

HOUSE BILL No. 2672

By Representative Rhiley

2-9

1 AN ACT concerning labor; relating to licensing of professional
2 occupations; creating the open borders for Kansas jobs act; providing
3 for issuance of Kansas licenses or certifications to practice certain
4 professions to persons holding credentials from other states that have
5 substantially equivalent requirements for such licenses or certifications
6 as Kansas; amending K.S.A. 1-302, 65-1152, 65-1505, 65-1663, 65-
7 2833, 65-28a04, 65-28b03, 65-2906, 65-4203, 65-5406, 65-5506, 65-
8 5910, 65-7203, 65-7503, 72-2157 and 75-7b04 and K.S.A. 2021 Supp.
9 65-6129 and 65-6322 and repealing the existing sections.

10
11 WHEREAS, The provisions of K.S.A. 1-302, 65-1152, 65-1505, 65-
12 1663, 65-2833, 65-28a04, 65-28b03, 65-2906, 65-4203, 65-5406, 65-5506,
13 65-5910, 65-7203, 65-7503, 72-2157 and 75-7b04 and K.S.A. 2021 Supp.
14 65-6129 and 65-6322, as amended by this act, shall be known as the open
15 borders for Kansas jobs act.

16 Now, therefore:

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

18 Section 1. K.S.A. 1-302 is hereby amended to read as follows: 1-302.

19 (a) The certificate of certified public accountant shall be known as the
20 Kansas certificate and shall be granted by the board to any person of good
21 moral character who: (1) Is a resident of this state or has a place of
22 business or is employed therein; (2) meets the educational requirements
23 prescribed by K.S.A. 1-302a, and amendments thereto; and (3) has passed
24 an examination in accounting and auditing and in such other related
25 subjects as the board may determine to be appropriate.

26 (b) *The board may grant a Kansas certificate to any person who*
27 *holds a current, valid certificate or license as a certified public accountant*
28 *issued by the appropriate regulatory agency of another state that has*
29 *substantially equivalent requirements for such certification or licensure as*
30 *the board. An applicant for a license issued pursuant to this section shall*
31 *submit any information required by the board and pay any fees required*
32 *for a Kansas certificate.*

33 (c) The board may refuse to grant a certificate on the ground of
34 failure to satisfy the good moral character requirement subject to notice
35 and an opportunity for the person to be heard pursuant to the Kansas
36 administrative ~~procedures~~ *procedure act.*

1 Sec. 2. K.S.A. 65-1152 is hereby amended to read as follows: 65-
2 1152. (a) In order to obtain authorization from the board of nursing to
3 practice as a registered nurse anesthetist an individual shall meet the
4 following requirements:

5 (1) Be licensed to practice professional nursing under the Kansas
6 nurse practice act;

7 (2) has successfully completed a course of study in nurse anesthesia
8 in a school of nurse anesthesia approved by the board;

9 (3) has successfully completed an examination approved by the board
10 or has been certified by a national organization whose certifying standards
11 are approved by the board as equal to or greater than the corresponding
12 standards established under this act for obtaining authorization to practice
13 as a registered nurse anesthetist; and

14 (4) be required to successfully complete a refresher course as defined
15 in rules and regulations of the board if the individual has not been in active
16 anesthesia practice for five years preceding the application.

17 (b) *The board may authorize an individual to practice as a registered*
18 *nurse anesthetist if such individual has been duly licensed, certified or*
19 *otherwise authorized to practice as a registered nurse anesthetist under*
20 *the laws of another state if, in the opinion of the board, the applicant*
21 *meets the same qualifications required of a registered nurse anesthetist in*
22 *this state. Verification of the applicant's licensure, certification or*
23 *authorization status shall be required from the other state.*

24 (c) Approval of schools of nurse anesthesia shall be based on
25 approval standards specified in K.S.A. 65-1133, and amendments thereto.

26 ~~(e)~~(d) Schools of nurse anesthesia approved by the board under this
27 section shall offer; a masters level degree program in nurse anesthesia.

28 ~~(d)~~(e) For the purposes of determining whether an individual meets
29 the requirements of ~~item (2)~~ of subsection (a)(2), the board by rules and
30 regulations shall establish criteria for determining whether a particular
31 school of nurse anesthesia maintains standards ~~which~~ that are at least equal
32 to schools of nurse anesthesia ~~which~~ that are approved by the board.

33 Sec. 3. K.S.A. 65-1505 is hereby amended to read as follows: 65-

34 1505. (a) Persons entitled to practice optometry in Kansas shall be those
35 persons licensed in accordance with the provisions of the optometry law. A
36 person shall be qualified to be licensed and to receive a license as an
37 optometrist: (1) Who is of good moral character; and in determining the
38 moral character of any such person, the board may take into consideration
39 any felony conviction of such person, but such conviction shall not
40 automatically operate as a bar to licensure; (2) who has graduated from a
41 school or college of optometry approved by the board; and (3) who
42 successfully meets and completes the requirements set by the board and
43 passes an examination given by the board.

1 (b) *The board may grant a license to any person who holds a current,*
2 *valid license to practice optometry issued by the appropriate regulatory*
3 *agency of another state that has substantially equivalent requirements for*
4 *such licensure as the board. An applicant for a license issued pursuant to*
5 *this section shall submit any information required by the board and pay*
6 *any fees required for such licensure.*

7 (c) All applicants for licensure, in addition to successfully completing
8 all other requirements for licensure, shall submit evidence satisfactory to
9 the board of professional liability insurance in an amount acceptable to the
10 board.

11 ~~(e)~~(d) Any person applying for examination by the board shall fill out
12 and swear to an application furnished by the board, accompanied by a fee
13 fixed by the board by rules and regulations in an amount of not to exceed
14 \$450, and file the same with the secretary of the board at least 30 days
15 prior to the holding of the examination. At such examinations the board
16 shall examine each applicant in subjects taught in schools or colleges of
17 optometry approved by the board, as may be required by the board. If such
18 person complies with the other qualifications for licensing and passes such
19 examination, such person shall receive from the board, upon the payment
20 of a fee fixed by the board by rules and regulations in an amount of not to
21 exceed \$150, a license entitling such person to practice optometry. In the
22 event of the failure on the part of the applicant to pass the first
23 examination, such person may, with the consent of the board, within 18
24 months, by filing an application accompanied by a fee fixed by the board
25 by rules and regulations in an amount of not to exceed \$150, take a second
26 examination; for the third and each subsequent examination a fee fixed by
27 the board by rules and regulations in an amount of not to exceed \$150.
28 Any examination fee and license fee fixed by the board under this
29 subsection which is in effect on the day preceding the effective date of this
30 act shall continue in effect until the board adopts rules and regulations
31 under this subsection fixing a different fee therefor.

