

HOUSE BILL No. 2161

By Committee on Health and Human Services

1-29

9 AN ACT concerning the state board of healing arts; relating to fees
10 charged and collected by the board; amending K.S.A. 65-2852, 65-
11 5409, 65-5509 and 65-7207 and K.S.A. 2008 Supp. 65-2012, 65-28a03,
12 65-2911, 65-6910 and 65-7308 and repealing the existing sections.
13

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

15 Section 1. K.S.A. 2008 Supp. 65-2012 is hereby amended to read as
16 follows: 65-2012. The following fees shall be established by rules and
17 regulations adopted by the board and shall be collected by the board:

18 ~~(a) For a license to practice podiatry or an inactive license or federally~~
19 ~~active license, issued on the basis of an examination, an amount of not~~
20 ~~more than \$300;~~

21 ~~(b) (a) For a license to practice podiatry or an inactive license or~~
22 ~~federally active license, issued without examination and by endorsement,~~
23 ~~an amount of not more than \$300 \$500;~~

24 ~~(c) (b) for the renewal of a license to practice podiatry or an inactive~~
25 ~~license or federally active license, an amount of not more than \$500;~~

26 ~~(d) for the renewal of an exempt license, an amount of not more than~~
27 ~~\$150;~~

28 ~~(e) for the renewal of an inactive license, an amount of not more than~~
29 ~~\$150;~~

30 ~~(f) for late renewal of any license, an amount of not more than \$500;~~

31 ~~(g) for reinstatement of a license canceled for failure to renew, an~~
32 ~~amount of not more than \$300;~~

33 ~~(h) (c) for a temporary permit, an amount of not more than \$60 \$200;~~

34 ~~(i) (d) for a temporary license, an amount of not more than \$50 \$200;~~

35 ~~(j) (e) for any examination given by the board, an amount equal to~~
36 ~~the cost to the board of the examination and its administration;~~

37 ~~(k) (f) for a certified statement from the board that a licensee is li-~~
38 ~~censed to practice podiatry in this state, an amount of not more than \$30~~
39 ~~\$50;~~

40 ~~(l) (g) for any copy of any license issued by the board, an amount of~~
41 ~~not more than \$30;~~

42 ~~(m) (h) for written verification of any license issued by the board, an~~
43 ~~amount of not more than \$25;~~

- 1 ~~(n)~~ (i) for conversion of an exempt or inactive license to a license to
 2 practice podiatry, ~~an amount of~~ not more than \$300;
 3 ~~(o)~~ (j) for reinstatement of a revoked license, ~~an amount of~~ not more
 4 than ~~\$1,000~~ \$2,000; and
 5 ~~(p)~~ (k) for a postgraduate permit, ~~an amount of~~ not more than ~~\$60~~
 6 \$200.
- 7 Sec. 2. K.S.A. 65-2852 is hereby amended to read as follows: 65-
 8 2852. The following fees shall be established by the board by rules and
 9 regulations and collected by the board:
- 10 ~~(a)~~ For a license, issued upon the basis of an examination given by
 11 the board, in a sum of not more than \$300;
 12 ~~(b)~~ (a) For a license, issued without examination and by endorsement,
 13 in a sum of not more than ~~\$300~~ \$500;
 14 ~~(c)~~ for a license, issued upon a certificate from the national boards,
 15 in a sum of not more than \$300;
 16 ~~(d)~~ (b) for the renewal of a license, ~~the sum of~~ not more than \$500;
 17 ~~(e)~~ (c) for a temporary permit, ~~in a sum of~~ not more than ~~\$60~~ \$200;
 18 ~~(f)~~ (d) for an institutional license *or renewal of an institutional license*,
 19 in a sum of not more than ~~\$300~~ \$500;
 20 ~~(g)~~ (e) for a visiting professor temporary license, ~~in a sum of~~ not more
 21 than ~~\$50~~ \$200;
 22 ~~(h)~~ (f) for a certified statement from the board that a licensee is li-
 23 censed in this state, ~~the sum of~~ not more than ~~\$30~~ \$50;
 24 ~~(i)~~ (g) for any copy of any license issued by the board, ~~the sum of~~ not
 25 more than \$30;
 26 ~~(j)~~ (h) for any examination given by the board, a sum in an amount
 27 equal to the cost to the board of the examination;
 28 ~~(k)~~ (i) for application for and issuance of a special permit under K.S.A.
 29 65-2811a and amendments thereto, ~~the sum of~~ not more than ~~\$60~~ \$200;
 30 ~~(l)~~ for an exempt or inactive license *or renewal of an exempt or in-*
 31 *active license*, ~~the sum of~~ not more than \$150;
 32 ~~(m)~~ (j) for conversion of an exempt or inactive license to a license to
 33 practice the healing arts, ~~the sum of~~ not more than \$300;
 34 ~~(n)~~ (k) for reinstatement of a revoked license, ~~in a sum of~~ not more
 35 than ~~\$1,000~~ \$2,000;
 36 ~~(o)~~ (l) for a visiting clinical professor license, or renewal of a visiting
 37 clinical professor license, ~~in a sum of~~ not more than \$300;
 38 ~~(p)~~ (m) for a postgraduate permit ~~in a sum of~~, not more than ~~\$60~~
 39 \$200
 40 ~~(q)~~ (n) for a limited permit or renewal of a limited permit, ~~the sum~~
 41 ~~of~~ not more than ~~\$60~~ \$200; and
 42 ~~(r)~~ (o) for a written verification of any license or permit, ~~the sum of~~
 43 not more than \$25.

