

## HOUSE BILL No. 2453

By Representative Rhiley

1-16

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1 AN ACT concerning labor; relating to licensing of professional  
2 occupations; creating the open borders for Kansas jobs act; amending  
3 K.S.A. 1-302, 65-1152, 65-1505, 65-1663, 65-28a04, 65-28b03, 65-  
4 2906, 65-4203, 65-5406, 65-5506, 65-5906, 65-7203, 65-7503, 72-  
5 2157 and 75-7b04 and K.S.A. 2019 Supp. 65-6129 and 65-6306 and  
6 repealing the existing sections.

7  
8 WHEREAS, The provisions of section 1 and K.S.A. 1-302, 65-1152,  
9 65-1505, 65-1663, 65-28a04, 65-28b03, 65-2906, 65-4203, 65-5406, 65-  
10 5506, 65-5906, 65-7203, 65-7503, 72-2157 and 75-7b04 and K.S.A. 2019  
11 Supp. 65-6129 and 65-6306, as amended by this act, shall be known as the  
12 open borders for Kansas jobs act.

13 Now, therefore:

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

15 New Section 1. (a) Notwithstanding the provisions of article 28 of  
16 chapter 65 of the Kansas Statutes Annotated, and amendments thereto, the  
17 state board of healing arts may grant a license to practice medicine and  
18 surgery and renew the same as provided in K.S.A. 65-2809, and  
19 amendments thereto, to any person who holds a current, valid license to  
20 practice medicine and surgery issued by the appropriate regulatory agency  
21 of another state that has substantially equivalent requirements for such  
22 licensure as the state board of healing arts.

23 (b) An applicant for a license issued pursuant to this section shall  
24 submit any information required by the state board of healing arts and pay  
25 any fees required for licensure in this state.

26 Sec. 2. K.S.A. 1-302 is hereby amended to read as follows: 1-302. (a)  
27 The certificate of certified public accountant shall be known as the Kansas  
28 certificate and shall be granted by the board to any person of good moral  
29 character who: (1) Is a resident of this state or has a place of business or is  
30 employed therein; (2) meets the educational requirements prescribed by  
31 K.S.A. 1-302a, and amendments thereto; and (3) has passed an  
32 examination in accounting and auditing and in such other related subjects  
33 as the board may determine to be appropriate.

34 (b) *The board may grant a Kansas certificate to any person who*  
35 *holds a current, valid certificate or license as a certified public accountant*  
36 *issued by the appropriate regulatory agency of another state that has*

1 *substantially equivalent requirements for such certification or licensure as*  
 2 *the board. An applicant for a license issued pursuant to this section shall*  
 3 *submit any information required by the board and pay any fees required*  
 4 *for a Kansas certificate.*

5 (c) The board may refuse to grant a certificate on the ground of  
 6 failure to satisfy the good moral character requirement subject to notice  
 7 and an opportunity for the person to be heard pursuant to the Kansas  
 8 administrative procedures act.

9 Sec. 3. K.S.A. 65-1152 is hereby amended to read as follows: 65-  
 10 1152. (a) In order to obtain authorization from the board of nursing to  
 11 practice as a registered nurse anesthetist an individual shall meet the  
 12 following requirements:

13 (1) Be licensed to practice professional nursing under the Kansas  
 14 nurse practice act;

15 (2) has successfully completed a course of study in nurse anesthesia  
 16 in a school of nurse anesthesia approved by the board;

17 (3) has successfully completed an examination approved by the board  
 18 or has been certified by a national organization whose certifying standards  
 19 are approved by the board as equal to or greater than the corresponding  
 20 standards established under this act for obtaining authorization to practice  
 21 as a registered nurse anesthetist; and

22 (4) be required to successfully complete a refresher course as defined  
 23 in rules and regulations of the board if the individual has not been in active  
 24 anesthesia practice for five years preceding the application.

25 (b) *The board may authorize an individual to practice as a registered*  
 26 *nurse anesthetist if such individual has been duly licensed, certified or*  
 27 *otherwise authorized to practice as a registered nurse anesthetist under*  
 28 *the laws of another state if, in the opinion of the board, the applicant*  
 29 *meets the same qualifications required of a registered nurse anesthetist in*  
 30 *this state. Verification of the applicant's licensure, certification or*  
 31 *authorization status shall be required from the other state.*

32 (c) Approval of schools of nurse anesthesia shall be based on  
 33 approval standards specified in K.S.A. 65-1133, and amendments thereto.

34 ~~(e)~~(d) Schools of nurse anesthesia approved by the board under this  
 35 section shall offer; a masters level degree program in nurse anesthesia.