32 ~~(d)~~(e) Any applicant for reciprocal licensure may in the board's
33 discretion be licensed and issued a license without examination if the
34 applicant has been in the active practice of optometry in another state for
35 at least the three-year period immediately preceding the application for
36 reciprocal licensure and the applicant:

37 (1) Presents a certified copy of a certificate of registration or license
38 ~~which~~ *that* has been issued to the applicant by another state where the
39 requirements for licensure are deemed by the board to be equivalent to the
40 requirements for licensure under this act, if such state accords a like
41 privilege to holders of a license issued by the board;

42 (2) submits a sworn statement of the licensing authority of such other
43 state that the applicant's license has never been limited, suspended or

1 revoked and that the applicant has never been censured or had other
2 disciplinary action taken;

3 (3) successfully passes an examination of Kansas law administered
4 by the board and such clinical practice examination as the board deems
5 necessary; and

6 (4) pays the reciprocal license fixed by the board by rules and
7 regulations in an amount of not to exceed \$450. The reciprocal license fee
8 fixed by the board under this subsection ~~which~~ *that* is in effect on the day
9 preceding the effective date of this act shall continue in effect until the
10 board adopts rules and regulations under this subsection fixing a different
11 fee therefor.

12 ~~(e)~~(f) The board shall adopt rules and regulations establishing the
13 criteria ~~which~~ *that* a school or college of optometry shall satisfy in meeting
14 the requirement of approval by the board established under subsection (a).
15 The board may send a questionnaire developed by the board to any school
16 or college of optometry for which the board does not have sufficient
17 information to determine whether the school or college meets the
18 requirements for approval and rules and regulations adopted under this act.
19 The questionnaire providing the necessary information shall be completed
20 and returned to the board in order for the school or college to be
21 considered for approval. The board may contract with investigative
22 agencies, commissions or consultants to assist the board in obtaining
23 information about schools or colleges. In entering such contracts the
24 authority to approve schools or colleges shall remain solely with the board.

25 ~~(f)~~(g) (1) The board may require an applicant for licensure or a
26 licensee in connection with an investigation of the licensee to be
27 fingerprinted and submit to a state and national criminal history record
28 check. The fingerprints shall be used to identify the licensee or applicant
29 for licensure and to determine whether the licensee or applicant for
30 licensure has a record of criminal arrests and convictions in this state or
31 other jurisdictions. The board is authorized to submit the fingerprints to the
32 Kansas bureau of investigation, the federal bureau of investigation or any
33 other law enforcement or criminal justice agency for a state and national
34 criminal history record check. The board may use the information obtained
35 through the criminal history record check for the purposes of verifying the
36 identification of the licensee or applicant for licensure and in the official
37 character and fitness determination of the licensee or applicant for
38 licensure to practice optometry in this state.

39 (2) Local and state law enforcement officers and agencies shall assist
40 the board in taking and processing fingerprints of licensees and applicants
41 for licensure and shall release to the board all records of adult convictions,
42 arrests and nonconvictions in this state and all records of adult convictions,
43 arrests and nonconvictions of any other state or country. The board may

1 enter into agreements with the Kansas bureau of investigation, the federal
2 bureau of investigation or any other law enforcement or criminal justice
3 agency as necessary to carry out the duties of the board under this act.

4 (3) The fingerprints and all information obtained from the criminal
5 history record check shall be confidential and shall not be disclosed except
6 to members of the board and agents and employees of the board as
7 necessary to verify the identification of any licensee or applicant for
8 licensure and in the official character and fitness determination of the
9 licensee or applicant for licensure to practice optometry in this state. Any
10 other disclosure of such confidential information shall constitute a class A
11 misdemeanor and shall constitute grounds for removal from office,
12 termination of employment or denial, revocation or suspension of any
13 license issued under this act.

14 (4) (A) The board shall fix a fee for fingerprinting applicants or
15 licensees in an amount necessary to reimburse the board for the cost of the
16 fingerprinting. Fees collected under this subsection shall be deposited in
17 the criminal history and fingerprinting fund.

18 (B) There is hereby created in the state treasury the criminal history
19 and fingerprinting fund. All moneys credited to the fund shall be used to
20 pay all costs and fees associated with processing of fingerprints and
21 criminal history checks for the board of examiners in optometry. The fund
22 shall be administered by the board. All expenditures from the fund shall be
23 made in accordance with appropriation acts upon warrants of the director
24 of accounts and reports issued pursuant to vouchers approved by the
25 president of the board or a person designated by the president.

26 Sec. 4. K.S.A. 65-1663 is hereby amended to read as follows: 65-
27 1663. (a) It shall be unlawful for any person to function as a pharmacy
28 technician in this state unless such person is registered with the board as a
29 pharmacy technician. Every person registered as a pharmacy technician
30 shall have graduated from an accredited high school or its equivalent,
31 obtained a graduate equivalent diploma (GED) or be enrolled and in good
32 standing in a high school education program. Every person registered as a
33 pharmacy technician shall pass one or more examinations identified and
34 approved by the board within the period or periods of time specified by the
35 board after becoming registered. The board shall adopt rules and
36 regulations identifying the required examinations, when they must be
37 passed and establishing the criteria for the required examinations and
38 passing scores. The board may include as a required examination any
39 national pharmacy technician certification examination. The board shall
40 adopt rules and regulations restricting the tasks a pharmacy technician may
41 perform prior to passing any required examinations.

42 (b) *Any person who holds a current, valid license or registration as a*
43 *pharmacy technician issued by the appropriate regulatory agency of*

1 *another state that has substantially equivalent requirements for such*
2 *licensure or registration as the board may be registered as a pharmacy*
3 *technician in this state. An applicant for registration pursuant to this*
4 *section shall submit any information required by the board and pay any*
5 *fees required for such registration.*

6 (c) All applications for registration shall be made on a form to be
7 prescribed and furnished by the board. Each application for registration
8 shall be accompanied by a registration fee fixed by the board by rule and
9 regulation not to exceed \$50.

10 ~~(e)~~(d) The board shall take into consideration any felony conviction
11 of an applicant, but such conviction shall not automatically operate as a
12 bar to registration.

