



Public Health and Welfare Committee
March 21, 2018
Testimony in Support of House Bill 2496
Carol Moreland, MSN, R.N.
Executive Administrator

Good morning Madam Chair Schmidt and members of the Public Health and Welfare Committee. My name is Carol Moreland, Executive Administrator of the Kansas State Board of Nursing (KSBN). I am here to provide testimony in support of HB 2496.

The mission of the Board of Nursing is to assure the citizens of Kansas safe and competent practice by nurses and mental health technicians through licensure and regulations of Registered Nurses, Licensed Practical Nurses, four roles of Advance Practice Registered Nurses, and Licensed Mental Health Technicians. There are eleven Board members appointed by the Governor. KSBN is the largest health care fee funded board with approximately 72,000 active licensees.

KSBN licenses RNs and LPNs to practice nursing within Kansas. Presently there are 58,034 RNs and 10,007 LPNs licensed in Kansas. If nurses licensed in Kansas wish to practice nursing in another state they must get licensed in that state. The nurse licensure compact (NLC) is the licensure model that allows registered nurses (RNs) and licensed practical nurses (LPNs) to have one multistate license, with the privilege to practice in the home state and in other NLC states physically, electronically, and/or telephonically. There are presently 29 states that are part of the NLC. Kansas is not currently in the NLC. Nurses seeking licensure in any state that is part of the NLC must meet eleven uniform licensure requirements that are designed for safety and quality of practice. HB2496 would allow Kansas to join the NLC and issue multi-state licenses for RNs and LPNs. The NLC includes RNs and LPNs, not APRNs.

The Board of Nursing conducted a survey in February 2018 to determine the interest of RNs and LPNs residing in Kansas in the NLC. The survey was electronically sent to 60,279 RNs and LPNs licensed in Kansas. A total of 23,112 completed surveys were returned (38% return rate). 81% of the nurses residing in Kansas are in favor of Kansas joining the NLC. 74% of the nurses residing in Kansas are in favor of a licensure fee increase to obtain a compact license. Fee increases up to \$100 were indicated and several respondents indicated they would be willing to pay whatever is needed to obtain a compact license.

HB 2496 consists of the standard bill language for the compact (pages 1 – 17). There were some changes that needed to be made to our statutes for the compact to work in Kansas. I will cover the changes that were added to the standard bill language. The Board of Nursing statute changes made start on page 17, line 22:

1. K.S.A. 65-1113: starting on page 17 includes some clean up language and the definition of continuing nursing education was moved to this section with the other definitions. There was no new language added.

2. K.S.A. 65-1117: starting on page 18, line 29:

- a. lines 31 – 32: language relating to multi-state licenses was added and they will expire every two years
- b. lines 33 – 36: a nurse with an active license can file a multi-state license application with the fee at any time and does not need to wait until time of renewal
- c. On page 20, lines 23 – 28: For public safety and to track critical workforce needs, the Board added language that every person who holds a multi-state licensure under the nurse licensure compact and who engages in the practice of nursing in Kansas shall notify the board of the person's address and other matters as may be required by the board. The notification shall be in a manner as required by the board. We were notified after HB 2496 was passed in the House Committee we would be unable to join the NLC if this notification is required. The language needs to be changed to reflect persons holding a multi-state license under the nurse licensure compact and who engage in the practice of nursing in Kansas will be requested by the Board to voluntarily provide workforce related information as reasonably determined by the Board. Refusal to voluntarily provide this information shall not be a basis for disciplinary action against or restriction of the multi-state license of any such person. This language is a change from HB 2496 as passed by the House. This change in language is necessary to meet the requirements set forth by the Commission that oversees the compact. **This language will come as an amendment.**