36 ~~(d)~~(e) For the purposes of determining whether an individual meets  
 37 the requirements of ~~item (2)~~ of subsection (a)(2), the board by rules and  
 38 regulations shall establish criteria for determining whether a particular  
 39 school of nurse anesthesia maintains standards ~~which~~ *that* are at least equal  
 40 to schools of nurse anesthesia ~~which~~ *that* are approved by the board.

41 Sec. 4. K.S.A. 65-1505 is hereby amended to read as follows: 65-  
 42 1505. (a) Persons entitled to practice optometry in Kansas shall be those  
 43 persons licensed in accordance with the provisions of the optometry law. A

1 person shall be qualified to be licensed and to receive a license as an  
2 optometrist: (1) Who is of good moral character; and in determining the  
3 moral character of any such person, the board may take into consideration  
4 any felony conviction of such person, but such conviction shall not  
5 automatically operate as a bar to licensure; (2) who has graduated from a  
6 school or college of optometry approved by the board; and (3) who  
7 successfully meets and completes the requirements set by the board and  
8 passes an examination given by the board.

9 (b) *The board may grant a license to any person who holds a current,  
10 valid license to practice optometry issued by the appropriate regulatory  
11 agency of another state that has substantially equivalent requirements for  
12 such licensure as the board. An applicant for a license issued pursuant to  
13 this section shall submit any information required by the board and pay  
14 any fees required for such licensure.*

15 (c) All applicants for licensure, in addition to successfully completing  
16 all other requirements for licensure, shall submit evidence satisfactory to  
17 the board of professional liability insurance in an amount acceptable to the  
18 board.

19 ~~(e)~~(d) Any person applying for examination by the board shall fill out  
20 and swear to an application furnished by the board, accompanied by a fee  
21 fixed by the board by rules and regulations in an amount of not to exceed  
22 \$450, and file the same with the secretary of the board at least 30 days  
23 prior to the holding of the examination. At such examinations the board  
24 shall examine each applicant in subjects taught in schools or colleges of  
25 optometry approved by the board, as may be required by the board. If such  
26 person complies with the other qualifications for licensing and passes such  
27 examination, such person shall receive from the board, upon the payment  
28 of a fee fixed by the board by rules and regulations in an amount of not to  
29 exceed \$150, a license entitling such person to practice optometry. In the  
30 event of the failure on the part of the applicant to pass the first  
31 examination, such person may, with the consent of the board, within 18  
32 months, by filing an application accompanied by a fee fixed by the board  
33 by rules and regulations in an amount of not to exceed \$150, take a second  
34 examination; for the third and each subsequent examination a fee fixed by  
35 the board by rules and regulations in an amount of not to exceed \$150.  
36 Any examination fee and license fee fixed by the board under this  
37 subsection which is in effect on the day preceding the effective date of this  
38 act shall continue in effect until the board adopts rules and regulations  
39 under this subsection fixing a different fee therefor.

40 ~~(d)~~(e) Any applicant for reciprocal licensure may in the board's  
41 discretion be licensed and issued a license without examination if the  
42 applicant has been in the active practice of optometry in another state for  
43 at least the three-year period immediately preceding the application for

1 reciprocal licensure and the applicant:

2 (1) Presents a certified copy of a certificate of registration or license  
3 ~~which~~ *that* has been issued to the applicant by another state where the  
4 requirements for licensure are deemed by the board to be equivalent to the  
5 requirements for licensure under this act, if such state accords a like  
6 privilege to holders of a license issued by the board;

7 (2) submits a sworn statement of the licensing authority of such other  
8 state that the applicant's license has never been limited, suspended or  
9 revoked and that the applicant has never been censured or had other  
10 disciplinary action taken;

11 (3) successfully passes an examination of Kansas law administered  
12 by the board and such clinical practice examination as the board deems  
13 necessary; and

14 (4) pays the reciprocal license fixed by the board by rules and  
15 regulations in an amount of not to exceed \$450. The reciprocal license fee  
16 fixed by the board under this subsection ~~which~~ *that* is in effect on the day  
17 preceding the effective date of this act shall continue in effect until the  
18 board adopts rules and regulations under this subsection fixing a different  
19 fee therefor.

20 ~~(e)~~(f) The board shall adopt rules and regulations establishing the  
21 criteria which a school or college of optometry shall satisfy in meeting the  
22 requirement of approval by the board established under subsection (a). The  
23 board may send a questionnaire developed by the board to any school or  
24 college of optometry for which the board does not have sufficient  
25 information to determine whether the school or college meets the  
26 requirements for approval and rules and regulations adopted under this act.  
27 The questionnaire providing the necessary information shall be completed  
28 and returned to the board in order for the school or college to be  
29 considered for approval. The board may contract with investigative  
30 agencies, commissions or consultants to assist the board in obtaining  
31 information about schools or colleges. In entering such contracts the  
32 authority to approve schools or colleges shall remain solely with the board.

