

SESSION OF 2011

SUPPLEMENTAL NOTE ON SENATE BILL NO. 134

As Amended by House Committee of the Whole

Brief*

Effective January 1, 2012, SB 134 would amend current law to update the title of an Advanced Registered Nurse Practitioner (ARNP) to Advance Practice Registered Nurse (APRN), would change licensure and education requirements for the role of the APRN, and would make a definitional change regarding optometrists.

Effective July 1, 2011, the bill also would provide a process for reinstatement of a license for a registered professional nurse whose license had lapsed for a period of more than five years under certain circumstances.

The bill would make the following specific changes:

APRNs

- Replace all references to an ARNP in statute with APRN;
- Require an APRN to be licensed, instead of holding a certificate of qualification as currently is required;
- Replace language referring to the disciplinary action which may be taken against a holder of a certificate of qualification to instead apply to the holder of a temporary permit;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- Replace the use of “categories” in describing the types of ARNPs with “roles” (Under current law, the four recognized categories are: Nurse Practitioner, Clinical Nurse Specialist, Certified Nurse Midwife, and Certified Registered Nurse Anesthetist);
- Require a Masters or higher degree for an APRN;
- Allow an ARNP registered to practice prior to the effective date of the act to be deemed licensed as a APRN without requiring the filing of a new application;
- Treat any application for registration which has been filed but not granted prior to the effective date of the act, to be processed as an application for licensure under this bill; and
- Require continuing education for an APRN specific to advance practice nursing role.

Optometrist Definition Change

The bill would change the definition of “practitioner” with regard to the licensure of an optometrist in the Regulation of Pharmacists Act.

Reinstatement of Lapsed Nurse License

The bill would permit a registered professional nurse whose license has lapsed to apply to the nursing board for reinstatement as a registered professional nurse, and would waive the requirement to complete a refresher course, if the following conditions are present:

- The nursing license has lapsed for more than five years;
- The nurse has been employed for at least four of the last five years providing the type of patient care that is substantially comparable to patient care provided by a registered professional nurse.

The nurse would be reinstated as a registered professional nurse upon application to the board, review by the board of the nurse's work history, and payment of the reinstatement fee. The bill would make additional technical changes.

Background

The bill was introduced by the Committee on Public Health and Welfare at the request of the Kansas State Board of Nursing. Proponents of the bill testifying before the Committee included representatives from the State Board of Nursing, the Kansas Advanced Practice Registered Nurse Task Force, and the Kansas State Nurses' Association. A Board representative testified that the title change from ARNP to APRN would establish uniformity with other states and be less confusing to an APRN who comes to Kansas for employment. The Board representative also stated the statutory change requiring a Masters or higher degree for an APRN would align Kansas with other states in the nation, and all APRN programs in Kansas already require a Masters degree. Further, the Board representative indicated the licensure requirement would conform to the Consensus Model adopted by the National Council of State Boards of Nursing. There were no opponents to the bill at the Committee hearing.

The Senate Committee on Public Health and Welfare made technical amendments to the bill as requested by the Revisor.

The Senate Committee of the Whole amended the bill to change the definition of "practitioner" with regard to the licensure of an optometrist, and made technical amendments.

The House Committee on Health and Human Services made an amendment changing the effective date to January 1, 2012. The Committee also made technical amendments.

The House Committee of the Whole amended the bill to provide for reinstatement in certain instances of a registered professional nurse's license whose license has lapsed for more than five years.

The fiscal note prepared by the Division of the Budget on the original bill states that the Kansas Board of Nursing indicated the bill would increase expenditures from the Board of Nursing Fee Fund because current regulations would need to be updated and those changes published. The Board estimated the costs would be less than \$500. The fiscal effect of the bill is not reflected in *The FY 2012 Governor's Budget Report*.