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Kathleen Selzler Lippert, Executive Director

Laura Kelly, Governor

To: House Health and Human Services Chairperson Representative Landwehr:  
From: Kathleen Selzler Lippert, JD, Executive Director  
Kansas State Board of Healing Arts (KSBHA)  
Date: February 12, 2019  
Subject: HB 2146 Relating to Corporate Practice of Medicine  
Position: Neutral (Written)

The Kansas State Board of Healing Arts (KSBHA) appreciates the opportunity to provide neutral testimony HB 2146. KSBHA licenses and regulates multiple health care professions. The mission of KSBHA is to safeguard the public and strengthen those who practice the healing arts.


HB 2146 provides legislative authority to expand corporate practice of medicine in Kansas. This is a policy decision for the legislative process. This bill includes a provision for KSBHA to issue a certificate of authorization to corporations and provides the authority for the agency to issue rules and regulations to support this legislation.

KSBHA desires clear legislative direction to guide agency decisions and discretion on the elements that need to be met to provide patient safety and public protection in issuing the certificate of authorization. The current statutory and case law structure provides that hospitals are an exception to corporate practice for several reasons; including the statutory requirement that hospitals are licensed and regulated by KDHE; a different state agency.

KSBHA desires clear legislative direction on whether medical professionals who hold a training license or other license type that restricts a medical provider in terms of scope or other practice parameters are qualified to serve in this practice structure. A variety of Kansas statutes provide that a person must hold a valid active license as a prerequisite to qualifying for specific duties or responsibilities. There are many different license types that provide limitations on practice to specific locations or scope; examples include: limited license, special license, and training permit.

Thank you for your consideration of these issues.

Respectfully,

  
Kathleen Selzler Lippert, JD  
Executive Director KSBHA

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