13 ~~(d)~~(e) Except as otherwise provided in this subsection, each pharmacy
14 technician registration issued by the board shall expire every two years.
15 The expiration date shall be established by rules and regulations adopted
16 by the board. To provide for a system of biennial renewal of pharmacy
17 technician registrations, the board may provide by rules and regulations
18 that registrations issued or renewed may expire less than two years from
19 the date of issuance or renewal. Each applicant for renewal of a pharmacy
20 technician registration shall be made on a form prescribed and furnished
21 by the board and shall be accompanied by a renewal fee fixed by the board
22 by rule and regulation not to exceed \$25. Pharmacy technician registration
23 renewal fees may be prorated for registration periods which are less than
24 biennial in accordance with rules and regulations of the board. Except as
25 otherwise provided in this subsection, the application for registration
26 renewal, when accompanied by the renewal fee and evidence satisfactory
27 to the board that the person has successfully complied with the rules and
28 regulations of the board establishing the requirements for a program of
29 continuing pharmacy technician education and received by the secretary
30 on or before the date of expiration of the registration, shall have the effect
31 of temporarily renewing the applicant's registration until actual issuance or
32 denial of the renewal registration. If at the time of filing a proceeding is
33 pending before the board which may result in the suspension, probation,
34 revocation or denial of the applicant's registration, the board may by
35 emergency order declare that the application for renewal shall not have the
36 effect of temporarily renewing such applicant's registration. If the renewal
37 fee is not paid prior to the expiration date of the renewal year, the
38 registration is void.

39 ~~(e)~~(f) Continuing pharmacy technician education requirements shall
40 be fixed by the board at not more than 20 clock hours biennially of a
41 program of continuing education approved by the board. Continuing
42 education hours may be prorated for licensure periods that are less than
43 biennial in accordance with rules and regulations of the board.

1 ~~(f)~~(g) (1) The board may limit, suspend or revoke a registration or
2 deny an application for issuance or renewal of any registration as a
3 pharmacy technician on any ground, ~~which~~ *that* would authorize the board
4 to take action against the license of a pharmacist under K.S.A. 65-1627,
5 and amendments thereto.

6 (2) The board may require a physical or mental examination, or both,
7 of a person applying for or registered as a pharmacy technician.

8 (3) The board may temporarily suspend or temporarily limit the
9 registration of any pharmacy technician in accordance with the emergency
10 adjudicative proceedings under the Kansas administrative procedure act if
11 the board determines that there is cause to believe that grounds exist for
12 disciplinary action under this section against the registrant and that the
13 registrant's continuation of pharmacy technician functions would constitute
14 an imminent danger to the public health and safety.

15 (4) Proceedings under this section shall be subject to the Kansas
16 administrative procedure act.

17 ~~(g)~~(h) Every registered pharmacy technician, within 30 days of
18 obtaining new employment or ceasing employment as a pharmacy
19 technician, shall notify the secretary of the name and address of the new
20 employer or cessation of employment.

21 ~~(h)~~(i) Every pharmacy technician who changes their residential
22 address, email address or legal name shall, within 30 days thereof, notify
23 the secretary of such change on a form prescribed and furnished by the
24 board.

25 ~~(i)~~(j) Each pharmacy shall at all times maintain a list of the names of
26 pharmacy technicians employed by the pharmacy. A pharmacy technician
27 shall work under the direct supervision and control of a pharmacist, and
28 while on duty, shall wear a name badge or similar identification with the
29 pharmacy technician's name and designation as a pharmacy technician. It
30 shall be the responsibility of the supervising pharmacist to determine that
31 the pharmacy technician is in compliance with the applicable rules and
32 regulations of the board, and the supervising pharmacist shall be
33 responsible for the acts and omissions of the pharmacy technician in the
34 performance of the pharmacy technician's duties. The ratio of pharmacy
35 technicians to pharmacists in the prescription area of a pharmacy shall be
36 prescribed by the board by rule and regulation. Any change in the ratio of
37 pharmacy technicians to pharmacists in the prescription area of the
38 pharmacy must be adopted by a vote of no less than six members of the
39 board.

40 ~~(j)~~(k) Every registered pharmacy technician shall display the current
41 registration in that part of the place of business in which such person is
42 engaged in pharmacy technician activities.

43 ~~(k)~~(l) Every pharmacy technician registered after July 1, 2017, shall

1 be required to pass a certified pharmacy technician examination approved
2 by the board.

3 ~~(h)~~(m) The board shall adopt such rules and regulations as are
4 necessary to ensure that pharmacy technicians are adequately trained as to
5 the nature and scope of their lawful duties.

6 ~~(i)~~(n) The board may adopt rules and regulations as may be
7 necessary to carry out the purposes and enforce the provisions of this act.

8 ~~(j)~~(o) This section shall be a part of and supplemental to the
9 pharmacy act of the state of Kansas.

10 Sec. 5. K.S.A. 65-2833 is hereby amended to read as follows: 65-
11 2833. (a) *Except as provided in subsection (d) for persons who hold a*
12 *current, valid license to practice medicine and surgery issued by another*
13 *state, the board, without examination, may issue a license to a person who*
14 *has been in the active practice of a branch of the healing arts in some other*
15 *state, territory, the District of Columbia or other country upon certificate of*
16 *the proper licensing authority of that state, territory, District of Columbia*
17 *or other country certifying that the applicant is duly licensed, that the*
18 *applicant's license has never been limited, suspended or revoked, that the*
19 *licensee has never been censured or had other disciplinary action taken and*
20 *that, so far as the records of such authority are concerned, the applicant is*
21 *entitled to its endorsement. The applicant shall also present proof*
22 *satisfactory to the board:*

23 ~~(a)~~(1) That the state, territory, District of Columbia or country in
24 which the applicant last practiced has and maintains standards at least
25 equal to those maintained by Kansas.

26 ~~(b)~~(2) That the applicant's original license was based upon an
27 examination at least equal in quality to the examination required in this
28 state and that the passing grade required to obtain such original license
29 was comparable to that required in this state.

30 ~~(c)~~(3) Of the date of the applicant's original and any and all endorsed
31 licenses and the date and place from which any license was attained.

32 ~~(d)~~(4) That the applicant has been actively engaged in practice under
33 such license or licenses since issued. The board may adopt rules and
34 regulations establishing qualitative and quantitative practice activities
35 which qualify as active practice.

36 ~~(e)~~(5) That the applicant has a reasonable ability to communicate in
37 English.

38 (b) An applicant for a license by endorsement shall not be licensed
39 unless, as determined by the board, the applicant's individual qualifications
40 are substantially equivalent to the Kansas legal requirements.

41 (c) In lieu of any other requirement prescribed by law for satisfactory
42 passage of any examination in any branch of the healing arts the board
43 may accept evidence satisfactory to it that the applicant or licensee has

1 satisfactorily passed an equivalent examination given by a national board
2 of examiners in chiropractic, osteopathic medicine and surgery or
3 medicine and surgery as now required by Kansas statutes for endorsement
4 from other states.

