the secretary from the
11 intergenerational child care fund, established by section 4, and
12 amendments thereto. Grant applicants and recipients shall be limited to
13 adult care homes.

14 (d) The grant application process shall include:

15 (1) Submission by applicants of proposals detailing plans for
16 establishing, enhancing or supporting child care services provided or
17 intended to be provided by the applicant;

18 (2) demonstration by applicants of collaboration with community
19 partners, including volunteer networks and local businesses;

20 (3) demonstrated compliance by applicants with requirements or
21 criteria established by the secretary in consultation with stakeholders; and

22 (4) such other criteria, requirements or standards as may be adopted
23 by the secretary.

24 (e) The secretary shall select grant applicants with proposals that in
25 the secretary's judgment best meet the purposes of the intergenerational
26 child care program pursuant to section 2, and amendments thereto, and
27 subsection (b) and award grants to such applicants. Grants shall be
28 awarded commencing January 15, 2026. The amount of any grant shall not
29 exceed \$20,000 per recipient per fiscal year. Grants may be awarded to an
30 applicant in successive fiscal years upon an application for each year
31 approved by the secretary.

32 (f) The secretary may adopt rules and regulations as necessary to
33 implement the provisions of sections 1 through 6, and amendments
34 thereto.

35 New Sec. 4. (a) There is hereby established in the state treasury the
36 intergenerational child care fund to be administered by the secretary of
37 health and environment. All moneys credited to the intergenerational child
38 care fund shall be used by the department of health and environment for
39 grants awarded by the secretary of health and environment to adult care
40 homes pursuant to the provisions of sections 1 through 6, and amendments
41 thereto, for the purpose of providing financial assistance to adult care
42 homes for the development or operation of child care programs. All
43 expenditures from the intergenerational child care fund shall be made in

1 accordance with appropriation acts upon warrants of the director of
2 accounts and reports issued pursuant to vouchers approved by the
3 secretary of health and environment or the secretary's designee.

4 (b) (1) Subject to appropriations therefore, on July 1, 2025, and on
5 each July 1 thereafter through July 1, 2027, or as soon thereafter as
6 moneys are available, the director of accounts and reports shall transfer
7 \$1,000,000 from the state general fund to the intergenerational child care
8 fund.

9 (2) Funds remaining in the intergenerational child care fund at the
10 end of any fiscal year may be used by the secretary as provided in this
11 section in any succeeding fiscal year or years.

12 (c) The secretary may solicit, receive and expend federal or state
13 grants, awards or appropriations, private gifts, bequests, donations or
14 contributions and any other moneys authorized by law for the purpose of
15 supporting the program and the fund. The secretary shall remit all moneys
16 received pursuant to this subsection to the state treasurer in accordance
17 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
18 receipt of each such remittance, the state treasurer shall deposit the entire
19 amount in the state treasury to the credit of the intergenerational child care
20 fund.

21 New Sec. 5. (a) The secretary of health and environment shall submit
22 an annual report to the legislature describing the activities of the program
23 and grant awards in the prior 12 months and evaluating the effectiveness of
24 the program and fund in developing and supporting intergenerational child
25 care programs in adult care homes. The report shall be submitted on or
26 before January 31 of each year.

27 (b) The report shall include, but not be limited to, recommendations
28 for continuation, modification or expansion of the program or fund as the
29 secretary deems appropriate.

30 New Sec. 6. (a) The provisions of sections 1 through 6, and
31 amendments thereto, shall expire on July 1, 2028.

32 (b) On July 1, 2028, the director of accounts and reports shall transfer
33 all moneys in the intergenerational child care fund established by section
34 4, and amendments thereto, to the state general fund. On July 1, 2028, all
35 liabilities of the intergenerational child care fund shall be transferred to
36 and imposed upon the state general fund, and the intergenerational child
37 care fund shall be abolished.

