

## 2023 Kansas Statutes

**74-32,171. Refusal to issue certificate; appeal.** (a) After the state board reviews an application for a certificate of approval and determines that the applicant does not meet the requirements of this act, the state board shall refuse to issue the certificate of approval and set forth the reasons for the determination.

(b) If an applicant, upon written notification of refusal by the state board to issue a certificate of approval, desires to contest such refusal, the applicant shall notify the state board in writing of the desire to be heard within 15 days after the date of service of such notice of refusal. Any applicant requesting a hearing pursuant to this section shall be afforded a hearing in accordance with the provisions of the Kansas administrative procedure act. Upon conclusion of any such hearing, the state board shall issue a certificate of approval or a final refusal to do so.

(c) If an applicant, upon service of notice of refusal by the state board to issue a certificate of approval, fails to request a hearing within 15 days after the date of service of such notice of refusal, the state board's refusal shall be a final agency action.

**History:** L. 2004, ch. 185, § 11; L. 2021, ch. 17, § 13; July 1.