5 *(d) (1) The state board of healing arts may grant a license to practice*
6 *medicine and surgery and renew such license as provided in K.S.A. 65-*
7 *2809, and amendments thereto, to any person who holds a current, valid*
8 *license to practice medicine and surgery issued by the appropriate*
9 *regulatory agency of another state that has substantially equivalent*
10 *requirements for such licensure as the state board of healing arts.*

11 *(2) An applicant for a license pursuant to this subsection shall submit*
12 *any information required by the state board of healing arts and pay any*
13 *fees required for licensure in this state.*

14 Sec. 6. K.S.A. 65-28a04 is hereby amended to read as follows: 65-
15 28a04. (a) No person shall be licensed as a physician assistant by the state
16 board of healing arts unless such person has:

17 (1) Presented to the state board of healing arts proof that the applicant
18 has successfully completed a course of education and training approved by
19 the state board of healing arts for the education and training of a physician
20 assistant or presented to the state board of healing arts proof that the
21 applicant has acquired experience while serving in the armed forces of the
22 United States ~~which experience~~ *that is equivalent to the minimum*
23 *experience requirements established by the state board of healing arts;*

24 (2) passed an examination approved by the state board of healing arts
25 covering subjects incident to the education and training of a physician
26 assistant; and

27 (3) submitted to the state board of healing arts any other information
28 the state board of healing arts deems necessary to evaluate the applicant's
29 qualifications.

30 (b) *The board may grant a license to any person who holds a current,*
31 *valid license as a physician assistant issued by the appropriate regulatory*
32 *agency of another state that has substantially equivalent requirements for*
33 *such licensure as the board. An applicant for a license issued pursuant to*
34 *this section shall submit any information required by the board and pay*
35 *any fees required for such licensure.*

36 (c) The board may refuse to license a person as a physician assistant
37 upon any of the grounds for which the board may revoke such license.

38 ~~(e)~~(d) The state board of healing arts shall require every physician
39 assistant to submit with the renewal application evidence of satisfactory
40 completion of a program of continuing education required by the state
41 board of healing arts. The state board of healing arts by duly adopted rules
42 and regulations shall establish the requirements for such program of
43 continuing education as soon as possible after the effective date of this act.

1 In establishing such requirements the state board of healing arts shall
2 consider any existing programs of continuing education currently being
3 offered to physician assistants.

4 ~~(d)~~(e) A person registered to practice as a physician assistant
5 immediately prior to the effective date of this act shall be deemed to be
6 licensed to practice as a physician assistant under this act, and such person
7 shall not be required to file an original application for licensure under this
8 act. ~~Any application for registration filed which has not been granted prior~~
9 ~~to February 1, 2001, shall be processed as an application for licensure~~
10 ~~under this act.~~

11 Sec. 7. K.S.A. 65-28b03 is hereby amended to read as follows: 65-
12 28b03. (a) In order to obtain authorization to engage in the independent
13 practice of midwifery, a certified nurse-midwife must meet the following
14 requirements:

15 (1) Be licensed to practice professional nursing under the Kansas
16 nurse practice act;

17 (2) have successfully completed a course of study in nurse-midwifery
18 in a school of nurse-midwifery approved by the board;

19 (3) have successfully completed a national certification approved by
20 the board;

21 (4) have successfully completed a refresher course as defined by rules
22 and regulations of the board, if the individual has not been in active
23 midwifery practice for five years immediately preceding the application;

24 (5) be authorized to perform the duties of a certified nurse-midwife
25 by the state board of nursing;

26 (6) be licensed as an advanced practice registered nurse by the state
27 board of nursing; and

28 (7) have paid all fees for licensure prescribed in K.S.A. 65-28b05,
29 and amendments thereto.

30 (b) Upon application to the board by any certified nurse-midwife and
31 upon satisfaction of the standards and requirements established under this
32 act, the board shall grant an authorization to the applicant to engage in the
33 independent practice of midwifery. *The board may authorize any person to*
34 *engage in the independent practice of midwifery if such person is*
35 *authorized to engage in such practice by the appropriate regulatory*
36 *agency of another state that has substantially equivalent requirements for*
37 *such authorization as the board. An applicant for authorization to practice*
38 *midwifery pursuant to this section shall submit any information required*
39 *by the board and pay any fees required for licensure under K.S.A. 65-*
40 *28b05, and amendments thereto.*

41 (c) A person whose licensure has been revoked may make written
42 application to the board requesting reinstatement of the license in a manner
43 prescribed by the board, which application shall be accompanied by the

1 fee prescribed in K.S.A. 65-28b05, and amendments thereto.

2 ~~(d) The provisions of this section shall become effective on January~~
3 ~~1, 2017.~~

4 Sec. 8. K.S.A. 65-2906 is hereby amended to read as follows: 65-
5 2906. (a) The board, with the advice and assistance of the council, shall
6 pass upon the qualifications of all applicants for licensure or certification
7 and duly license or certify those applicants who meet the qualifications
8 established by this act.

9 (b) An applicant applying for licensure as a physical therapist or for a
10 certificate as a physical therapist assistant shall file a written application
11 on forms provided by the board, showing to the satisfaction of the board
12 that the applicant meets the following requirements:

13 (1) The applicant is of legal age;

14 (2) the applicant has successfully completed the academic
15 requirements of an educational program in physical therapy approved by
16 the board which is appropriate for the certification or licensure of the
17 applicant or, if the applicant attended a program not approved by the
18 board, the applicant shall present an evaluation by an entity approved by
19 the board showing that applicant's educational program met the criteria a
20 school must satisfy to be approved by the board;

21 (3) the applicant has passed an examination required by the board
22 which is appropriate for the certification or licensure of the applicant to
23 test the applicant's knowledge of the basic and clinical sciences relating to
24 physical therapy theory and practice; and

25 (4) the applicant has paid to the board all applicable fees established
26 under K.S.A. 65-2911, and amendments thereto.

27 (c) *The board may grant a license or certification to any person who*
28 *holds a current, valid license or certification as a physical therapist or*
29 *physical therapist assistant issued by the appropriate regulatory agency of*
30 *another state that has substantially equivalent requirements for such*
31 *licensure or certification as the board. An applicant for a license or*
32 *certification issued pursuant to this section shall submit any information*
33 *required by the board and pay any fees required for such licensure or*
34 *certification.*

35 (d) The board shall adopt rules and regulations establishing the
36 criteria which a school shall satisfy in order to be approved by the board
37 for purposes of subsection (b). The board may send a questionnaire
38 developed by the board to any school for which the board does not have
39 sufficient information to determine whether the school meets the
40 requirements of the board for approval and rules and regulations adopted
41 under this section. The questionnaire providing the necessary information
42 shall be completed and returned to the board in order for the school to be
43 considered for approval. The board may contract with investigative

1 agencies, commissions or consultants to assist the board in obtaining
2 information about schools. In entering such contracts the authority to
3 approve schools shall remain solely with the board.

4 Sec. 9. K.S.A. 65-4203 is hereby amended to read as follows: 65-
5 4203. (a) *Qualification*. An applicant for a license to practice as a mental
6 health technician shall:

7 (1) Have graduated from a high school accredited by the appropriate
8 legal accrediting agency or have obtained the equivalent of a high school
9 education, as determined by the state department of education;

10 (2) have satisfactorily completed an approved course of mental health
11 technology; and

12 (3) file with the board a written application for a license.