38 Sec. 7. K.S.A. 65-1119 is hereby amended to read as follows: 65-
39 1119. (a) *Application for approval.* An approved school of nursing is one
40 which has been approved as such by the board as meeting the standards of
41 this act, and the rules and regulations of the board. An institution desiring
42 to conduct an approved school of professional or practical nursing shall
43 apply to the board for approval and submit satisfactory proof that it is

1 prepared to and will maintain the standards and basic professional nursing
2 curriculum or the required curriculum for practical nursing, as the case
3 may be, as prescribed by this act and by the rules and regulations of the
4 board. Applications shall be made in writing on forms supplied by the
5 board and shall be submitted to the board together with the application fee
6 fixed by the board. The approval of a school of nursing shall not exceed 10
7 years after the granting of such approval by the board. An institution
8 desiring to continue to conduct an approved school of professional or
9 practical nursing shall apply to the board for the renewal of approval and
10 submit satisfactory proof that it will maintain the standards and basic
11 professional nursing curriculum or the required curriculum for practical
12 nursing, as the case may be, as prescribed by this act and by the rules and
13 regulations of the board. Applications for renewal of approval shall be
14 made in writing on forms supplied by the board. Each school of nursing
15 shall submit annually to the board an annual fee fixed by the board by
16 rules and regulations to maintain the approval status.

17 (b) *Schools for professional nurses.* To qualify as an approved school
18 for professional nurses, the school must be conducted in the state of
19 Kansas, and shall apply to the board and submit evidence that: (1) It is
20 prepared to carry out the professional curriculum as prescribed in the rules
21 and regulations of the board; (2) *faculty possess a nursing or directly*
22 *related medical degree awarded by a state or nationally accredited school*
23 *of nursing or medical school approved by the board that is at least one*
24 *level more advanced than the degree awarded by the program in which*
25 *they are teaching. Additional or more advanced credentials for faculty*
26 *shall not be required; and—(2) (3) it is prepared to meet such other*
27 *standards as shall be established by this law and the rules and regulations*
28 *of the board.*

29 (c) *Schools for practical nurses.* To qualify as an approved school for
30 practical nurses, the school must be conducted in the state of Kansas, and
31 shall apply to the board and submit evidence that: (1) It is prepared to
32 carry out the curriculum as prescribed in the rules and regulations of the
33 board; (2) *faculty possess a nursing or directly related medical degree*
34 *awarded by a state or nationally accredited school of nursing or medical*
35 *school approved by the board that is at least one level more advanced than*
36 *the degree awarded by the program in which they are teaching. Additional*
37 *or more advanced credentials for faculty shall not be required; and—(2) (3)*
38 *it is prepared to meet such other standards as shall be established by this*
39 *law and the rules and regulations of the board.*

40 (d) *Survey.* The board shall prepare and maintain a list of approved
41 schools for both professional and practical nurses whose graduates, if they
42 have the other necessary qualifications provided in this act, shall be
43 eligible to apply for a license as a registered professional nurse or as a

1 licensed practical nurse. A survey of the institution or institutions and of
2 the schools applying for approval shall be made by an authorized
3 employee of the board or members of the board, who shall submit a
4 written report of the survey to the board. If, in the opinion of the board, the
5 requirements as prescribed by the board in its rules and regulations for an
6 approved school for professional nurses or for practical nurses are met, it
7 shall so approve the school as either a school for professional nurses or
8 practical nurses, as the case may be. The board shall resurvey approved
9 schools on a periodic basis as determined by rules and regulations. If the
10 board determines that any approved school of nursing is not maintaining
11 the standards required by this act and by rules and regulations prescribed
12 by the board, notice thereof in writing, specifying the failures of such
13 school, shall be given immediately to the school. A school which fails to
14 correct such conditions to the satisfaction of the board within a reasonable
15 time shall be removed from the list of approved schools of nursing until
16 such time as the school shall comply with the standards. All approved
17 schools shall maintain accurate and current records showing in full the
18 theoretical and practical courses given to each student.

19 (e) *Providers of continuing nursing education.* (1) To qualify as an
20 approved provider of continuing nursing education offerings, persons,
21 organizations or institutions proposing to provide such continuing nursing
22 education offerings shall apply to the board for approval and submit
23 evidence that the applicant is prepared to meet the standards and
24 requirements established by the rules and regulations of the board for such
25 continuing nursing education offerings. Initial applications shall be made
26 in writing on forms supplied by the board and shall be submitted to the
27 board together with the application fee fixed by the board.

