

SENATE BILL No. 402

By Committee on Public Health and Welfare

2-3

1 AN ACT concerning charitable healthcare providers; relating to continuing
2 education credits for gratuitous care; amending *K.S.A. 75-6115 and*
3 *K.S.A. 2015 Supp. 65-1431*, 65-2809 and 75-6102 and repealing the
4 existing sections.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 ***Section 1. K.S.A. 2015 Supp. 65-1431 is hereby amended to read as***
8 ***follows: 65-1431. (a) Each license to practice as a dentist or dental***
9 ***hygienist issued by the board, shall expire on December 1 of the year***
10 ***specified by the board for the expiration of the license and shall be***
11 ***renewed on a biennial basis. Each application for renewal shall be made***
12 ***on a form prescribed and furnished by the board. Every licensed dentist***
13 ***or dental hygienist shall pay to the board a renewal fee fixed by the***
14 ***board as provided in K.S.A. 65-1447, and amendments thereto.***

15 ***(b) To provide for a staggered system of biennial renewal of***
16 ***licenses, the board may renew licenses for less than two years.***

17 ***(c) On or before December 1 of the year in which the licensee's***
18 ***license expires, the licensee shall transmit to the board a renewal***
19 ***application, upon a form prescribed by the board, which shall include***
20 ***such licensee's signature, post office address, the number of the license***
21 ***of such licensee, whether such licensee has been engaged during the***
22 ***preceding licensure period in active and continuous practice whether***
23 ***within or without this state, and such other information as may be***
24 ***required by the board, together with the biennial licensure fee for a***
25 ***dental hygienist which is fixed by the board pursuant to K.S.A. 65-1447,***
26 ***and amendments thereto.***

27 ***(d) (1) The board shall require every licensee to submit with the***
28 ***renewal application evidence of satisfactory completion of a program of***
29 ***continuing education required by the board. The board by duly adopted***
30 ***rules and regulations shall establish the requirements for such program***
31 ***of continuing education as soon as possible after the effective date of***
32 ***this act.***

33 ***(2) A dentist who is a charitable healthcare provider in Kansas who***
34 ***has signed an agreement to provide gratuitous services pursuant to K.S.A.***
35 ***75-6102 and 75-6120, and amendments thereto, may fulfill one hour of***
36 ***continuing education credit by the performance of two hours of gratuitous***

1 services to eligible low-income patients up to a maximum of six continuing
2 education credits per licensure period.

3 (e) Upon fixing the biennial license renewal fee, the board shall
4 immediately notify all licensees of the amount of the fee for the ensuing
5 licensure period. Upon receipt of such fee and upon receipt of evidence
6 that the licensee has satisfactorily completed a program of continuing
7 education required by the board, the licensee shall be issued a renewal
8 license authorizing the licensee to continue to practice in this state for a
9 period of no more than two years.

10 (f) (1) Any license granted under authority of this act shall
11 automatically be canceled if the holder thereof fails to apply for and
12 obtain renewal prior to March 1 of the year following the December in
13 which a renewal application is due.

14 (2) Any licensee whose license is required to be renewed for the
15 next biennial period may obtain renewal, prior to February 1, by
16 submitting to the board the required renewal application, payment of the
17 biennial renewal fee and proof that such licensee has satisfactorily
18 completed a program of continuing education required by the board.
19 Any licensee whose license is required to be renewed for the next
20 biennial period may obtain renewal, between February 1 and March 1,
21 by submitting to the board the required renewal application, payment of
22 the biennial renewal fee, payment of a penalty fee of not to exceed \$500
23 as fixed by rules and regulations by the board and proof that such
24 licensee has satisfactorily completed a program of continuing education
25 required by the board. The penalty fee in effect immediately prior to the
26 effective date of this act shall continue in effect until rules and
27 regulations establishing a penalty fee under this section become
28 effective.

29 (g) Upon failure of any licensee to pay the applicable renewal fee or
30 to present proof of satisfactory completion of the required program of
31 continuing education by February 1 of the year following the December
32 in which a renewal application is due, the board shall notify such
33 licensee, in writing, by mailing notice to such licensee's last registered
34 address. Failure to mail or receive such notice shall not affect the
35 cancellation of the license of such licensee.