13 (b) The board may issue a license to an applicant to practice as a
14 mental health technician who has:

15 (1) Met the qualifications set forth in subsection (a);

16 (2) passed a written examination in mental health technology as
17 prescribed by the board; and

18 (3) no disqualifying factors under K.S.A. 65-4209, and amendments
19 thereto.

20 (c) *Licensure examination within 24 months of graduation*. (1)
21 Persons who do not take the licensure examination within 24 months after
22 graduation shall petition the board for permission prior to taking the
23 licensure examination. The board may require the applicant to submit and
24 complete a plan of study prior to taking the licensure examination.

25 (2) Persons who are unsuccessful in passing the licensure
26 examination within 24 months after graduation shall petition the board for
27 permission prior to subsequent attempts. The board may require the
28 applicant to submit and complete a plan of study prior to taking the
29 licensure examination a subsequent time. The study plan shall contain
30 subjects related to deficiencies identified on the failed examination
31 profiles.

32 (d) *Licensure recognition*. *The board may grant a license to any*
33 *person who holds a current, valid license to practice as a mental health*
34 *technician issued by the appropriate regulatory agency of another state*
35 *that has substantially equivalent requirements for such licensure as the*
36 *board. An applicant for a license issued pursuant to this section shall*
37 *submit any information required by the board and pay any fees required*
38 *for such licensure.*

39 (e) An application for initial licensure will be held awaiting
40 completion of meeting qualifications for a time period specified in rules
41 and regulations.

42 ~~(e)~~(f) *Refresher course*. Notwithstanding the provisions of subsection
43 (a), an applicant for a license to practice as a mental health technician who

1 has not been licensed to practice as a mental health technician for five
2 years preceding application shall be required to successfully complete a
3 refresher course as defined by the board in rules and regulations.

4 ~~(f)~~(g) The board may issue a one-time temporary permit to practice as
5 a mental health technician for a period not to exceed 120 days when a
6 reinstatement application has been made.

7 ~~(g)~~(h) *Exempt license.* The board may issue an exempt license to any
8 licensee as defined in rules and regulations who makes written application
9 for such license on a form provided by the board, who remits a fee as
10 established pursuant to K.S.A. 65-4208, and amendments thereto, and who
11 is not regularly engaged in mental health technician practice in Kansas but
12 volunteers mental health technician service or is a charitable health care
13 provider as defined by K.S.A. 75-6102, and amendments thereto. Each
14 exempt licensee shall be subject to all provisions of the mental health
15 technician act, except as otherwise provided in this subsection (e). Each
16 exempt license may be renewed biennially subject to the provisions of this
17 section. The holder of the exempt license shall not be required to submit
18 evidence of satisfactory completion of a program of continuing education
19 for renewal. To convert an exempt license to an active license, the exempt
20 licensee shall meet all the requirements of subsection (b) or K.S.A. 65-
21 4205, and amendments thereto. The board shall have authority to write
22 rules and regulations to carry out the provisions of this section.

23 ~~(h)~~(i) The board may adopt rules and regulations as necessary to
24 administer the mental health technician's licensure act.

25 Sec. 10. K.S.A. 65-5406 is hereby amended to read as follows: 65-
26 5406. (a) An applicant applying for licensure as an occupational therapist
27 or as an occupational therapy assistant shall file a written application on
28 forms provided by the board, showing to the satisfaction of the board that
29 the applicant meets the following requirements:

30 (1) Education: The applicant shall present evidence satisfactory to the
31 board of having successfully completed the academic requirements of an
32 educational program in occupational therapy recognized by the board.

33 (2) Experience: The applicant shall submit to the board evidence of
34 having successfully completed a period of supervised field work at a
35 minimum recognized by the board.

36 (3) Examination: The applicant shall pass an examination as provided
37 for in K.S.A. 65-5407, and amendments thereto.

38 (4) Fees: The applicants shall pay to the board all applicable fees
39 established under K.S.A. 65-5409, and amendments thereto.

40 (b) *The board may grant a license to any person who holds a current,*
41 *valid license as an occupational therapist or as an occupational therapy*
42 *assistant issued by the appropriate regulatory agency of another state that*
43 *has substantially equivalent requirements for such licensure as the board.*

1 *An applicant for a license issued pursuant to this section shall submit any*
2 *information required by the board and pay any fees required for such*
3 *licensure.*

4 (c) The board shall adopt rules and regulations establishing the
5 criteria which an educational program in occupational therapy shall satisfy
6 to be recognized by the board under ~~paragraph (1)~~ of subsection (a)(1).
7 The board may send a questionnaire developed by the board to any school
8 or other entity conducting an educational program in occupational therapy
9 for which the board does not have sufficient information to determine
10 whether the program should be recognized by the board and whether the
11 program meets the rules and regulations adopted under this section. The
12 questionnaire providing the necessary information shall be completed and
13 returned to the board in order for the program to be considered for
14 recognition. The board may contract with investigative agencies,
15 commissions or consultants to assist the board in obtaining information
16 about an educational program in occupational therapy. In entering such
17 contracts the authority to recognize an educational program in
18 occupational therapy shall remain solely with the board.

19 Sec. 11. K.S.A. 65-5506 is hereby amended to read as follows: 65-
20 5506. (a) An applicant applying for licensure as a respiratory therapist
21 shall file a written application on forms provided by the board, showing to
22 the satisfaction of the board that the applicant meets the following
23 requirements:

24 (1) Education: The applicant shall present evidence satisfactory to the
25 board of having successfully completed an educational program in
26 respiratory therapy approved by the board.

27 (2) Examination: The applicant shall pass an examination as provided
28 for in K.S.A. 65-5507, and amendments thereto.

29 (3) Fees: The applicants shall pay to the board all applicable fees
30 established under K.S.A. 65-5509, and amendments thereto.

31 (b) *The board may grant a license to any person who holds a current,*
32 *valid license as a respiratory therapist issued by the appropriate*
33 *regulatory agency of another state that has substantially equivalent*
34 *requirements for such licensure as the board. An applicant for a license*
35 *issued pursuant to this section shall submit any information required by*
36 *the board and pay any fees required for such licensure.*

37 (c) The board shall adopt rules and regulations establishing the
38 criteria for an educational program in respiratory therapy to obtain
39 successful recognition by the board under ~~paragraph (1)~~ of subsection (a)
40 (1). The board may send a questionnaire developed by the board to any
41 school or other entity conducting an educational program in respiratory
42 therapy for which the board does not have sufficient information to
43 determine whether the program should be recognized by the board and

1 whether the program meets the rules and regulations adopted under this
2 section. The questionnaire providing the necessary information shall be
3 completed and returned to the board in order for the program to be
4 considered for recognition. The board may contract with investigative
5 agencies, commissions or consultants to assist the board in obtaining
6 information about an educational program in respiratory therapy. In
7 entering such contracts the authority to recognize an educational program
8 in respiratory therapy shall remain solely with the board.

