

## HOUSE BILL No. 2392

By Committee on Appropriations

Requested by Representative Wasinger

2-26

1 AN ACT concerning nursing workforce development; relating to nursing  
2 schools; setting maximum education levels for instructors at nursing  
3 schools as a requirement for state approval; amending K.S.A. 65-1119  
4 and repealing the existing section.  
5

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

7 Section 1. K.S.A. 65-1119 is hereby amended to read as follows: 65-  
8 1119. (a) *Application for approval.* An approved school of nursing is one  
9 ~~which~~ *that* has been approved as such by the board as meeting the  
10 standards of this act; and the rules and regulations of the board. An  
11 institution desiring to conduct an approved school of professional or  
12 practical nursing shall apply to the board for approval and submit  
13 satisfactory proof that ~~it~~ *such school* is prepared to and will maintain the  
14 standards and basic professional nursing curriculum or the required  
15 curriculum for practical nursing, as the case may be, as prescribed by this  
16 act and by the rules and regulations of the board. Applications shall be  
17 made in writing on forms supplied by the board and shall be submitted to  
18 the board together with the application fee fixed by the board. The  
19 approval of a school of nursing shall not exceed 10 years after the granting  
20 of such approval by the board. An institution desiring to continue to  
21 conduct an approved school of professional or practical nursing shall apply  
22 to the board for the renewal of approval and submit satisfactory proof that  
23 ~~it~~ *such school* will maintain the standards and basic professional nursing  
24 curriculum or the required curriculum for practical nursing, as the case  
25 may be, as prescribed by this act and by the rules and regulations of the  
26 board. Applications for renewal of approval shall be made in writing on  
27 forms supplied by the board. Each school of nursing shall submit annually  
28 to the board an annual fee fixed by the board by rules and regulations to  
29 maintain the approval status.

30 (b) *Schools for professional nurses.* To qualify as an approved school  
31 for professional nurses, the school ~~must~~ *shall* be conducted in the state of  
32 Kansas, and shall apply to the board and submit evidence that: (1) ~~It~~ *Such*  
33 *school* is prepared to carry out the professional curriculum as prescribed in  
34 the rules and regulations of the board; (2) *such school's faculty possess a*  
35 *nursing or directly related medical degree awarded by a state or*

1 *nationally accredited school of nursing or medical school approved by the*  
2 *board that is at least one level more advanced than the degree awarded by*  
3 *the program in which they are teaching. Additional or more advanced*  
4 *credentials for faculty shall not be required; and ~~(2) it~~ (3) such school is*  
5 *prepared to meet such other standards as shall be established by this law*  
6 *and the rules and regulations of the board.*

7 (c) *Schools for practical nurses.* To qualify as an approved school for  
8 practical nurses, the school ~~must~~ *shall* be conducted in the state of Kansas,  
9 and shall apply to the board and submit evidence that: (1) ~~Such school is~~  
10 prepared to carry out the curriculum as prescribed in the rules and  
11 regulations of the board; (2) *such school's faculty possess a nursing or*  
12 *directly related medical degree awarded by a state or nationally*  
13 *accredited school of nursing or medical school approved by the board that*  
14 *is at least one level more advanced than the degree awarded by the*  
15 *program in which they are teaching. Additional or more advanced*  
16 *credentials for faculty shall not be required; and ~~(2) it~~ (3) such school is*  
17 prepared to meet such other standards as shall be established by this law  
18 and the rules and regulations of the board.

19 (d) *Survey.* The board shall prepare and maintain a list of approved  
20 schools for both professional and practical nurses whose graduates, if they  
21 have the other necessary qualifications provided in this act, shall be  
22 eligible to apply for a license as a registered professional nurse or as a  
23 licensed practical nurse. A survey of the institution or institutions and of  
24 the schools applying for approval shall be made by an authorized  
25 employee of the board or members of the board, who shall submit a  
26 written report of the survey to the board. If, in the opinion of the board, the  
27 requirements as prescribed by the board in its rules and regulations for an  
28 approved school for professional nurses or for practical nurses are met, ~~it~~  
29 *the board* shall so approve the school as either a school for professional  
30 nurses or practical nurses, as the case may be. The board shall resurvey  
31 approved schools on a periodic basis as determined by rules and  
32 regulations. If the board determines that any approved school of nursing is  
33 not maintaining the standards required by this act and by rules and  
34 regulations prescribed by the board, notice thereof in writing, specifying  
35 the failures of such school, shall be given immediately to the school. A  
36 school ~~which~~ *that* fails to correct such conditions to the satisfaction of the  
37 board within a reasonable time shall be removed from the list of approved  
38 schools of nursing until such time as the school ~~shall comply~~ *complies*  
39 with the standards. All approved schools shall maintain accurate and  
40 current records showing in full the theoretical and practical courses given  
41 to each student.