36 (h) The board may waive the payment of biennial fees and the
37 continuing education requirements for the renewal of licenses without
38 the payment of any fee for a person who has held a Kansas license to
39 practice dentistry or dental hygiene if such licensee has retired from
40 such practice or has become temporarily or permanently disabled and
41 such licensee files with the board a certificate stating either of the
42 following:

43 (1) A retiring licensee shall certify to the board that the licensee is

1 *not engaged, except as provided in K.S.A. 65-1466, and amendments*
2 *thereto, in the provision of any dental service, the performance of any*
3 *dental operation or procedure or the delivery of any dental hygiene*
4 *service as defined by the statutes of the state of Kansas; or*

5 *(2) a disabled licensee shall certify to the board that such licensee is*
6 *no longer engaged in the provision of dental services, the performance*
7 *of any dental operation or the provision of any dental hygiene services*
8 *as defined by the statutes of the state of Kansas by reason of any*
9 *physical disability, whether permanent or temporary, and shall describe*
10 *the nature of such disability.*

11 *(i) The waiver of fees under subsection (h) shall continue so long as*
12 *the retirement or physical disability exists. Except as provided in K.S.A.*
13 *65-1466, and amendments thereto, in the event the licensee returns to*
14 *the practice for which such person is licensed, the requirement for*
15 *payment of fees and continuing education requirements shall be*
16 *reimposed commencing with and continuing after the date the licensee*
17 *returns to such active practice. Except as provided in K.S.A. 65-1466,*
18 *and amendments thereto, the performance of any dental service,*
19 *including consulting service, or the performance of any dental hygiene*
20 *service, including consulting service, shall be deemed the resumption of*
21 *such service, requiring payment of license fees.*

22 *(j) The Kansas dental board may adopt such rules and regulations*
23 *requiring the examination and providing means for examination of*
24 *those persons returning to active practice after a period of retirement or*
25 *disability as the board shall deem necessary and appropriate for the*
26 *protection of the people of the state of Kansas except that for an*
27 *applicant to practice dental hygiene who is returning to active practice*
28 *after a period of retirement or disability, the board shall authorize as an*
29 *alternative to the requirement for an examination that the applicant*
30 *successfully complete a refresher course as defined by the board in an*
31 *approved dental hygiene school.*

32 ~~Section 1.~~ *Sec. 2.* K.S.A. 2015 Supp. 65-2809 is hereby amended to
33 read as follows: 65-2809. (a) The license shall be canceled on the date
34 established by rules and regulations of the board which may provide
35 renewal throughout the year on a continuing basis. In each case in which a
36 license is renewed for a period of time of more or less than 12 months, the
37 board may prorate the amount of the fee established under K.S.A. 65-
38 2852, and amendments thereto. The request for renewal shall be on a form
39 provided by the board and shall be accompanied by the prescribed fee,
40 which shall be paid not later than the renewal date of the license.

41 (b) There is hereby created a designation of an active license. The
42 board is authorized to issue an active license to any licensee who makes
43 written application for such license on a form provided by the board and

1 remits the fee for an active license established pursuant to K.S.A. 65-2852,
2 and amendments thereto. The board shall require every active licensee to
3 submit evidence of satisfactory completion of a program of continuing
4 education required by the board. The requirements for continuing
5 education for licensees of each branch of the healing arts shall be
6 established by rules and regulations adopted by the board.

7 (c) The board, prior to renewal of a license, shall require an active
8 licensee to submit to the board evidence satisfactory to the board that the
9 licensee is maintaining a policy of professional liability insurance as
10 required by K.S.A. 40-3402, and amendments thereto, and has paid the
11 premium surcharges as required by K.S.A. 40-3404, and amendments
12 thereto.

13 (d) At least 30 days before the renewal date of a licensee's license, the
14 board shall notify the licensee of the renewal date by mail addressed to the
15 licensee's last mailing address as noted upon the office records. If the
16 licensee fails to submit the renewal application and pay the renewal fee by
17 the renewal date of the license, the licensee shall be given notice that the
18 licensee has failed to submit the renewal application and pay the renewal
19 fee by the renewal date of the license, that the license will be deemed
20 canceled if not renewed within 30 days following the renewal date, that
21 upon receipt of the renewal application and renewal fee and an additional
22 fee established by rules and regulations of the board not to exceed \$500
23 within the 30-day period the license will not be canceled and that, if both
24 fees are not received within the 30-day period, the license shall be deemed
25 canceled by operation of law and without further proceedings.