9 Sec. 12. K.S.A. 65-5910 is hereby amended to read as follows: 65-
10 5910. The secretary may *grant a license*, without examination, *to any*
11 *person who ~~is duly licensed in~~ holds a current, valid license as a dietitian*
12 *issued by the appropriate regulatory agency of another state ~~if the~~*
13 *~~standards that has substantially equivalent requirements for such licensure~~*
14 *~~in such other state are not less than the standards as the secretary.~~ An*
15 *applicant for a license issued pursuant to this section shall submit any*
16 *information required by the secretary and pay any fees required for such*
17 *licensure under this act.*

18 Sec. 13. K.S.A. 2021 Supp. 65-6129 is hereby amended to read as
19 follows: 65-6129. (a) (1) Application for an emergency medical service
20 provider certificate shall be made to the board. The board shall not grant
21 an emergency medical service provider certificate unless the applicant
22 meets the following requirements:

23 (A) (i) Has successfully completed coursework required by the rules
24 and regulations adopted by the board;

25 (ii) has successfully completed coursework in another jurisdiction
26 that is substantially equivalent to that required by the rules and regulations
27 adopted by the board; or

28 (iii) has provided evidence that such applicant holds a current and
29 active certification with the national registry of emergency medical
30 technicians, completed emergency medical technician training as a
31 member of the army, navy, marine corps, air force, air or army national
32 guard, coast guard or any branch of the military reserves of the United
33 States that is substantially equivalent to that required by the rules and
34 regulations adopted by the board, and such applicant separated from such
35 military service with an honorable discharge;

36 (B) (i) has passed the examination required by the rules and
37 regulations adopted by the board; or

38 (ii) has passed the certification or licensing examination in another
39 jurisdiction that has been approved by the board; and

40 (C) has paid an application fee required by the rules and regulations
41 adopted by the board.

42 (2) The board may grant an emergency medical service provider
43 certificate to any applicant who meets the requirements under subsection

1 (a)(1)(A)(iii) but was separated from such military service with a general
2 discharge under honorable conditions.

3 (b) (1) The emergency medical services board may require an original
4 applicant for certification as an emergency medical services provider to be
5 fingerprinted and submit to a state and national criminal history record
6 check. The fingerprints shall be used to identify the applicant and to
7 determine whether the applicant has a record of criminal history in this
8 state or another jurisdiction. The emergency medical services board is
9 authorized to submit the fingerprints to the Kansas bureau of investigation
10 and the federal bureau of investigation for a state and national criminal
11 history record check. The emergency medical services board may use the
12 information obtained from fingerprinting and the applicant's criminal
13 history for purposes of verifying the identification of the applicant and
14 making the official determination of the qualifications and fitness of the
15 applicant to be issued or to maintain a certificate.

16 (2) Local and state law enforcement officers and agencies shall assist
17 the emergency medical services board in taking the fingerprints of
18 applicants for license, registration, permit or certificate. The Kansas
19 bureau of investigation shall release all records of adult convictions,
20 nonconvictions or adjudications in this state and any other state or country
21 to the emergency medical services board.

22 (3) The emergency medical services board may fix and collect a fee
23 as may be required by the board in an amount equal to the cost of
24 fingerprinting and the criminal history record check. The emergency
25 medical services board shall remit all moneys received from the fees
26 established by this section to the state treasurer in accordance with the
27 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
28 each such remittance, the state treasurer shall deposit the entire amount in
29 the state treasury to the credit of the emergency medical services criminal
30 history and fingerprinting fund.

31 (4) There is hereby created in the state treasury the emergency
32 medical services criminal history and fingerprinting fund. All moneys
33 credited to the fund shall be used to pay the Kansas bureau of investigation
34 for the processing of fingerprints and criminal history record checks for
35 the emergency medical services board. The fund shall be administered by
36 the emergency medical services board. All expenditures from the fund
37 shall be made in accordance with appropriation acts upon warrants of the
38 director of accounts and reports issued pursuant to vouchers approved by
39 the chairperson of the emergency medical services board or the
40 chairperson's designee.

41 (c) *The board may grant a certificate to any person who holds a*
42 *current, valid emergency medical service provider, advanced emergency*
43 *medical technician or paramedic certificate issued by the appropriate*

1 *regulatory agency of another state that has substantially equivalent*
 2 *requirements for such certification as the board. An applicant for a*
 3 *certificate issued pursuant to this section shall submit any information*
 4 *required by the board and pay any fees required for such certification.*

5 (d) The board shall not grant an initial advanced emergency medical
 6 technician certificate or paramedic certificate as a result of successful
 7 course completion in the state of Kansas, unless the applicant for such an
 8 initial certificate is certified as an emergency medical technician.

9 ~~(d)~~(e) An emergency medical service provider certificate shall expire
 10 on the date prescribed by the board. An emergency medical service
 11 provider certificate may be renewed for a period of two years upon
 12 payment of a fee as prescribed by rule and regulation of the board and
 13 upon presentation of satisfactory proof that the emergency medical service
 14 provider has successfully completed continuing education as prescribed by
 15 the board.

16 ~~(e)~~(f) All fees received pursuant to the provisions of this section shall
 17 be remitted to the state treasurer in accordance with the provisions of
 18 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
 19 remittance, the state treasurer shall deposit the entire amount in the state
 20 treasury to the credit of the emergency medical services operating fund
 21 established by K.S.A. 65-6151, and amendments thereto.

22 ~~(f)~~(g) If a person who was previously certified as an emergency
 23 medical service provider applies for an emergency medical service
 24 provider's certificate after the certificate's expiration, the board may grant
 25 a certificate without the person completing an initial course of instruction
 26 or passing a certification examination if the person has completed
 27 education requirements and has paid a fee as specified in rules and
 28 regulations adopted by the board.

29 ~~(g)~~(h) The board shall adopt, through rules and regulations, a formal
 30 list of graduated sanctions for violations of article 61 of chapter 65 of the
 31 Kansas Statutes Annotated, and amendments thereto, that shall specify the
 32 number and severity of violations for the imposition of each level of
 33 sanction.

