

2023 Kansas Statutes

65-28,136. Sports waiver for out-of-state physicians; application; restrictions; denial of application; rules and regulations for other healthcare professions. (a) Notwithstanding any other provision of law to the contrary, an out-of-state physician holding a license issued by the applicable licensing agency of another state may practice medicine on a limited basis in this state during certain sporting events, if such physician receives a sports waiver issued by the state board of healing arts. The board shall issue such a waiver within 15 days after receipt of a complete application if the physician:

- (1) Submits a complete application in the manner determined by the board;
- (2) holds an unrestricted license to practice medicine and surgery in another state and is not the subject of any investigation or disciplinary action by any applicable licensing agency;
- (3) has professional liability coverage for the duration of the sporting event that meets the minimum level of coverage required to practice in Kansas; and
- (4) meets at least one of the following qualifications:
 - (A) The physician has entered into a written agreement with a sports team to provide medical care to team members and coaching staff traveling with the team for a specific sporting event to take place in this state;
 - (B) the physician has been invited by a national sport governing body to provide healthcare services to team members and coaching staff at a national sport training center in this state; or
 - (C) the physician has been invited by a national sport governing body to provide healthcare services at an event or competition in this state that is sanctioned by a national sport governing body.

(b) Any individual practicing under a sports waiver issued by the board shall be limited to:

- (1) The scope of practice defined by Kansas law for such healthcare profession; and
- (2) such healthcare services required under the written agreement either with a sports team for team members and coaching staff or healthcare services that are required by the national sport governing body.

(c) Any individual practicing pursuant to a sports waiver under the provisions of this section shall be subject to all rules and regulations relating to the practice of the licensed profession in this state and shall be considered a licensee for the purposes of the provisions of law administered by the board.

(d) (1) A sports waiver issued under this section shall be valid for the time certified by the healthcare professional or national sports governing body for each respective sporting event, except that no waiver shall be valid for longer than 30 days.

(2) An individual shall not be issued more than five sports waivers in a calendar year, unless otherwise approved by the board for an extenuating, unforeseen circumstance.

(e) Nothing in this section shall be construed to permit any individual issued a sports waiver under the provisions of this section to:

- (1) Provide healthcare services or consultation to any individual residing in this state, other than individuals described in subsection (a); or
- (2) practice the individual's healthcare profession at a licensed healthcare facility in this state.

(f) Any individual issued a sports waiver or out-of-state sports team receiving services from such individual shall report to the board any potential violation of the healing arts act or other applicable practice act, including, but not limited to, professional incompetence or unprofessional conduct.

(g) Nothing in this section shall be construed to prohibit the board from denying an application for a sports waiver under this section if the board determines that the individual does not meet technical qualifications or granting the application may endanger the health and safety of the public.

(h) (1) The board may adopt rules and regulations necessary to implement the provisions of this section, including, but not limited to, procedures for reporting potential medical violations.

(2) Consistent with this section, the board may adopt procedures to allow other

healthcare professionals licensed and regulated by the board to be issued a sports waiver to ensure patient safety.

(i) This section shall be a part of and supplemental to article 28 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

History: L. 2023, ch. 90, § 1; July 1.