

SENATE BILL No. 433

By Committee on Public Health and Welfare

2-1

1 AN ACT concerning health and healthcare; relating to institutional
2 licenses; clarifying practice privileges; amending K.S.A. 65-2895 and
3 repealing the existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 65-2895 is hereby amended to read as follows: 65-
7 2895. (a) There is hereby created an institutional license that may be
8 issued by the board to a person who:

9 (1) Is a graduate of an accredited school of medicine or osteopathic
10 medicine or a school ~~for which the graduates have~~ *such graduate has* been
11 licensed in another state or states that have standards similar to Kansas;

12 (2) has completed at least two years in a postgraduate training
13 program in the United States approved by the board; and

14 (3) who is employed as provided in this section.

15 (b) Subject to the restrictions of this section, the institutional license
16 shall confer upon the holder the right and privilege to practice medicine
17 and surgery and shall ~~obligate~~ *require* the holder to comply with all
18 requirements of such license.

19 (c) The practice privileges of institutional license holders are
20 restricted and shall be valid only during the period ~~in which~~ *when such an*
21 *institutional license holder:*

22 (1) ~~The holder~~ *Is* employed by any institution within the Kansas
23 department for aging and disability services, ~~employed~~ by any institution
24 within the department of corrections or ~~employed with a third party~~
25 pursuant to a contract entered into by the Kansas department for aging and
26 disability services or the department of corrections ~~with a third party, and~~
27 *except that employment of such license holder shall only be* within the
28 institution to which the holder is assigned; ~~and~~

29 (2) ~~the holder~~ has been employed for at least three years as described
30 in subsection (c)(1) and is employed to provide mental health services in
31 Kansas in the employ of a Kansas licensed community mental health
32 center, or one of its contracted affiliates, ~~or~~ a federal, state, county or
33 municipal agency, or other political subdivision, ~~or~~ a contractor of a
34 federal, state, county or municipal agency, or other political subdivision, ~~or~~
35 a duly chartered educational institution, or a medical care facility licensed
36 under K.S.A. 65-425 et seq., and amendments thereto, in a psychiatric

1 hospital licensed under K.S.A. 39-2001 et seq., and amendments thereto,
2 or a contractor of such educational institution, medical care facility or
3 psychiatric hospital, ~~and~~ whose practice; in any such employment; is
4 limited to providing mental health services, ~~is~~ a part of the duties of such
5 licensee's paid position and ~~is~~ performed solely on behalf of the employer;
6 or

7 (3) ~~the holder~~ was issued an institutional license prior to May 9, 1997,
8 and is providing mental health services pursuant to a written protocol with
9 a person ~~who holds a Kansas license~~ *authorized by the state board of*
10 *healing arts* to practice medicine and surgery other than an institutional
11 license.

12 (d) An institutional license shall be canceled on the date established
13 by rules and regulations of the board that may provide for renewal
14 throughout the year on a continuing basis. In each case in which an
15 institutional license is renewed for ~~a period of time of~~ more or less than 12
16 months, the board may prorate the amount of the fee established under
17 K.S.A. 65-2852, and amendments thereto. The request for renewal shall be
18 on a form provided by the board and ~~shall be~~ accompanied by the
19 prescribed fee that shall be paid not later than the renewal date of the
20 license. An institutional license may be renewed for an additional one-year
21 period if the applicant for renewal meets the requirements under
22 subsection (c), has submitted an application for renewal on a form
23 provided by the board, has paid the renewal fee established by rules and
24 regulations of the board of not to exceed \$500 and has submitted evidence
25 of satisfactory completion of a program of continuing education required
26 by the board. In addition, an applicant for renewal who is employed as
27 described in subsection (c)(1) shall submit with the application for renewal
28 a recommendation that the institutional license be renewed, signed by the
29 superintendent of the institution to which the institutional license holder is
30 assigned.

31 (e) Nothing in this section shall prohibit any person who was issued
32 an institutional license prior to the effective date of this section from
33 having ~~the~~ *such* institutional license reinstated by the board if ~~the~~ *such*
34 person meets the requirements for an institutional license described in
35 subsection (a).

36 (f) This section shall be a part of and supplemental to the Kansas
37 healing arts act.

38 Sec. 2. K.S.A. 65-2895 is hereby repealed.

39 Sec. 3. This act shall take effect and be in force from and after its
40 publication in the statute book.