

Board of Nursing—Assistant Attorney General; Amendments to the Mental Health Technician’s Licensure Act and Kansas Nurse Practice Act; HB 2025

HB 2025 makes several changes to law regarding the Board of Nursing (Board).

Assistant Attorney General

The bill allows appointment by the Attorney General of more than one assistant attorney general to represent the Board by amending law that provides for the appointment of an assistant attorney general, whose salary is paid from the Board of Nursing Fee Fund (Fund), to represent the Board in proceedings arising in the discharge of its duties and to perform duties of a legal nature as directed by the Board. The bill allows for the salaries of more than one appointed assistant attorney general to be paid from the Fund.

Mental Health Technician’s Licensure Act

The bill amends the Mental Health Technician’s Licensure Act by removing the requirement the Board conduct mental health technician examinations and by deleting the corresponding fees set forth in the statutory fee schedule. The bill requires fees for an examination prescribed by the Board for a licensed mental health technician be paid directly to the examination service by the individual taking the examination or reexamination.

Additionally, the bill changes the description of services included in the definition of “practice of mental health technology” by deleting “responsible nursing for patients with mental illness or intellectual disability” and inserting “participation and provision of input into the development of person-centered treatment plans for individuals or groups of individuals specified in paragraph (b)” (those specified in paragraph (b) are “the mentally ill, emotionally disturbed, or people with intellectual disability”) and by including facilitating habilitation of individuals. The bill also replaces the term “patient” with “individual.”

Kansas Nurse Practice Act

The bill amends the Kansas Nurse Practice Act to authorize the Board to revoke a license for three years and establishes an application fee not to exceed \$1,000 for the reinstatement of a revoked license.

The bill allows a person whose license has been revoked to apply for reinstatement after three years from the effective date of the revocation. Application for reinstatement needs to be made on a form approved by the Board and be accompanied by the associated application fee. A denial of license reinstatement by the Board makes the person ineligible to reapply for reinstatement for three years from the effective date of denial. The bill authorizes the Board, on its own motion, to stay the effectiveness of an order of revocation of a license.

On or before January 8, 2018, and on or before the first day of the regular session of the Kansas Legislature each year thereafter, the bill also requires the Board to submit a written report containing the following information to the Senate Committee on Public Health and Welfare and the House Committee on Health and Human Services:

- An itemized, anonymous list of the number of individuals who applied for reinstatement of a revoked license during the immediately preceding calendar year;
- The amount of moneys charged to each applicant for reinstatement of a revoked license;
- The number of reinstatement applications granted and denied; and
- The basis given for denials.