34 Sec. 14. K.S.A. 2021 Supp. 65-6322 is hereby amended to read as
 35 follows: 65-6322. (a) The board ~~may~~ *shall* issue a license *as a*
 36 *baccalaureate social worker* to an individual who is currently registered,
 37 certified or licensed to practice social work in another jurisdiction, if ~~the~~
 38 ~~board determines that:~~

39 ~~(1)~~ ~~the standards for registration, certification or licensure to practice~~
 40 ~~social work at the baccalaureate level in another jurisdiction are~~
 41 ~~substantially the equivalent of the requirements in the social workers~~
 42 ~~licensure act and rules and regulations of the board for licensure as a~~
 43 ~~baccalaureate social worker;~~ ~~or~~

1 (2) ~~the applicant demonstrates compliance on forms set by the board,~~
2 ~~with the following standards as adopted by the board:~~

3 (A) ~~Registration, certification or licensure to practice social work at~~
4 ~~the baccalaureate level for at least 48 of the last 54 months immediately~~
5 ~~preceding the application, with at least the minimum professional~~
6 ~~experience as established by rules and regulations of the board;~~

7 (B) ~~the absence of disciplinary actions of a serious nature brought by~~
8 ~~a registration, certification or licensing board or agency; and~~

9 (C) ~~completion of a baccalaureate degree in social work from a~~
10 ~~regionally accredited university.~~

11 (b) ~~The board may~~ *shall* issue a license *as a master social worker*
12 ~~an individual who is currently registered, certified or licensed to practice~~
13 ~~social work in another jurisdiction, if the board determines that:~~

14 (1) ~~the standards for registration, certification or licensure to practice~~
15 ~~social work at the master's level in another jurisdiction are substantially the~~
16 ~~equivalent of the requirements in the social workers licensure act and rules~~
17 ~~and regulations of the board for licensure as a master social worker; or~~

18 (2) ~~the applicant demonstrates compliance on forms set by the board,~~
19 ~~with the following standards as adopted by the board:~~

20 (A) ~~Registration, certification or licensure to practice social work at~~
21 ~~the master level for at least 48 of the last 54 months immediately~~
22 ~~preceding the application with at least the minimum professional~~
23 ~~experience as established by rules and regulations of the board;~~

24 (B) ~~the absence of disciplinary actions of a serious nature brought by~~
25 ~~a registration, certification or licensing board or agency; and~~

26 (C) ~~completion of a master's degree in social work from a regionally~~
27 ~~accredited university.~~

28 (c) ~~Applicants for licensure~~ *The board shall issue a license as a*
29 ~~specialist clinical social worker shall demonstrate:~~

30 (1) ~~That the applicant meets the requirements of subsection (b);~~

31 (2) ~~that the applicant is to an individual who is currently licensed to~~
32 ~~practice social work at the clinical level in another state; and~~

33 (3) ~~competence to diagnose and treat mental disorders by meeting at~~
34 ~~least two of the following areas acceptable to the board:~~

35 (A) ~~Passing a national clinical examination approved by the board;~~

36 (B) ~~three years of clinical practice with demonstrated experience in~~
37 ~~diagnosing or treating mental disorders; or~~

38 (C) ~~attestation from a professional licensed to diagnose and treat~~
39 ~~mental disorders in independent practice or licensed to practice medicine~~
40 ~~and surgery, stating that the applicant is competent to diagnose and treat~~
41 ~~mental disorders if the standards for licensure to practice social work at~~
42 ~~the clinical level in the other state are substantially the equivalent of the~~
43 ~~requirements in the social workers licensure act and rules and regulations~~

1 *of the board for licensure as a specialist clinical social worker.*

2 (d) An applicant for a license under this section shall *submit any*
 3 *information required by the board and* pay an application fee established
 4 by the board under K.S.A. 65-6411, and amendments thereto, if required
 5 by the board.

6 Sec. 15. K.S.A. 65-7203 is hereby amended to read as follows: 65-
 7 7203. (a) The board, ~~as hereinafter provided,~~ shall administer the
 8 provisions of this act.

9 (b) The board shall judge the qualifications of all applicants for
 10 examination and licensure, determine the applicants who successfully pass
 11 the examination, duly license such applicants and adopt rules and
 12 regulations as may be necessary to administer the provisions of this act.

13 (c) The board shall issue a license as a naturopathic doctor to an
 14 individual who prior to the effective date of this act: (1) Graduated from a
 15 school of naturopathy that required four years of attendance and was at the
 16 time of such individual's graduation accredited or a candidate for
 17 accreditation by the board approved accrediting body~~s~~; (2) passed an
 18 examination approved by the board covering appropriate naturopathic
 19 subjects including basic and clinical sciences; and (3) has not committed
 20 an act which would subject such person to having a license suspended or
 21 revoked under K.S.A. 65-7208, and amendments thereto.

22 (d) *The board shall grant a license to any person who holds a*
 23 *current, valid license as a naturopathic doctor issued by the appropriate*
 24 *regulatory agency of another state that has substantially equivalent*
 25 *requirements for such licensure as the board. An applicant for a license*
 26 *issued pursuant to this section shall submit any information required by*
 27 *the board and pay any fees required for such licensure.*

28 (e) The board shall keep a record of all proceedings under this act and
 29 a roster of all individuals licensed under this act. Only an individual may
 30 be licensed under this act.

31 Sec. 16. K.S.A. 65-7503 is hereby amended to read as follows: 65-
 32 7503. (a) ~~On or after July 1, 2016,~~ No person shall practice applied
 33 behavior analysis in this state unless ~~they are~~ *such person is a:*

34 (1) Licensed behavior ~~analysts~~ *analyst*;

35 (2) licensed assistant behavior ~~analysts~~ *analyst* working under the
 36 supervision of a licensed behavior analyst;

37 (3) ~~an individual~~ *person* who has a bachelor's or graduate degree and
 38 completed course work for licensure as a behavior analyst and is obtaining
 39 supervised field experience under a licensed behavior analyst pursuant to
 40 required supervised work experience for licensure at the behavior analyst
 41 or assistant behavior analyst level; or

42 (4) licensed ~~psychologists~~ *psychologist* practicing within the rules
 43 and standards of practice for psychologists in the state of Kansas and

1 whose practice is commensurate with ~~their~~ *such person's* level of training
2 and experience.

3 (b) *The board shall grant a license to any person who holds a*
4 *current, valid license to practice applied behavior analysis issued by the*
5 *appropriate regulatory agency of another state that has substantially*
6 *equivalent requirements for such licensure as the board. An applicant for a*
7 *license issued pursuant to this section shall submit any information*
8 *required by the board and pay any fees required for such licensure.*

9 (c) The licensing requirements of subsection (a) shall not apply to any
10 person:

11 (1) Licensed by the board who practices any component of applied
12 behavior analysis within the scope of such person's license and scope of
13 practice as required by law;

14 (2) who provides services under the individuals with disabilities
15 education act (IDEA), 20 U.S.C. § 1400 et seq.;

16 (3) who provides services under § 504 of the federal rehabilitation act
17 of 1973, 20 U.S.C. § 794;

18 (4) is enrolled in a course of study at a recognized educational
19 institution through which such person provides applied behavior analysis
20 as part of supervised clinical experience;

21 (5) who is an autism specialist, an intensive individual service
22 provider or any other individual qualified to provide services under the
23 home and community based services autism waiver administered by the
24 Kansas department for aging and disability services;

25 (6) who is an occupational therapist licensed by the state board of
26 healing arts, acting within the scope of such person's license and scope of
27 practice as required by law; or

28 (7) who is a speech-language pathologist or audiologist licensed by
29 the Kansas department for aging and disability services, acting within the
30 scope of such person's license and scope of practice as required by law.