26 (e) Any license canceled for failure to renew may be reinstated within
27 two years of cancellation upon recommendation of the board and upon
28 payment of the renewal fees then due and upon proof of compliance with
29 the continuing educational requirements established by the board by rules
30 and regulations. Any person who has not been in the active practice of the
31 branch of the healing arts for which reinstatement is sought or who has not
32 been engaged in a formal educational program during the two years
33 preceding the application for reinstatement may be required to complete
34 such additional testing, training or education as the board may deem
35 necessary to establish the licensee's present ability to practice with
36 reasonable skill and safety.

37 (f) There is hereby created a designation of exempt license. The board
38 is authorized to issue an exempt license to any licensee who makes written
39 application for such license on a form provided by the board and remits the
40 fee for an exempt license established pursuant to K.S.A. 65-2852, and
41 amendments thereto. The board may issue an exempt license to a person
42 who is not regularly engaged in the practice of the healing arts in Kansas
43 and who does not hold oneself out to the public as being professionally

1 engaged in such practice. An exempt license shall entitle the holder to all
2 privileges attendant to the branch of the healing arts for which such license
3 is issued. Each exempt license may be renewed subject to the provisions of
4 this section. Each exempt licensee shall be subject to all provisions of the
5 healing arts act, except as otherwise provided in this subsection-~~(f)~~. The
6 holder of an exempt license may be required to submit evidence of
7 satisfactory completion of a program of continuing education required by
8 this section. The requirements for continuing education for exempt
9 licensees of each branch of the healing arts shall be established by rules
10 and regulations adopted by the board. Each exempt licensee may apply for
11 an active license to regularly engage in the practice of the appropriate
12 branch of the healing arts upon filing a written application with the board.
13 The request shall be on a form provided by the board and shall be
14 accompanied by the license fee established pursuant to K.S.A. 65-2852,
15 and amendments thereto. For the licensee whose license has been exempt
16 for less than two years, the board shall adopt rules and regulations
17 establishing appropriate continuing education requirements for exempt
18 licensees to become licensed to regularly practice the healing arts within
19 Kansas. Any licensee whose license has been exempt for more than two
20 years and who has not been in the active practice of the healing arts or
21 engaged in a formal educational program since the license has been
22 exempt may be required to complete such additional testing, training or
23 education as the board may deem necessary to establish the licensee's
24 present ability to practice with reasonable skill and safety. Nothing in this
25 subsection-~~(f)~~ shall be construed to prohibit a person holding an exempt
26 license from serving as a coroner or as a paid employee of: (1) A local
27 health department as defined by K.S.A. 65-241, and amendments thereto;
28 or (2) an indigent health care clinic as defined by K.S.A. 75-6102, and
29 amendments thereto.

30 (g) There is hereby created a designation of inactive license. The
31 board is authorized to issue an inactive license to any licensee who makes
32 written application for such license on a form provided by the board and
33 remits the fee for an inactive license established pursuant to K.S.A. 65-
34 2852, and amendments thereto. The board may issue an inactive license
35 only to a person who is not regularly engaged in the practice of the healing
36 arts in Kansas, who does not hold oneself out to the public as being
37 professionally engaged in such practice and who meets the definition of
38 inactive health care provider as defined in K.S.A. 40-3401, and
39 amendments thereto. An inactive license shall not entitle the holder to
40 practice the healing arts in this state. Each inactive license may be renewed
41 subject to the provisions of this section. Each inactive licensee shall be
42 subject to all provisions of the healing arts act, except as otherwise
43 provided in this subsection-~~(g)~~. The holder of an inactive license shall not

1 be required to submit evidence of satisfactory completion of a program of
2 continuing education required by K.S.A. 65-2809, and amendments
3 thereto. Each inactive licensee may apply for an active license upon filing
4 a written application with the board. The request shall be on a form
5 provided by the board and shall be accompanied by the license fee
6 established pursuant to K.S.A. 65-2852, and amendments thereto. For
7 those licensees whose license has been inactive for less than two years, the
8 board shall adopt rules and regulations establishing appropriate continuing
9 education requirements for inactive licensees to become licensed to
10 regularly practice the healing arts within Kansas. Any licensee whose
11 license has been inactive for more than two years and who has not been in
12 the active practice of the healing arts or engaged in a formal education
13 program since the licensee has been inactive may be required to complete
14 such additional testing, training or education as the board may deem
15 necessary to establish the licensee's present ability to practice with
16 reasonable skill and safety.