42 (e) *Providers of continuing nursing education.* (1) To qualify as an  
43 approved provider of continuing nursing education offerings, persons,

1 organizations or institutions proposing to provide such continuing nursing  
2 education offerings shall apply to the board for approval and submit  
3 evidence that the applicant is prepared to meet the standards and  
4 requirements established by the rules and regulations of the board for such  
5 continuing nursing education offerings. Initial applications shall be made  
6 in writing on forms supplied by the board and shall be submitted to the  
7 board together with the application fee fixed by the board.

8 (2) ~~An~~ "approved long-term provider" means a person, organization  
9 or institution that is responsible for the development, administration and  
10 evaluation of continuing nursing education programs and offerings *and*  
11 *that has been approved as qualified by the board*. Qualification as a long-  
12 term approved provider of continuing nursing education offerings shall  
13 expire five years after the granting of such approval by the board. An  
14 approved long-term provider of continuing nursing education offerings  
15 shall submit annually to the board the annual fee established by rules and  
16 regulations, along with an annual report for the previous fiscal year.  
17 Applications for renewal as an approved long-term provider of continuing  
18 nursing education offerings shall be made in writing on forms supplied by  
19 the board.

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

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

29 (5) The board shall accept offerings as approved continuing nursing  
30 education presented by: colleges that are approved by a state or the  
31 national department of education and providers approved by other state  
32 boards of nursing, the national league for nursing, the national federation  
33 of licensed practical nurses, the American nurses credentialing center or  
34 ~~other such~~ *such other* national organizations as listed in rules and  
35 regulations adopted by the board.

36 (6) An individual designated by a provider of continuing nursing  
37 education offerings as an individual responsible for CNE who has held this  
38 position for the provider at least five years immediately prior to January 1,  
39 1997, shall not be required to have a baccalaureate or higher academic  
40 degree in order to be designated by such provider as the individual  
41 responsible for CNE.

42 (f) *Criteria for evaluating out-of-state schools*. For the purpose of  
43 determining whether an applicant for licensure who is a graduate of a

1 school of professional or practical nursing located outside this state meets  
2 the requirements of ~~item (2) of subsection (a) of~~ K.S.A. 65-1115(a)(2), and  
3 amendments thereto, or the requirements of ~~item (2) of subsection (a) of~~  
4 K.S.A. 65-1116(a)(2), and amendments thereto, as appropriate, the board  
5 by rules and regulations shall establish criteria for determining whether a  
6 particular school of professional nursing located outside this state  
7 maintains standards ~~which~~ *that* are at least equal to schools of professional  
8 nursing ~~which~~ *that* are approved by the board and whether a particular  
9 school of practical nursing located outside this state maintains standards  
10 ~~which~~ *that* are at least equal to schools of practical nursing ~~which~~ *that* are  
11 approved by the board. The board may send a questionnaire developed by  
12 the board to any school of professional or practical nursing located outside  
13 this state for which the board does not have sufficient information to  
14 determine whether the school meets the standards established under this  
15 subsection ~~(f)~~. The questionnaire providing the necessary information shall  
16 be completed and returned to the board in order for the school to be  
17 considered for approval. The board may contract with investigative  
18 agencies, commissions or consultants to assist the board in obtaining  
19 information about schools. In entering such contracts the authority to  
20 approve schools shall remain solely with the board.

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

23 (1) Schools of nursing ~~which~~ *that* have received accreditation from a  
24 board recognized national nursing accreditation agency shall file evidence  
25 of initial accreditation with the board and shall file all reports from the  
26 accrediting agency and any notice of any change in school accreditation  
27 status. The board may grant approval based upon evidence of such  
28 accreditation.

29 (2) Schools of nursing holding approval based upon national  
30 accreditation ~~are also responsible for complying~~ *shall also comply* with all  
31 other requirements as determined by rules and regulations of the board.

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

34 Sec. 2. K.S.A. 65-1119 is hereby repealed.

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