

Commerce Committee  
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Written Neutral Testimony regarding Senate Bill 366

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The Kansas State Board of Nursing (KSBN) licenses nurses to practice within Kansas. Presently there are over 73,000 licensed nurses in Kansas. The mission of the Board of Nursing is to assure the citizens of Kansas are provided safe and competent practice by nurses. The Board of Nursing supports the concept of facilitating an easy, timely licensure process for nurses licensed in other states who have or intend to establish residency in Kansas, while ensuring public protection.

KSBN implemented the Nurse Licensure Compact (NLC) on July 1, 2019. We are one of 32 states that are members of the NLC. Two additional states have passed legislation and will be implementing soon. There are nine additional states that have pending legislation to join the NLC. The NLC allows a RN or LPN to have one multi-state nursing license with the ability to practice in the home state and the other member states. Nurses can quickly and easily provide nursing care across borders with other NLC states.

The NLC ensures public protection by requiring eleven uniform licensure requirements before a multi-state license is issued. One of the uniform licensure requirements is the nurse must submit to a state/federal fingerprint-based criminal background check. All states participating in the NLC have access to a national nursing database that contains licensure and disciplinary information on nurses, so that information is easily available for the Boards of Nursing. Criminal background report information cannot be shared among member states. The NLC eliminates the need for nurses with multi-state licenses to obtain additional nursing licenses when practicing within another member state, unless they change their residence to another state. At that point the nurse must transfer their multi-state license to their new state of residence, although there is no timeline in which this must occur. The nurse continues to practice on the multi-state license issued by the state in which the nurse left until the new multi-state license is obtained. There are no lost wages due to waiting for a license to be issued.

Presently all fifty states are not members of the NLC and the NLC does not include Advanced Practice Registered Nurses (APRNs). If SB 366 is passed, we will have some RNs and LPNs coming from non-compact states and APRNs licensed in other states seeking licensure in Kansas that will be affected by this bill. Our goal is to license them as quickly as possible while meeting the qualifications for licensure according to our Nurse Practice Act and promoting public protection.

Applicants for a multi-state license must have a state/federal fingerprint-based criminal background check before the license is issued. Fingerprint-based criminal background checks are often viewed as another avenue to check the applicant's background for public protection. In SB 366 it is unclear if (c)(2)(D) "does not have a disqualifying criminal record" would allow KSBN to follow the Kansas Nurse Practice Act fingerprinting statute. The Board of Nursing believes strongly that a state/federal fingerprint-based

criminal background check should be required of all nurses seeking licensure in Kansas to promote public protection and requests you consider an amendment to SB 366 that allows fingerprinting for a criminal background check if it is required under the Kansas licensing act for the licensing agency.

There is no definition of completed application in this bill. Each licensing agency has different requirements for licensure and therefore a completed application will have a different meaning to each agency. Licensing agencies should have the authority to define completed application for their agency in rules and regulations.

In conclusion, the Board of Nursing supports the concept of an easy, timely licensure process for licensed nurses relocating to Kansas. The NLC is the best option for this to occur. However, for states and disciplines not participating in the NLC it is imperative for public protection to check the criminal background by submitting fingerprints.