17 (h) (1) There is hereby created a designation of federally active
18 license. The board is authorized to issue a federally active license to any
19 licensee who makes written application for such license on a form
20 provided by the board and remits the same fee required for a license
21 established under K.S.A. 65-2852, and amendments thereto. The board
22 may issue a federally active license only to a person who meets all the
23 requirements for a license to practice the healing arts in Kansas and who
24 practices that branch of the healing arts solely in the course of employment
25 or active duty in the United States government or any of its departments,
26 bureaus or agencies. A person issued a federally active license may engage
27 in limited practice outside of the course of federal employment consistent
28 with the scope of practice of exempt licensees under subsection (f), except
29 that the scope of practice of a federally active licensee shall be limited to
30 the following: (A) Performing administrative functions, including peer
31 review, disability determinations, utilization review and expert opinions;
32 (B) providing direct patient care services gratuitously or providing
33 supervision, direction or consultation for no compensation except that
34 nothing in this ~~subsection (h)(1)(B)~~ *subparagraph* shall prohibit a person
35 licensed to practice the healing arts issued a federally active license from
36 receiving payment for subsistence allowances or actual and necessary
37 expenses incurred in providing such services; and (C) rendering
38 professional services as a charitable health care provider as defined in
39 K.S.A. 75-6102, and amendments thereto.

40 (2) The provisions of subsections (a), (b), (d) and (e) of this section
41 relating to continuing education, cancellation, renewal and reinstatement
42 of a license shall be applicable to a federally active license issued under
43 this subsection.

1 (3) A person who practices under a federally active license shall not
2 be deemed to be rendering professional service as a health care provider in
3 this state for purposes of K.S.A. 40-3402, and amendments thereto.

4 (j) (1) There is hereby created the designation of reentry active
5 license. The board is authorized to issue a reentry active license to any
6 licensee who makes written application for such license on a form
7 provided by the board and remits the fee for a reentry active license. The
8 board may issue a reentry active license with requirements as the board
9 may deem necessary to establish the licensee's present ability to practice
10 with reasonable skill and safety to a person who has not regularly engaged
11 in the practice of the healing arts for at least two years, but who meets all
12 the qualifications for licensure. The requirements for issuance,
13 maintenance and scope of practice for a reentry active license shall be
14 established by rules and regulations adopted by the board.

15 (2) The provisions of subsections (a), (b) and (d) of this section
16 relating to continuing education, cancellation and renewal of a license
17 shall be applicable to a reentry active license issued under this subsection.

18 (k) *A charitable healthcare provider in Kansas who has signed an*
19 *agreement to provide gratuitous services pursuant to K.S.A. 75-6102 and*
20 *75-6120, and amendments thereto, may fulfill one hour of continuing*
21 *education credit by the performance of one hour of gratuitous services to*
22 *eligible low income patients up to a maximum of eight continuing*
23 *education credits per licensure period year.*

24 ~~(l) The board shall provide a measurement report annually, starting~~
25 ~~on January 15, 2017, to the senate committee on public health and welfare~~
26 ~~and the house committee on health and human services detailing by~~
27 ~~profession the number of gratuitous continuing education units used,~~
28 ~~compared to the number of continuous education units required.~~

29 Sec. 2. 3. K.S.A. 2015 Supp. 75-6102 is hereby amended to read as
30 follows: 75-6102. As used in K.S.A. 75-6101 through 75-6118, and
31 amendments thereto, unless the context clearly requires otherwise:

32 (a) "State" means the state of Kansas and any department or branch of
33 state government, or any agency, authority, institution or other
34 instrumentality thereof.

35 (b) "Municipality" means any county, township, city, school district
36 or other political or taxing subdivision of the state, or any agency,
37 authority, institution or other instrumentality thereof.

38 (c) "Governmental entity" means state or municipality.

39 (d) (1) "Employee" means: (A) Any officer, employee, servant or
40 member of a board, commission, committee, division, department, branch
41 or council of a governmental entity, including elected or appointed
42 officials and persons acting on behalf or in service of a governmental
43 entity in any official capacity, whether with or without compensation and a

1 charitable health care provider;

2 (B) any steward or racing judge appointed pursuant to K.S.A. 74-
3 8818, and amendments thereto, regardless of whether the services of such
4 steward or racing judge are rendered pursuant to contract as an
5 independent contractor;

6 (C) employees of the United States marshal's service engaged in the
7 transportation of inmates on behalf of the secretary of corrections;