28 (2) A long-term provider means a person, organization or institution
29 that is responsible for the development, administration and evaluation of
30 continuing nursing education programs and offerings. Qualification as a
31 long-term approved provider of continuing nursing education offerings
32 shall expire five years after the granting of such approval by the board. An
33 approved long-term provider of continuing nursing education offerings
34 shall submit annually to the board the annual fee established by rules and
35 regulations, along with an annual report for the previous fiscal year.
36 Applications for renewal as an approved long-term provider of continuing
37 nursing education offerings shall be made in writing on forms supplied by
38 the board.

39 (3) Qualification as an approved provider of a single continuing
40 nursing education offering, which may be offered once or multiple times,
41 shall expire two years after the granting of such approval by the board.
42 Approved single continuing nursing education providers shall not be
43 subject to an annual fee or annual report.

1 (4) In accordance with rules and regulations adopted by the board, the
2 board may approve individual educational offerings for continuing nursing
3 education which shall not be subject to approval under other subsections of
4 this section.

5 (5) The board shall accept offerings as approved continuing nursing
6 education presented by: Colleges that are approved by a state or the
7 national department of education and providers approved by other state
8 boards of nursing, the national league for nursing, the national federation
9 of licensed practical nurses, the American nurses credentialing center or
10 other such national organizations as listed in rules and regulations adopted
11 by the board.

12 (6) An individual designated by a provider of continuing nursing
13 education offerings as an individual responsible for CNE who has held this
14 position for the provider at least five years immediately prior to January 1,
15 1997, shall not be required to have a baccalaureate or higher academic
16 degree in order to be designated by such provider as the individual
17 responsible for CNE.

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

40 (g) The board may accept nationally accredited schools of nursing as
41 defined in rule and regulation.

42 (1) Schools of nursing which have received accreditation from a
43 board recognized national nursing accreditation agency shall file evidence

1 of initial accreditation with the board and shall file all reports from the
2 accrediting agency and any notice of any change in school accreditation
3 status. The board may grant approval based upon evidence of such
4 accreditation.

5 (2) Schools of nursing holding approval based upon national
6 accreditation are also responsible for complying with all other
7 requirements as determined by rules and regulations of the board.

8 (3) The board may grant approval to a school of nursing with national
9 accreditation for a continuing period not to exceed 10 years.

10 Sec. 8. K.S.A. 2024 Supp. 74-3293 is hereby amended to read as
11 follows: 74-3293. (a) There is hereby established the nursing service
12 scholarship program. A scholarship may be awarded under the nursing
13 service scholarship program to any qualified nursing student enrolled *part-*
14 *time or full-time* in, or admitted to, a school of nursing in a course of
15 instruction leading to licensure as a licensed professional nurse or licensed
16 practical nurse. A nursing student shall not be required to be a resident of
17 Kansas to qualify for a scholarship under the nursing service scholarship
18 program. The determination of the individuals qualified for such
19 scholarships shall be made by the executive officer. Scholarships shall be
20 awarded on a priority basis to qualified applicants who have the greatest
21 financial need. *Part-time students selected to receive a scholarship shall*
22 *be awarded a partial, prorated scholarship.*

23 (b) Scholarships awarded under the nursing service scholarship
24 program shall be awarded for the length of the course of instruction
25 leading to licensure as a licensed professional nurse or licensure as a
26 licensed practical nurse in which the student is enrolled or admitted unless
27 otherwise terminated before the expiration of such period of time.

28 (c) (1) Except as provided in paragraph (2), the amount of each
29 scholarship shall be established annually by the executive officer.

30 (2) If the nursing student has a sponsor, then the amount of the
31 scholarship for such nursing student shall not exceed the amount
32 established under paragraph (1) multiplied by 125%.

33 Sec. 9. K.S.A. 65-1119 and K.S.A. 2024 Supp. 74-3293 are hereby
34 repealed.

35 Sec. 10. This act shall take effect and be in force from and after its
36 publication in the statute book.