

2023 Kansas Statutes

65-1130. Advanced practice registered nurse; standards and requirements for licensure; rules and regulations; roles, titles and abbreviations; prescription of drugs authorized; licensure of currently registered individuals; malpractice insurance coverage required, exceptions. (a) No professional nurse shall announce or represent to the public that such person is an advanced practice registered nurse unless such professional nurse has complied with requirements established by the board and holds a valid license as an advanced practice registered nurse in accordance with the provisions of this section.

(b) (1) The board shall establish standards and requirements for any professional nurse who desires to obtain licensure as an advanced practice registered nurse. Such standards and requirements shall include, but not be limited to, standards and requirements relating to the education of advanced practice registered nurses. The board may give such examinations and secure such assistance as it deems necessary to determine the qualifications of applicants.

(2) (A) On and after July 1, 2023, an applicant for initial licensure as an advanced practice registered nurse shall have a current advanced practice registered nurse certification in such applicant's specific role and population focus that has been granted by a national certifying organization recognized by the board and whose certification standards are approved by the board as equal to or greater than the corresponding standards established by the board; and

(B) an advanced practice registered nurse whose initial licensure is prior to July 1, 2023, may submit evidence of such certification to the board upon renewal.

(c) The board shall adopt rules and regulations consistent with the Kansas nurse practice act applicable to advanced practice registered nurses that:

(1) Establish roles and identify titles and abbreviations of advanced practice registered nurses that are consistent with nursing practice specialties recognized by the nursing profession.

(2) Establish education and qualifications necessary for licensure for each role of advanced practice registered nurse established by the board at a level adequate to assure the competent performance by advanced practice registered nurses of functions and procedures which advanced practice registered nurses are authorized to perform. Advanced practice registered nursing is based on knowledge and skills acquired in basic nursing education, licensure as a registered nurse and graduation from or completion of a master's or higher degree in one of the advanced practice registered nurse roles approved by the board of nursing.

(3) Define the role of advanced practice registered nurses and establish limitations and restrictions on such role. The board shall adopt a definition of the role under this paragraph that is consistent with the education and qualifications required to obtain a license as an advanced practice registered nurse that protects the public from persons performing functions and procedures as advanced practice registered nurses for which they lack adequate education and qualifications and that authorizes advanced practice registered nurses to perform acts generally recognized by the profession of nursing as capable of being performed, in a manner consistent with the public health and safety, by persons with postbasic education in nursing. In defining such role the board shall consider:

(A) The education required for a licensure as an advanced practice registered nurse;

(B) the type of nursing practice and preparation in specialized advanced practice skills involved in each role of advanced practice registered nurse established by the board;

(C) the scope and limitations of advanced practice nursing prescribed by national advanced practice organizations in accordance with the laws of this state; and

(D) acts recognized by the nursing profession as appropriate to be performed by persons with postbasic education in nursing.

(d) (1) An advanced practice registered nurse may prescribe durable medical equipment and prescribe, procure and administer any drug consistent with such licensee's specific role and population focus, except an advanced practice registered nurse shall not prescribe any drug that is intended to cause an abortion. Any drug that is a controlled substance shall be prescribed, procured or administered in

accordance with the uniform controlled substances act.

(2) A prescription order shall include the name, address and telephone number of the advanced practice registered nurse. An advanced practice registered nurse may not dispense drugs but may request, receive and sign for professional samples and may distribute professional samples to patients.

(3) In order to prescribe controlled substances, the advanced practice registered nurse shall:

(A) Register with the federal drug enforcement administration; and

(B) comply with federal drug enforcement administration requirements related to controlled substances.

(4) An advanced practice registered nurse certified in the role of registered nurse anesthetist while functioning as a registered nurse anesthetist under K.S.A. 65-1151 through 65-1164, and amendments thereto, shall be subject to the provisions of K.S.A. 65-1151 through 65-1164, and amendments thereto, with respect to drugs and anesthetic agents and shall not be subject to the provisions of this subsection.

(5) An advanced practice registered nurse shall maintain malpractice insurance coverage as a condition of rendering professional clinical services as an advanced practice registered nurse in this state and shall provide proof of insurance at the time of licensure and renewal of license. The requirements of this subsection shall not apply to an advanced practice registered nurse who:

(i) Practices solely in employment for which the advanced practice registered nurse is covered under the federal tort claims act or the Kansas tort claims act;

(ii) practices solely as a charitable healthcare provider under K.S.A. 75-6102, and amendments thereto; or

(iii) is serving on active duty in the armed forces of the United States.

(e) As used in this section, "drug" means those articles and substances defined as drugs in K.S.A. 65-1626 and 65-4101, and amendments thereto.

(f) A person registered to practice as an advanced registered nurse practitioner in the state of Kansas immediately prior to the effective date of this act shall be deemed to be licensed to practice as an advanced practice registered nurse under this act and such person shall not be required to file an original application for licensure under this act. Any application for registration filed which has not been granted prior to the effective date of this act shall be processed as an application for licensure under this act.

(g) An advanced practice registered nurse certified in the role of certified nurse-midwife and engaging in the independent practice of midwifery under the independent practice of midwifery act with respect to prescribing drugs shall be subject to the provisions of the independent practice of midwifery act and shall not be subject to the provisions of this section.

(h) This section shall not supersede the requirements outlined in K.S.A. 65-4a08(b), and amendments thereto.

History: L. 1983, ch. 206, § 2; L. 1989, ch. 192, § 1; L. 1999, ch. 115, § 1; L. 2011, ch. 114, § 44; L. 2016, ch. 92, § 98; L. 2022, ch. 65, § 1; July 1.