1 Sec. 3. K.S.A. 2008 Supp. 65-28a03 is hereby amended to read as
2 follows: 65-28a03. (a) As a condition of engaging in active practice as a
3 physician assistant, each licensed physician assistant shall file a request to
4 engage in active practice signed by the physician assistant and the phy-
5 sician who will be responsible for the physician assistant. The request
6 shall contain such information as required by rules and regulations
7 adopted by the board. The board shall maintain a list of the names of
8 physician assistants who may engage in active practice in this state.

9 (b) All licenses, except temporary licenses, shall expire on the date of
10 expiration established by rules and regulations of the state board of heal-
11 ing arts and may be renewed as required by the board. The request for
12 renewal shall be on a form provided by the state board of healing arts
13 and shall be accompanied by the renewal fee established pursuant to this
14 section, which shall be paid not later than the expiration date of the
15 license.

16 (c) At least 30 days before the expiration of the license of a physician
17 assistant, except a temporary license, the state board of healing arts shall
18 notify the licensee of the expiration by mail addressed to the licensee's
19 last mailing address as noted upon the office records of the board. If the
20 licensee fails to pay the renewal fee by the date of expiration of the license,
21 the licensee shall be given a second notice that the licensee's license has
22 expired and the license may be renewed only if the renewal fee and the
23 late renewal fee are received by the state board of healing arts within the
24 30-day period following the date of expiration and that, if both fees are
25 not received within the 30-day period, the license shall be deemed can-
26 celed by operation of law without further proceedings for failure to renew
27 and shall be reissued only after the license has been reinstated under
28 subsection (d).

29 (d) Any license canceled for failure to renew as herein provided may
30 be reinstated upon recommendation of the state board of healing arts and
31 upon payment of the reinstatement fee and upon submitting evidence of
32 satisfactory completion of any applicable continuing education require-
33 ments established by the board. The board shall adopt rules and regula-
34 tions establishing appropriate continuing education requirements for re-
35 instatement of licenses canceled for failure to renew.