31 ~~(e)~~(d) The board shall not issue a license under this act until the
32 license applicant provides proof that such applicant has met the
33 certification requirements of a certifying entity.

34 Sec. 17. K.S.A. 72-2157 is hereby amended to read as follows: 72-
35 2157. (a) The state board of education, in accordance with law, is
36 authorized to adopt rules and regulations providing for the issuance,
37 renewal, reinstatement and registration of licenses for teachers and other
38 personnel in the state department of education and in schools and
39 institutions under the general supervision of the state board of education.

40 (b) In addition to other requirements and subject to the provisions of
41 K.S.A. 72-2164, and amendments thereto, the rules and regulations of the
42 state board of education shall include after May 1, 1986, the requirement
43 that applicants for initial issuance of licenses to teach shall take and

1 satisfactorily pass an examination prescribed by the state board.

2 (c) *The rules and regulations adopted by the state board pursuant to*
3 *this section shall include provisions for the issuance of licenses for*
4 *teachers and other personnel to persons who hold a current, valid license*
5 *issued by the appropriate regulatory agency of another state that has*
6 *substantially equivalent requirements for such licensure as the state board*
7 *of education.*

8 (d) The privilege to teach at any level or in any field or subject, if
9 such privilege is or has been granted when a license is issued, may not be
10 withheld during the term for which the license is issued except as provided
11 in K.S.A. 72-2155 or 72-2216, and amendments to such sections *thereto.*

12 Sec. 18. K.S.A. 75-7b04 is hereby amended to read as follows: 75-
13 7b04. (a) Every person desiring to be licensed in Kansas as a private
14 detective or private detective agency shall make application therefor to the
15 attorney general. An application for a license under this act shall be on a
16 form prescribed by the attorney general and accompanied by the required
17 application fee. An application shall be verified and shall include:

- 18 (1) The full name and business address of the applicant;
- 19 (2) the name under which the applicant intends to do business;
- 20 (3) a statement as to the general nature of the business in which the
21 applicant intends to engage;
- 22 (4) a statement as to the classification or classifications under which
23 the applicant desires to be qualified;
- 24 (5) if the applicant is an organization, the full name and residence
25 address of each of its partners, officers, directors or associates;
- 26 (6) two photographs of the applicant taken within 30 days before the
27 date of application, of a type prescribed by the attorney general, and two
28 classifiable sets of the applicant's fingerprints one of which shall be
29 submitted to the federal bureau of investigation for a fingerprint check for
30 any criminal history of the applicant;
- 31 (7) a statement of the applicant's employment history; and
- 32 (8) such other information, evidence, statements or documents as may
33 be required by the attorney general.

34 (b) The application shall be accompanied by a certificate of reference
35 signed by five or more reputable persons who have known the applicant
36 for a period of at least 5 years. The certificate of reference shall be verified
37 and acknowledged by such persons before an officer authorized to take
38 oaths and acknowledgment of deeds.

39 Each person signing the certificate of reference shall subscribe and
40 affirm as true, under the penalties of perjury, that:

- 41 (1) The person has known the applicant personally for a period of at
42 least five years prior to the filing of the application. The attorney general
43 may lessen such period if the applicant has been discharged honorably

1 from the military service of the United States within the six-year period
2 immediately preceding the date the application is submitted;

3 (2) the person has read such application and believes each of the
4 statements made therein to be true;

5 (3) the applicant is honest, of good character and competent and not
6 related or connected by blood or marriage to such person.

7 (c) Before an application for a license may be granted, the applicant
8 or, if the applicant is an organization, all of the officers, directors, partners
9 or associates shall:

10 (1) Be at least 21 years of age;

11 (2) be a citizen of the United States;

12 (3) be of good moral character; and

13 (4) comply with such other qualifications as the attorney general
14 adopts by rules and regulations.

15 (d) In accordance with the summary proceedings provisions of the
16 Kansas administrative procedure act, the attorney general may deny a
17 license if the applicant has:

18 (1) Committed any act which, if committed by a licensee, would be
19 grounds for the suspension or revocation of a license under this act;

20 (2) committed any act constituting dishonesty or fraud;

21 (3) a bad moral character or a bad reputation for truth, honesty, and
22 integrity;

23 (4) been convicted of a felony or, within 10 years immediately prior
24 to the date of application, been convicted of any crime involving moral
25 turpitude, dishonesty, vehicular homicide, assault, battery, assault of a law
26 enforcement officer, misdemeanor battery against a law enforcement
27 officer, criminal restraint, sexual battery, endangering a child, intimidation
28 of a witness or victim or illegally using, carrying, or possessing a
29 dangerous weapon;

30 (5) been refused a license under this act or had a license suspended or
31 revoked in this state or in any other jurisdiction or had a license censured,
32 limited or conditioned two or more times in this state or in any other
33 jurisdiction;

34 (6) been an officer, director, partner or associate of any person who
35 has been refused a license under this act or whose license has been
36 suspended or revoked in this state or in any other jurisdiction or had a
37 license censured, limited or conditioned two or more times in this state or
38 in any other jurisdiction;

39 (7) while unlicensed, committed or aided and abetted the commission
40 of any act for which a license is required by this act; or

41 (8) knowingly made any false statement in the application.

42 (e) The attorney general may charge a fee for initial application forms
43 and materials in an amount fixed by the attorney general pursuant to

1 K.S.A. 75-7b22, and amendments thereto. Such fee shall be credited
2 against the application fee of any person who subsequently submits an
3 application.

4 *(f) The attorney general shall grant a license to any person who*
5 *holds a current, valid license as a private detective issued by the*
6 *appropriate regulatory agency of another state that has substantially*
7 *equivalent requirements for such licensure as this state. An applicant for a*
8 *license issued pursuant to this section shall submit any information*
9 *required by the attorney general and pay any fees required for such*
10 *licensure.*

11 Sec. 19. K.S.A. 1-302, 65-1152, 65-1505, 65-1663, 65-2833, 65-
12 28a04, 65-28b03, 65-2906, 65-4203, 65-5406, 65-5506, 65-5910, 65-7203,
13 65-7503, 72-2157 and 75-7b04 and K.S.A. 2021 Supp. 65-6129 and 65-
14 6322 are hereby repealed.

15 Sec. 20. This act shall take effect and be in force from and after its
16 publication in the statute book.