8 (D) a person who is an employee of a nonprofit independent
9 contractor, other than a municipality, under contract to provide educational
10 or vocational training to inmates in the custody of the secretary of
11 corrections and who is engaged in providing such service in an institution
12 under the control of the secretary of corrections provided that such
13 employee does not otherwise have coverage for such acts and omissions
14 within the scope of their employment through a liability insurance contract
15 of such independent contractor;

16 (E) a person who is an employee or volunteer of a nonprofit program,
17 other than a municipality, who has contracted with the commissioner of
18 juvenile justice or with another nonprofit program that has contracted with
19 the secretary of corrections to provide a juvenile justice program for
20 juvenile offenders in a judicial district provided that such employee or
21 volunteer does not otherwise have coverage for such acts and omissions
22 within the scope of their employment or volunteer activities through a
23 liability insurance contract of such nonprofit program;

24 (F) a person who contracts with the Kansas guardianship program to
25 provide services as a court-appointed guardian or conservator;

26 (G) an employee of an indigent health care clinic;

27 (H) former employees for acts and omissions within the scope of their
28 employment during their former employment with the governmental
29 entity;

30 (I) any member of a regional medical emergency response team,
31 created under the provisions of K.S.A. 48-928, and amendments thereto, in
32 connection with authorized training or upon activation for an emergency
33 response;

34 (J) any member of a regional search and rescue team or regional
35 hazardous materials response team contracting with the state fire marshal
36 pursuant to K.S.A. 31-133, and amendments thereto, or K.S.A. 2015 Supp.
37 75-1518, and amendments thereto, in connection with authorized training
38 or upon activation for an emergency response; and

39 (K) medical students enrolled at the university of Kansas medical
40 center who are in clinical training, on or after July 1, 2008, at the
41 university of Kansas medical center or at another health care institution.

42 (2) "Employee" does not include: (A) An individual or entity for
43 actions within the scope of K.S.A. 60-3614, and amendments thereto; or

1 (B) any independent contractor under contract with a governmental
2 entity except those contractors specifically listed in ~~paragraph (1) of this~~
3 subsection *(d)(1)*.

4 (e) "Charitable health care provider" means a person licensed by the
5 state board of healing arts as an exempt licensee or a federally active
6 licensee, a person issued a limited permit by the state board of healing arts,
7 a physician assistant licensed by the state board of healing arts, a mental
8 health practitioner licensed by the behavioral sciences regulatory board, an
9 ultrasound technologist currently registered in any area of sonography
10 credentialed through the American registry of radiology technologists, the
11 American registry for diagnostic medical sonography or cardiovascular
12 credentialing international and working under the supervision of a person
13 licensed to practice medicine and surgery, or a health care provider as the
14 term "health care provider" is defined under K.S.A. 65-4921, and
15 amendments thereto, who has entered into an agreement with:

16 (1) The secretary of health and environment under K.S.A. 75-6120,
17 and amendments thereto, who, pursuant to such agreement, gratuitously
18 renders professional services to a person who has provided information
19 which would reasonably lead the health care provider to make the good
20 faith assumption that such person meets the definition of medically
21 indigent person as defined by this section or to a person receiving medical
22 assistance from the programs operated by the department of health and
23 environment, and who is considered an employee of the state of Kansas
24 under K.S.A. 75-6120, and amendments thereto;

25 (2) the secretary of health and environment and who, pursuant to such
26 agreement, gratuitously renders professional services in conducting
27 children's immunization programs administered by the secretary;

28 (3) a local health department or indigent health care clinic, which
29 renders professional services to medically indigent persons or persons
30 receiving medical assistance from the programs operated by the
31 department of health and environment gratuitously or for a fee paid by the
32 local health department or indigent health care clinic to such provider and
33 who is considered an employee of the state of Kansas under K.S.A. 75-
34 6120, and amendments thereto. Professional services rendered by a
35 provider under this paragraph ~~(3)~~ shall be considered gratuitous
36 notwithstanding fees based on income eligibility guidelines charged by a
37 local health department or indigent health care clinic and notwithstanding
38 any fee paid by the local health department or indigent health care clinic to
39 a provider in accordance with this paragraph ~~(3)~~; or

40 (4) the secretary of health and environment to provide dentistry
41 services defined by K.S.A. 65-1422 et seq., and amendments thereto, or
42 dental hygienist services defined by K.S.A. 65-1456, and amendments
43 thereto, that are targeted, but are not limited to, medically indigent

1 persons, and are provided on a gratuitous basis: (A) At a location
2 sponsored by a not-for-profit organization that is not the dentist or dental
3 hygienist office location; (B) at the office location of a dentist or dental
4 hygienist provided the care be delivered as part of a program organized by
5 a not-for-profit organization and approved by the secretary of health and
6 environment; or (C) as part of a charitable program organized by the
7 dentist that has been approved by the secretary of health and environment
8 upon a showing that the dentist seeks to treat medically indigent patients
9 on a gratuitous basis, except that such dentistry services and dental
10 hygienist services shall not include "oral and maxillofacial surgery" as
11 defined by K.A.R. 71-2-2, or use sedation or general anesthesia that result
12 in "deep sedation" or "general anesthesia" as defined by K.A.R. 71-5-7.