36 (e) There is hereby created the designation of inactive license. The
37 board is authorized to issue an inactive license to any licensee who makes
38 written application for such license on a form provided by the board and
39 remits the fee for an inactive license established pursuant to subsection
40 (g) of this section. The board may issue an inactive license only to a person
41 who meets all the requirements for a license to practice as a physician
42 assistant and who does not engage in active practice as a physician assis-
43 tant in the state of Kansas. An inactive license shall not entitle the holder

1 to engage in active practice. The provisions of subsections (c) and (d) of
 2 this section relating to expiration, renewal and reinstatement of a license
 3 shall be applicable to an inactive license issued under this subsection.
 4 Each inactive licensee may apply to engage in active practice by present-
 5 ing a request required by subsection (a). The request shall be accompa-
 6 nied by the fee established pursuant to subsection (g).

7 (f) There is hereby created a designation of federally active license.
 8 The board is authorized to issue a federally active license to any licensee
 9 who makes a written application for such license on a form provided by
 10 the board and remits the same fee required for a license established under
 11 subsection (g). The board may issue a federally active license only to a
 12 person who meets all the requirements for a license to practice as a phy-
 13 sician assistant and who practices as a physician assistant solely in the
 14 course of employment or active duty in the United States government or
 15 any of its departments, bureaus or agencies. The provisions of subsections
 16 (c) and (d) relating to expiration, renewal and reinstatement of a license
 17 shall be applicable to a federally active license issued under this subsec-
 18 tion. Each federally active licensee may apply to engage in active practice
 19 by presenting a request required by subsection (a) of this section.

20 (g) The following fees shall be fixed by rules and regulations adopted
 21 by the state board of healing arts and shall be collected by the board:

22 (1) For ~~any a~~ license ~~as a physician assistant, the sum of~~ not more
 23 than ~~\$200~~ \$250;

24 (2) for a temporary ~~license as a physician assistant license, the sum~~
 25 ~~of~~ not more than ~~\$30~~ \$100;

26 (3) for the renewal of a license ~~to practice as a physician assistant or~~
 27 ~~a federally active license, the sum of~~ not more than ~~\$150~~ \$250;

28 ~~(4) for renewal of an inactive license, the sum of not more than \$150;~~

29 ~~—(5) for the late renewal of any license as a physician assistant, the sum~~
 30 ~~of not more than \$250;~~

31 ~~—(6) (4) for reinstatement of a revoked license canceled for failure to~~
 32 ~~renew, the sum of~~ not more than ~~\$250~~ \$1,000;

33 ~~(7) (5) for a certified statement from the board that a physician as-~~
 34 ~~istant is licensed in this state, the sum of~~ not more than ~~\$30~~ \$50;

35 ~~(8) (6) for a copy of the licensure certificate of a physician assistant~~
 36 ~~license issued by the board, the sum of~~ not more than ~~\$25~~ \$30; and

37 ~~(9) (7) for conversion of an inactive license to a license to actively~~
 38 ~~practice as a physician assistant or a federally active license, the sum of~~
 39 ~~not more than \$150~~ \$250.

40 (h) The state board of healing arts shall remit all moneys received by
 41 or for the board under the provisions of this act to the state treasurer and
 42 such money shall be deposited in the state treasury, credited to the state
 43 general fund and the healing arts fee fund and expended all in accordance