3. K.S.A. 65-1118: starting on page 20, line 29:

- a. It will be necessary to increase licensure cap fees. The Board of Nursing is a fee funded agency and receives no state general funds. If the Board of Nursing joins the NLC, the estimated revenue loss will be \$367,170.00 with the 29 states that are now part of the NLC. The revenue loss will increase as more states join the NLC. It is estimated if all 50 states are part of the NLC, the recurring revenue loss of licensees' fees will be \$534,120.00 annually. The Board of Nursing is close to or at the statutory caps on licensure fees for RN and LPN (initial, endorsement and biennial renewal). Renewal licensure fees for RNs and LPNs were decreased in 2015 and are generally lower than most of the other states. The Board of Nursing has a history of fiscal accountability by keeping the licensure fees as low as possible for the licensee while maintaining the financial stability of the agency. The Board of Nursing will need to determine the amount licensure fees must be raised to make up the initial and recurring revenue loss if Kansas joins the NLC. Implicit in that decision is consideration for the additional financial burden placed on nurses, particularly rural nurses who do not earn high salaries. The licensure cap fee cap requests are outlined on pages 20 – 21. The multi-state licenses will cost more than the single – state licenses, since the multi-state license enables the nurse to work in any state that is part of the NLC. Presently if a nurse with a single-state license in Kansas wishes to work in the four bordering states, the nurse will pay a total of \$416.00 for licenses. The proposed statutory cap for a multi-state license is \$300.00 and that one fee will enable the nurse to work in 30 states, if Kansas joins the NLC.
- b. The Board of Nursing wants to allow the RNs and LPNs residing in Kansas to have the option of holding either a single-state or multi-state license.

4. K.S.A. 65-1120: starting on page 22, line 7:

- a. The Board may require the licensee to attend a specific number of hours of continuing education in addition to any hours the licensee may already be required to attend

b. In lines 27 – 29: The Board of Nursing added to HB 2496 as a ground for disciplinary action language that includes a nurse who has been convicted or found guilty or has entered into an agreed disposition of a misdemeanor offense related to the practice of nursing as determined on a case-by-case basis since this is a requirement of the NLC

5. K.S.A. 65-1127: starting on page 24, line 27: The Board added to HB 2496 language that licensees shall report to the board other licensees, including multi state privileges, who have violated the nurse practice act. This will ensure those reporting have immunity from liability in civil actions for reporting.

6. K.S.A. 74-1106: starting on page 26, line 19: The experienced operational and IT staff at the Board of Nursing must stay within our agency to ensure implementation toward joining the NLC proceeds smoothly.

7. Implementation date: page 28, line 14: The Board of Nursing requests the implementation date of joining the compact be changed to 7/1/19, which was the date the House Health and Human Services Committee approved. This would allow the Board of Nursing time to make the necessary operational and IT changes without major disruptions to the licensure and regulatory processes for nurses. Major disruptions in licensure or discipline would negatively impact health service provision quality and access. The Board of Nursing processes approximately 2900 nursing renewal applications and 560 initial and endorsement applications monthly. During graduation times the number of new graduates' applications can move the monthly total up to over 1000 initial applications to process. We will need to make changes to our licensing software to allow us to issue multi-state licenses along with the changes to the fee structure. This will require us to work with the vendor for the software. We will need to revise some of our regulations and move them through the state system for regulation changes. We will have to make changes to our website and licensure applications. There is an extensive amount of communication that needs to occur to nurses, employers, nursing students and the public regarding how the NLC affects them. Training for all staff needs to occur before implementation. A reasonable timeline is essential to accomplish needed tasks. **This change to the implementation date will be an amendment.**

8. Implementation costs: If Kansas joins the NLC, there are significant implementation costs. There is an annual membership fee of \$6,000.00 to join the NLC. Communication costs which include notification to licensees, employers, permanent residence verification and stakeholder meetings. Communication will be very important so all nurses, employers and the public are aware of the changes and how it will impact them. Our current licensing information system will need to be enhanced and revised to articulate with the compact national data system. There will be a recurring annual maintenance cost. Data integrity costs include the need for two part-time temporary staff (without benefits) to review existing information, cleanse any inconsistent or outdated information within our database, change records after review from single to multistate licenses, process criminal history reports, data entry of permanent residence and document scanning. We will need an additional investigator due to a projected increase in the number of investigations as compact nurses transition in and out of Kansas. With the agency office at maximum occupancy, we will need to do some remodeling in our agency to accommodate the extra staff. The Board has received confirmation National Council State Boards of Nursing will fund a grant to cover the following implementation costs: communication costs, information technology and data

integrity preparation costs (\$250,000.00). There will need to be appropriations approved for FY 2019 for the other implementation costs not covered by the grant (\$92,000.00).

