

**SENATE BILL No. 334**

By Committee on Commerce

1-15

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

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

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

29 (b) (1) *Schools for professional nurses.* To qualify as an approved  
30 school for professional nurses, the school ~~must~~ *shall* be conducted in the  
31 state of Kansas, and shall apply to the board and submit evidence that:

32 ~~(A)~~ *(A)* ~~It~~ *Such school* is prepared to carry out the professional  
33 curriculum as prescribed in the rules and regulations of the board;

34 *(B) such school's faculty possess a nursing degree awarded by a state  
35 or nationally accredited school of nursing approved by the board that is at  
36 least one level more advanced than the degree awarded by the program in*

1 *which they are teaching. Additional or more advanced credentials for*  
2 *faculty shall not be required by the board; and*

3 ~~(2)†(C)~~ *such school is prepared to meet such other standards as shall*  
4 *be established by this law and the rules and regulations of the board.*

5 *(2) The board may grant an exemption to the requirement in*  
6 *subparagraph (B) to a school facing hardships in hiring faculty.*

7 *(c) (1) Schools for practical nurses.* To qualify as an approved school  
8 for practical nurses, the school ~~must~~ *shall* be conducted in the state of  
9 Kansas, and shall apply to the board and submit evidence that:

10 ~~(1)†(A)~~ *Such school is prepared to carry out the curriculum as*  
11 *prescribed in the rules and regulations of the board;*

12 *(B) such school's faculty possess a nursing degree awarded by a state*  
13 *or nationally accredited school of nursing approved by the board that is at*  
14 *least one level more advanced than the degree awarded by the program in*  
15 *which they are teaching. Additional or more advanced credentials for*  
16 *faculty shall not be required by the board; and*

17 ~~(2)†(C)~~ *such school is prepared to meet such other standards as shall*  
18 *be established by this law and the rules and regulations of the board.*

19 *(2) The board may grant an exemption to the requirement in*  
20 *subparagraph (B) to a school facing hardships in hiring faculty.*

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

1 (e) *Providers of continuing nursing education.* (1) To qualify as an  
2 approved provider of continuing nursing education offerings, persons,  
3 organizations or institutions proposing to provide such continuing nursing  
4 education offerings shall apply to the board for approval and submit  
5 evidence that the applicant is prepared to meet the standards and  
6 requirements established by the rules and regulations of the board for such  
7 continuing nursing education offerings. Initial applications shall be made  
8 in writing on forms supplied by the board and shall be submitted to the  
9 board together with the application fee fixed by the board.

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

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

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

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

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

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

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

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

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

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

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

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