1 with K.S.A. 65-2855 and amendments thereto.
2 (i) The board may promulgate all necessary rules and regulations for
3 carrying out the provisions of this act.
4 Sec. 4. K.S.A. 2008 Supp. 65-2911 is hereby amended to read as
5 follows: 65-2911. (a) The board may adopt such rules and regulations as
6 necessary to carry out the purposes of this act. The executive director of
7 the board shall keep a record of all proceedings under this act and a roster
8 of all persons licensed or certified under the act. The roster shall show
9 the name, address, date and number of the original license or certificate,
10 and the renewal thereof.
11 (b) (1) The board shall charge and collect in advance fees provided
12 for in this act as fixed by the board by rules and regulations, subject to
13 the following limitations:
14 ~~Application based upon certificate of prior examination, not more~~
15 ~~than~~ ~~\$80~~
16 Application ~~based on examination~~ for license, not more than ~~100~~ \$250
17 ~~Annual~~ Renewal fee, not more than ~~70~~ 250
18 ~~Late renewal fee, not more than~~ ~~75~~
19 Reinstatement fee, not more than ~~80~~ 1,000
20 Certified copy of license or certificate, not more than ~~15~~ 50
21 Duplicate certificate, *not more than* ~~15~~ 50
22 Temporary permit, *not more than* ~~25~~ 100
23 (2) The board shall charge and collect in advance fees for any ex-
24 amination administered by the board under article 29 of chapter 65 of
25 the Kansas Statutes Annotated and acts amendatory of the provisions
26 thereof or supplemental thereto as fixed by the board by rules and reg-
27 ulations in an amount equal to the cost to the board of the examination.
28 If the examination is not administered by the board, the board may re-
29 quire that fees paid for any examination under article 29 of chapter 65 of
30 the Kansas Statutes Annotated and acts amendatory of the provisions
31 thereof or supplemental thereto be paid directly to the examination serv-
32 ice by the person taking the examination.
33 (3) The fees fixed by the board by rules and regulations under article
34 29 of chapter 65 of the Kansas Statutes Annotated and acts amendatory
35 of the provisions thereof or supplemental thereto and in effect immedi-
36 ately prior to ~~the effective date of this act~~ *July 1, 2009*, shall continue in
37 effect until different fees are fixed by the board by rules and regulations
38 as provided under this section.
39 (c) The board shall remit all moneys received by or for it from fees,
40 charges or penalties to the state treasurer in accordance with the provi-
41 sions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each
42 such remittance, the state treasurer shall deposit the entire amount in the
43 state treasury. Twenty percent of such amount shall be credited to the

1 state general fund and the balance shall be credited to the healing arts
2 fee fund. All expenditures from such fund shall be made in accordance
3 with appropriation acts upon warrants of the director of accounts and
4 reports issued pursuant to vouchers approved by the president of the
5 board or by a person or persons designated by the president of the board.

6 Sec. 5. K.S.A. 65-5409 is hereby amended to read as follows: 65-
7 5409. (a) The board shall charge and collect in advance fees provided for
8 in this act as fixed by the board by rules and regulations, subject to the
9 following limitations:

10	Application fee, not more than.....	\$80 \$250
11	Temporary license fee, not more than.....	40 100
12	License renewal fee, not more than	80 250
13	License late renewal fee, not more than.....	80
14	License reinstatement fee, not more than.....	80 1,000
15	Certified copy of license, not more than.....	40 50
16	Written verification of license, not more than.....	25

17 (b) The board shall charge and collect in advance fees for any ex-
18 amination administered by the board under the occupational therapy
19 practice act as fixed by the board by rules and regulations in an amount
20 equal to the cost to the board of the examination. If the examination is
21 not administered by the board, the board may require that fees paid for
22 any examination under the occupational therapy practice act be paid di-
23 rectly to the examination service by the person taking the examination.

24 Sec. 6. K.S.A. 65-5509 is hereby amended to read as follows: 65-
25 5509. (a) The board shall charge and collect in advance fees provided for
26 in this act as fixed by the board by rules and regulations, subject to the
27 following limitations:

28	Application fee, not more than.....	\$80 \$250
29	Temporary license fee, not more than.....	40 100
30	Special permit fee, not more than	80 100
31	License renewal fee, not more than	80 250
32	License late renewal fee, not more than.....	80
33	License reinstatement fee, not more than.....	80 1,000
34	Certified copy of license, not more than.....	40 50
35	Written verification of license, not more than.....	25

36 (b) The board shall charge and collect in advance fees for any ex-
37 amination administered by the board under the respiratory therapy prac-
38 tice act as fixed by the board by rules and regulations in an amount equal
39 to the cost to the board of the examination. If the examination is not
40 administered by the board, the board may require that fees paid for any
41 examination under the respiratory therapy practice act be paid directly to
42 the examination service by the person taking the examination.