The Board of Nursing remains committed to joining the NLC and looks forward to working with the Legislature to ensure the correct implementation. The Board of Nursing supports HB 2496 with the two amendments as discussed. Thank you for your time and consideration and I will stand for any questions.

State Licensing Fees

State	Renewal	Renewal Length	Endorsement	Initial	Reinstatement	Compact	Temp Permit
California RN Board	\$190.00	2	\$100.00	\$150.00	\$280.00	NO	\$50.00
Arizona	\$160.00	4	\$150.00	\$150.00	\$50 - \$350	eNLC	no charge
California BVNPT	\$155.00	2	\$75.00	\$150.00	\$230- \$580	NO	
DC	\$145.00	2	\$230.00	\$187.00	\$230.00	NO	
Vermont	\$140.00	2	\$150.00	\$60.00	\$140 + late fee	NO	\$25.00
Maryland	\$136.00	2	\$100.00	\$100.00		eNLC	
Rhode Island	\$135.00	2	LPN \$45 RN \$135	LPN \$45 RN \$135		NLC	
Michigan	\$123.60	2	\$54.00	\$54.54	unknown	NO	
Nebraska	\$123.00	2	\$123.00	\$123.00	\$110.00	eNLC	
North Dakota	\$120.00	2	\$160.00	\$130.00	LPN \$160 RN \$170	eNLC	
Massachusetts	\$120.00	2	\$275.00	\$250.00		NO	
New Jersey	\$120.00	2	\$200.00	\$200.00	\$225/\$345	NO	\$140.00
Tennessee	\$110.00	2	\$115.00	\$100/\$110	\$200.00	eNLC	
Connecticut	\$110.00	1	\$180.00	\$180.00	\$180.00	NO	
New Mexico	\$110.00	2	\$150.00	\$150.00	\$200.00	NLC	
Arkansas	\$100.00	2	\$125.00	\$100.00	\$100.00	eNLC	\$30.00
Mississippi	\$100.00	2	PN - \$60 RN - \$100	PN - \$60 RN - \$100		eNLC	
Montana	\$100.00	2	\$200.00	\$100.00		eNLC	
Nevada	\$100.00	2	LPN \$95 RN \$105	LPN \$90 RN \$100	\$200.00	NO	
North Carolina	\$100.00	2	\$150.00	\$75.00	\$100/\$180	eNLC	
Oregon	\$100.00	2	\$204.00	\$169.00	\$264.00	NO	
Iowa	\$99.00	3	\$119.00	\$93.00	\$175.00	eNLC	
Idaho	\$90.00	2	up to \$150, \$200	up to \$150, \$200	\$125.00	eNLC	
South Dakota	\$90.00	2	\$100.00	\$100.00	\$140.00	eNLC	\$25.00
Wisconsin	\$86.00	2	\$82.00	\$75.00	\$111.00	NLC	\$10.00
Colorado	\$85.00	2	\$43.00	\$88.00	\$179.00	NLC	
Minnesota	\$85.00	2	\$105.00	\$105.00		NO	
Guam	\$80.00	2	\$100.00	\$100.00	\$125.00	NO	\$25.00
Louisiana RN	\$80.00	1	\$100.00	\$100.00	\$100.00	NO	\$100.00
New Hampshire	\$80.00	2	\$120.00	\$120.00	\$120.00	eNLC	\$20.00
Maine	\$75.00	2	\$50, \$75	\$50, \$75	\$60, \$85	eNLC	
Alabama	\$75.00	2	\$85.00	\$85.00	\$150.00	NO	\$50.00
Florida	\$75.00	2	\$110.00	\$100.00	\$130 - \$210	eNLC	
Oklahoma	\$75.00	2	\$125.00	\$85.00	\$115.00	eNLC	
South Carolina	\$75.00	2	\$100.00	\$90.00	\$110.00	eNLC	\$10.00
New York	\$73.00	3	\$143.00	\$143.00		NO	\$35.00
Pennsylvania	\$65.00	2	\$100.00	\$135.00	email	NO	\$35.00
Texas	\$65.00	2	\$186.00	\$100.00	PN \$52/\$62 RN \$75/\$85	eNLC	
Georgia	\$65.00	2	\$75.00	\$40.00	\$90.00	eNLC	
Kentucky	\$65.00	1	\$165.00	\$125.00	\$135.00	eNLC	
Ohio	\$65.00	2	\$75.00	\$75.00	\$100, \$135, \$185	NO	
Washington	\$65.00	1	\$85, \$120	\$85, \$120	\$70, \$130	NO	
West Virginia RN	\$65.00	1	\$100.00	\$70.00	\$115.00	eNLC	\$25.00
Missouri	\$60.00	2	PN - \$51 RN - \$55	PN - \$41 RN - \$45	PN - \$102 RN - \$110	eNLC	
Louisiana PN	\$60.00	1	\$135.00	\$100.00	\$130.00	NO	
Utah	\$58.00	2	\$95.00	\$95.00	\$108.00	eNLC	
Kansas	\$55.00	2	\$50, \$75	\$50, \$75	\$40.00	eNLC	\$10.00
Indiana	\$50.00	2	\$50.00	\$50.00	\$100.00	NO	\$10.00
West Virginia PN	\$50.00	1	\$50.00	\$75.00	\$70.00	NO	\$25, \$35, \$50
Alaska		2	\$215.00	\$215.00	\$265.00	NO	\$50.00
Delaware		2	\$141.00	\$141.00	renewal fee +50%	eNLC	\$40.00
Hawaii		2	\$166 - \$234	\$40 + \$36	email	NO	
Illinois		2	\$50.00	\$98.00		NO	\$25.00
Virgin Islands		2				NO	
Virginia		2				eNLC	
Wyoming		2	\$180, \$195	\$190.00	\$135.00	eNLC	

