

2023 Kansas Statutes

65-7504. Denial, suspension or revocation of licensure; grounds. (a) The board may refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed \$1,000 per violation upon a finding that a licensee or an applicant for licensure has:

- (1) Used any controlled substance or alcoholic beverage to an extent that such use impairs such person's ability to perform the work of any profession licensed or regulated by this act.
 - (2) Been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any professional licensed or regulated under this act, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not a sentence is imposed.
 - (3) Used any fraud, deception or misrepresentation in securing any license issued under this act.
 - (4) Obtained or attempted to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation.
 - (5) Committed any act of incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed by the board.
 - (6) Committed any violation of or assisted or enabled any person to violate any provision of this act or any rule and regulation promulgated thereunder.
 - (7) Impersonated any person holding a certificate of registration or authority, permit or license or allowed any other person to use such person's certificate of registration or authority, permit, license or diploma from any school.
 - (8) Been disciplined in any action by another state, territory, federal agency or country which would constitute grounds for a license issued under this act being suspended or revoked.
 - (9) Been finally adjudged insane or incapacitated by a court of competent jurisdiction.
 - (10) Assisted or enabled any person to practice or offer to practice any profession licensed or regulated by the board when such person is not eligible to practice such profession as required by law.
 - (11) Issued any certificate of registration or authority, permit or license based upon a material mistake of fact.
 - (12) Failed to display a valid certificate or license if so required by this act or any rules and regulations promulgated thereunder.
 - (13) Violated any professional trust or confidence.
 - (14) Used any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed.
 - (15) Been found to have engaged in unprofessional conduct as defined by applicable rules and regulations adopted by the board.
 - (16) Violated any lawful order or directive of the board previously entered by the board.
- (b) Administrative proceedings and disciplinary actions regarding licensure under the applied behavior analysis licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the applied behavior analysis licensure act shall be in accordance with the Kansas judicial review act.

History: L. 2014, ch. 62, § 5; L. 2023, ch. 90, § 27; July 1.