13 *(5) The secretary of health and environment shall annually, starting*
14 *on January 15, 2017, report to the senate committee on public health and*
15 *welfare and the house committee of health and human services what type*
16 *of charitable health care providers have signed agreements under the act*
17 *and how many are using it to provide gratuitous care.*

18 (f) "Medically indigent person" means a person who lacks resources
19 to pay for medically necessary health care services and who meets the
20 eligibility criteria for qualification as a medically indigent person
21 established by the secretary of health and environment under K.S.A. 75-
22 6120, and amendments thereto.

23 (g) "Indigent health care clinic" means an outpatient medical care
24 clinic operated on a not-for-profit basis which has a contractual agreement
25 in effect with the secretary of health and environment to provide health
26 care services to medically indigent persons.

27 (h) "Local health department" shall have the meaning ascribed to
28 such term under K.S.A. 65-241, and amendments thereto.

29 (i) "Fire control, fire rescue or emergency medical services
30 equipment" means any vehicle, firefighting tool, protective clothing,
31 breathing apparatus and any other supplies, tools or equipment used in
32 firefighting or fire rescue or in the provision of emergency medical
33 services.

34 *(j) "Community mental health center" means any community*
35 *mental health center organized pursuant to K.S.A. 19-4001 through 19-*
36 *4015, and amendments thereto, or a mental health clinic organized*
37 *pursuant to K.S.A. 65-211 through 65-215, and amendments thereto,*
38 *and licensed in accordance with K.S.A. 75-3307b, and amendments*
39 *thereto.*

40 *Sec. 4. K.S.A. 75-6115 is hereby amended to read as follows: 75-*
41 *6115. (a) The Kansas tort claims act shall not be applicable to claims*
42 *arising from the rendering of or failure to render professional services*
43 *by a health care provider other than:*

- 1 **(1) A charitable health care provider;**
2 **(2) a hospital owned by a municipality and the employees thereof;**
3 **(3) a local health department and the employees thereof;**
4 **(4) an indigent health care clinic and the employees thereof;**~~or~~
5 **(5) a district coroner or deputy district coroner appointed pursuant**
6 **to K.S.A. 22a-226 and amendments thereto; or**

7 **(6) a community mental health center and the employees thereof.**

8 **(b) Claims for damages against a health care provider that is a**
9 **governmental entity or an employee of a governmental entity other than**
10 **those health care providers enumerated in subsection (a), arising out of**
11 **the rendering of or failure to render professional services by such health**
12 **care provider, may be recovered in the same manner as claims for**
13 **damages against any other health care provider.**

14 **(c) As used in this section:**

15 **(1) "Indigent health care clinic" shall have the meaning ascribed**
16 **to such term under K.S.A. 75-6102, and amendments thereto.**

17 **(2) "Charitable health care provider" shall have the meaning**
18 **ascribed to such term under K.S.A. 75-6102, and amendments thereto.**

19 **(3) "Health care provider" shall have the meaning ascribed to such**
20 **term under K.S.A. 40-3401, and amendments thereto.**

21 **(4) "Hospital" means a medical care facility as defined in K.S.A.**
22 **65-425, and amendments thereto, and includes within its meaning any**
23 **clinic, school of nursing, long-term care facility, child-care facility and**
24 **emergency medical or ambulance service operated in connection with**
25 **the operation of the medical care facility.**

26 **(5) "Local health department" shall have the meaning ascribed to**
27 **such term under K.S.A. 65-241 and amendments thereto.**

28 ~~Sec. 5.~~ **K.S.A. 75-6115 and K.S.A. 2015 Supp. 65-1431, 65-2809**
29 **and 75-6102 are hereby repealed.**

30 ~~Sec. 6.~~ **This act shall take effect and be in force from and after its**
31 **publication in the statute book.**