KSBN Fee History

	2011	2012	2013	2014	2015	2016	2017
<i>(Professional Nurse)</i>							
Application for license by endorsement to Kansas	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00
Application for license by examination	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00	\$75.00
Biennial renewal of license	\$60.00	\$60.00	\$60.00	\$60.00	\$55.00	\$55.00	\$55.00
<i>(Practical Nurses)</i>							
Application for license by endorsement to Kansas	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00
Application for license by examination	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00
Biennial renewal of license	\$60.00	\$60.00	\$60.00	\$60.00	\$55.00	\$55.00	\$55.00

Kansas State Board of Nursing

Fiscal Analysis of Nurse Licensure Compact

Implementation Expenditures

Funded by National Council of State Boards of Nursing through an Implementation Grant for FY19 only

	Implementation Year (FY 19)	Recurring FY 20 and beyond)
* Communication Costs	\$40,000.00	
[Notification to licensees, employers, permanent residence verification, stakeholder meetings, etc]		
Information Technology		
* Licensing System Programming	\$175,000.00	
[Estimated enhancement cost, based off other states that use the same licensure system, est. recurring maintenance cost]		
* Data Integrity Preparation Costs		
[2 part-time temporary for 1 year for: 1) database cleansing of 125,000+ records, 2) single to multistate licenses 3) processing criminal history reports 4) data entry of permanent residence, 5) document scanning]	\$40,000.00	
Total Implementation Expenditures covered by NCSBN grant	\$255,000.00	
Projected Implementation expenditures covered by KSBN:		
NLCA Member Fee	\$6,000.00	
Investigative / Discipline		
(Estimated need for one additional full-time Investigator - includes benefits)	\$76,000.00	
Agency Remodeling to accommodate extra staff	\$10,000.00	
Total Projected Implementation Expenditures Covered by KSBN	\$92,000.00	
Total Projected Implementation Expenditures	\$347,000.00	
Recurring Expenditures (FY 20 and Beyond)		
Recurring Expenditures Covered by KSBN (FY 20 and beyond)		
Licensing System (recurring maintenance cost)		\$25,000.00
NLCA Membership Fee		\$6,000.00
Salary (with benefits) for 1.0 FTE Investigator		\$76,000.00
Total Projected Recurring Expenditures Covered by KSBN		\$107,000.00