43 Sec. 7. K.S.A. 2008 Supp. 65-6910 is hereby amended to read as

1 follows: 65-6910. (a) The board shall charge and collect in advance fees
2 provided for in this act as fixed by the board by rules and regulations,
3 subject to the following limitations:

4	Application and license fee based upon certificate of prior examination,	
5	not more than	\$80 \$250
6	Annual renewal fee, not more than	\$70 \$250
7	Additional renewal fee, not more than.....	\$75
8	Reinstatement fee, not more than	\$80 \$1,000
9	Certified copy of license, not more than.....	\$15 \$50
10	Temporary permit.....	\$25 \$100

11 (b) The board shall charge and collect in advance fees for any ex-
12 amination administered by the board under the athletic trainers licensure
13 act as fixed by the board by rules and regulations in an amount equal to
14 the cost to the board of the examination and its administration. If the
15 examination is not administered by the board, the board may require that
16 fees paid for any examination under the athletic trainers licensure act be
17 paid directly to the examination service by the person taking the exami-
18 nation.

19 (c) The board shall remit all moneys received from fees, charges or
20 penalties to the state treasurer in accordance with the provisions of K.S.A.
21 75-4215, and amendments thereto. Upon receipt of each such remittance,
22 the state treasurer shall deposit the entire amount in the state treasury.
23 Twenty percent of each such deposit shall be credited to the state general
24 fund and the balance shall be credited to the healing arts fee fund. All
25 expenditures from such fund shall be made in accordance with approp-
26 riation acts upon warrants of the director of accounts and reports issued
27 pursuant to vouchers approved by the president of the board or by a
28 person designated by the president of the board.

29 Sec. 8. K.S.A. 65-7207 is hereby amended to read as follows: 65-
30 7207. (a) The board shall charge and collect in advance fees provided for
31 in this act as fixed by the board by rules and regulations, subject to the
32 following limitations:

33	Application fee, not more than	\$200 \$250
34	Temporary registration fee, not more than.....	\$30 \$200
35	Registration renewal fee, not more than.....	\$150 \$250
36	Registration late renewal additional fee, not more than	\$250 \$500
37	Registration reinstatement fee, not more than	\$250 \$1,000
38	Certified copy of registration, not more than.....	\$30 \$50
39	Written verification of registration, not more than.....	\$25

40 (b) The board shall charge and collect in advance fees for any ex-
41 amination administered by the board under the naturopathic doctor reg-
42 istration act as fixed by the board by rules and regulations in an amount
43 equal to the cost to the board of the examination. If the examination is

1 not administered by the board, the board may require that fees paid for
2 any examination under the naturopathic doctor registration act be paid
3 directly to the examination service by the person taking the examination.

4 ~~(c) The provisions of this section shall take effect on and after January~~
5 ~~1, 2003.~~

6 Sec. 9. K.S.A. 2008 Supp. 65-7308 is hereby amended to read as
7 follows: 65-7308. (a) The board shall charge and collect in advance fees
8 for radiologic technologists as established by the board by rules and reg-
9 ulations, not to exceed:

10	Application for radiologic technologist examination.....	\$200
11	Application for license	\$80 \$250
12	Temporary licensing fee license	\$40 \$100
13	License renewal	\$80 \$250
14	Late license renewal	\$80
15	License reinstatement fee	\$80 \$1,000
16	Revoked license reinstatement fee	\$200
17	Certified copy of license	\$40 \$50
18	Verified copy	\$25

19 (b) If the examination is not administered by the board, the board
20 may require that fees paid for any examination under the radiologic tech-
21 nologists practice act be paid directly to the examination service by the
22 person taking the examination.

23 ~~(c) This section shall take effect on and after July 1, 2005.~~

24 Sec. 10. K.S.A. 65-2852, 65-5409, 65-5509 and 65-7207 and K.S.A.
25 2008 Supp. 65-2012, 65-28a03, 65-2911, 65-6910 and 65-7308 are hereby
26 repealed.

27 Sec. 11. This act shall take effect and be in force from and after its
28 publication in the statute book.