Revenue Loss		
Renewal - \$55 Biennial Fee	Yearly Revenue Loss	Recurring
RN	\$392,920.00	\$392,920.00
LPN	\$35,200.00	\$35,200.00
Verifications - \$30	Yearly Revenue Loss	Recurring
Revenue Loss to Other States	\$106,000.00	\$106,000.00
Revenue Gain From Endorsement		
Endorsement - \$75	Revenue Gain	Recurring
RN / LPN	\$166,950.00	Unknown
Total Projected Revenue Loss	\$367,170.00	\$534,120.00

Nurse Licensure Compact (NLC) Implementation Timeline

Action	Date Completed
<p>March 2018:</p> <ul style="list-style-type: none"> • Implementation team formed • Update implementation timeline as needed • Identify resources needed • Testify to Senate Committee • Meet individually with Senate committee members • Communicate progress of bill to Board and interested parties • Consider possible communication for newsletter articles • NLC agenda item to March Board meeting • NLC agenda item for March Staff and Leadership meetings 	
Operations / Information Technology:	
<ul style="list-style-type: none"> • Work with KSBN Administration on the progress of the NLC legislation. • Update the KSBN Board regarding the NCSBN eNotify / Quick Confirm solutions for verifications, bring operational impacts back to the June 2018 Board meeting. (The update may require reconfiguration of the Nursys extract and a new MOU to include the APRN's as the current extract does not include them.) 	
<p>Information for March 2018 Board meeting</p> <ul style="list-style-type: none"> • Kansas NLC survey results • HB2496 as passed in house • NLC Implementation timeline 	
<p>April 2018 (prior to the Organizational Development meeting):</p> <ul style="list-style-type: none"> • Gather any information Board requests • Gather examples of information for communication • Update timeline • Plan for revising licensure applications and directions • Determine which Regulations will need revision after bill passes • Work up fiscal numbers • Communicate progress to interested parties 	
Operations / Information Technology:	
<ul style="list-style-type: none"> • Review information systems to determine scope of project. • Visit the Georgia BON to evaluate their compact SystemAutomation model. (April 12-13 or April 23-24) 	

<ul style="list-style-type: none"> • Interview and Hire new eGov / Tech Support for current vacancy. (This position will require cross training as it will be filled from outside KSBN. The typical onboarding curve is 6-12 months) 	
<p>Information for April 18 & 19, 2018 Organizational Development meeting:</p> <ul style="list-style-type: none"> • Updated timeline • Regulations that will need revision • Fiscal numbers based on revenue loss • Communication plan 	
<p>Decisions need by Board at meeting:</p> <ul style="list-style-type: none"> • Approve information to include in newsletter • Approve Communication plan 	
<p>May – June 2018:</p> <ul style="list-style-type: none"> • Gather further information needed • Update timeline as needed • Plan meetings for stakeholders • Decide remodeling needed to accommodate additional staff • Get bid on remodeling • Newsletter article • Regulation revisions started after Board meeting • Revise talking points for Board members and staff after Board meeting • Work with Legislative Budget staff to ensure appropriations get included as needed for FY 19, 20 and 21 • Plan budget needs for resources for additional staff 	
<p>Operations / Information Technology:</p>	
<ul style="list-style-type: none"> • Finalize quotes for SystemAutomation and prepare request for NCSBN approval. • Have final recommendation for the NCSBN eNotify / Quick Confirm information for decision at the June KSBN Board meeting. (The update may also require the changing of extract capability to include the APRN's as the current extract does not include them.) 	
<p>Information for June Board meeting:</p> <ul style="list-style-type: none"> • Final bill signed into law • Draft regulation revisions 	

<p>Decisions needed by Board:</p> <ul style="list-style-type: none"> • Decide licensure fees • Approve regulations changes • Decide whether to migrate to NCSBN eNotify/Quick Confirm 	
<p>July – September 2018:</p> <ul style="list-style-type: none"> • Ensure FY 19 budget is changed to reflect implementation costs covered by KSBN • Ensure FY 20 & 21 budget reflects recurring costs • Regulations revision to Department of Administration and then AG • Plan meetings with stakeholders • Newsletter articles • Plan for hiring of additional staff • Draft of revisions to Licensure apps and directions • Document changes that need to occur to website • Decide remodeling needed for additional staff • Obtain bid for remodeling • Resources needed for additional staff • Plan communication for all nurses 	
<p>Operations / Information Technology:</p>	
<ul style="list-style-type: none"> • Seek official NLC implementation approval from the NCSBN Board of Directors – Board Meeting July 11-13. • Complete Upgrade for VMWare 5.5 to 6.5 7 upgrade any backup data systems at that time. • If approved at the KSBN Board meeting to migrate from KSBN Per Search & KANNCheck solutions / Implement NCSBN eNotify / Quick Confirm including updating instructions, webpages, public communications and plan for migrating existing subscribers to KANNCheck. (The update may require reconfiguration of the Nursys extract and a new MOU to include the APRN’s as the current extract does not include them.) 	
<p>Information for September Board meeting:</p> <ul style="list-style-type: none"> • Update on timeline • Update on regulations revision • Update on Communication plan 	
<p>Decisions needed by the Board:</p> <ul style="list-style-type: none"> • Approve regulation revisions 	

<p>October – December 2018:</p> <ul style="list-style-type: none"> • Update implementation timeline as needed • Update communication plan as needed • Plan Staff training • Finalize changes needed to website • Communication to all nurses • Monitor progress of draft regulations and make revisions as necessary • Develop position descriptions for additional staff • Plan for communication for nursing students • Begin stakeholder meetings • Remodeling to accommodate additional staff 	
<p>Operations / Information Technology:</p>	
<ul style="list-style-type: none"> • Review internal licensing operations to determine operations and process changes including; licensing forms, instructions, needed webpage updates, etc and begin initial updates to the documentation, final review of materials after system enhancements to ensure they are consistent. • Site visit to the OKBON to review policy and procedure model. If budget and system contracts approved, begin system development for eNLC, projected Alpha stage for system due date of mid-February – mid- March 	
<p>Information for board meeting:</p> <ul style="list-style-type: none"> • Any changes to timeline • Any changes to communication plan • Feedback from stakeholder meeting. 	
<p>January - March 2019:</p> <ul style="list-style-type: none"> • Continue to communicate with nurses, stakeholders, applicants and public • Newsletter article • Continue to move regulation revisions through process and make any changes necessary • Hire Investigator • Hire 2 PT Temp licensure staff – these positions will require some cross training 	
<p>Operations / Information Technology:</p>	
<ul style="list-style-type: none"> • Tentative month to upgrade the SystemAutomation code platform. 	

<ul style="list-style-type: none"> • Alpha / Beta test systems for usability and perform any required security testing, performance testing, etc to ensure compliance with state regulations. • Review internal licensing operations to determine operations and process changes including; licensing forms, instructions, needed webpage updates, etc. and begin initial updates to the documentation, final review of materials after system enhancements to ensure they are consistent. 	
<p>Information for March 2019 Board meeting:</p> <ul style="list-style-type: none"> • Progress on regulation revisions • Feedback from meetings with stakeholders • Any changes to timeline 	
<p>April - June 2019:</p> <ul style="list-style-type: none"> • Begin phased Implementation • Training of staff • Continue to move regulation changes through process 	
<p>Operations / Information Technology / Licensing:</p>	
<ul style="list-style-type: none"> • Prepare for deployment of the SystemAutomation Compact system. • NCSBN onsite to train staff on the operational aspects of the eNLC. • Finalize internal licensing operations to determine operations and process changes including; licensing forms, instructions, needed webpage updates, etc. and begin initial updates to the documentation, final review of materials after system enhancements to ensure they are consistent. 	
<p>July 2019:</p> <ul style="list-style-type: none"> • Implementation • Monitor and troubleshoot issues • Celebrate success 	
<p>Operations / Information Technology:</p>	
<ul style="list-style-type: none"> • Deploy the SystemAutomation Compact system • Deploy internal licensing operations to determine operations and process changes including; licensing forms, instructions, needed webpage updates, etc and begin initial updates to the documentation, final review of materials after system enhancements to ensure they are consistent. 	

Other Non-Compact Operational Impact Factors:	
<ul style="list-style-type: none"> • Moving production and offsite data centers. This will be a major effort and will require time and planning to complete. • Due to new infrastructure software, IT staff should attend training on the new solutions. Dates to be determined. • Any unforeseen statewide IT initiatives such as reorganizations, consolidations, changes to reporting requirements, etc., could severely impact the timeline for operational readiness of the KSBN projects 	