33 ~~(f)~~(g) (1) The board may require an applicant for licensure or a  
34 licensee in connection with an investigation of the licensee to be  
35 fingerprinted and submit to a state and national criminal history record  
36 check. The fingerprints shall be used to identify the licensee or applicant  
37 for licensure and to determine whether the licensee or applicant for  
38 licensure has a record of criminal arrests and convictions in this state or  
39 other jurisdictions. The board is authorized to submit the fingerprints to the  
40 Kansas bureau of investigation, the federal bureau of investigation or any  
41 other law enforcement or criminal justice agency for a state and national  
42 criminal history record check. The board may use the information obtained  
43 through the criminal history record check for the purposes of verifying the

1 identification of the licensee or applicant for licensure and in the official  
2 character and fitness determination of the licensee or applicant for  
3 licensure to practice optometry in this state.

4 (2) Local and state law enforcement officers and agencies shall assist  
5 the board in taking and processing fingerprints of licensees and applicants  
6 for licensure and shall release to the board all records of adult convictions,  
7 arrests and nonconvictions in this state and all records of adult convictions,  
8 arrests and nonconvictions of any other state or country. The board may  
9 enter into agreements with the Kansas bureau of investigation, the federal  
10 bureau of investigation or any other law enforcement or criminal justice  
11 agency as necessary to carry out the duties of the board under this act.

12 (3) The fingerprints and all information obtained from the criminal  
13 history record check shall be confidential and shall not be disclosed except  
14 to members of the board and agents and employees of the board as  
15 necessary to verify the identification of any licensee or applicant for  
16 licensure and in the official character and fitness determination of the  
17 licensee or applicant for licensure to practice optometry in this state. Any  
18 other disclosure of such confidential information shall constitute a class A  
19 misdemeanor and shall constitute grounds for removal from office,  
20 termination of employment or denial, revocation or suspension of any  
21 license issued under this act.

22 (4) (A) The board shall fix a fee for fingerprinting applicants or  
23 licensees in an amount necessary to reimburse the board for the cost of the  
24 fingerprinting. Fees collected under this subsection shall be deposited in  
25 the criminal history and fingerprinting fund.

26 (B) There is hereby created in the state treasury the criminal history  
27 and fingerprinting fund. All moneys credited to the fund shall be used to  
28 pay all costs and fees associated with processing of fingerprints and  
29 criminal history checks for the board of examiners in optometry. The fund  
30 shall be administered by the board. All expenditures from the fund shall be  
31 made in accordance with appropriation acts upon warrants of the director  
32 of accounts and reports issued pursuant to vouchers approved by the  
33 president of the board or a person designated by the president.

34 Sec. 5. K.S.A. 65-1663 is hereby amended to read as follows: 65-  
35 1663. (a) It shall be unlawful for any person to function as a pharmacy  
36 technician in this state unless such person is registered with the board as a  
37 pharmacy technician. Every person registered as a pharmacy technician  
38 shall have graduated from an accredited high school or its equivalent,  
39 obtained a graduate equivalent diploma (GED) or be enrolled and in good  
40 standing in a high school education program. Every person registered as a  
41 pharmacy technician shall pass one or more examinations identified and  
42 approved by the board within the period or periods of time specified by the  
43 board after becoming registered. The board shall adopt rules and

1 regulations identifying the required examinations, when they must be  
2 passed and establishing the criteria for the required examinations and  
3 passing scores. The board may include as a required examination any  
4 national pharmacy technician certification examination. The board shall  
5 adopt rules and regulations restricting the tasks a pharmacy technician may  
6 perform prior to passing any required examinations.

7 (b) *Any person who holds a current, valid license or registration as a*  
8 *pharmacy technician issued by the appropriate regulatory agency of*  
9 *another state that has substantially equivalent requirements for such*  
10 *licensure or registration as the board may be registered as a pharmacy*  
11 *technician in this state. An applicant for registration pursuant to this*  
12 *section shall submit any information required by the board and pay any*  
13 *fees required for such registration.*

14 (c) All applications for registration shall be made on a form to be  
15 prescribed and furnished by the board. Each application for registration  
16 shall be accompanied by a registration fee fixed by the board by rule and  
17 regulation not to exceed \$50.

18 ~~(e)~~(d) The board shall take into consideration any felony conviction  
19 of an applicant, but such conviction shall not automatically operate as a  
20 bar to registration.

21 ~~(d)~~(e) Except as otherwise provided in this subsection, each pharmacy  
22 technician registration issued by the board shall expire every two years.  
23 The expiration date shall be established by rules and regulations adopted  
24 by the board. To provide for a system of biennial renewal of pharmacy  
25 technician registrations, the board may provide by rules and regulations  
26 that registrations issued or renewed may expire less than two years from  
27 the date of issuance or renewal. Each applicant for renewal of a pharmacy  
28 technician registration shall be made on a form prescribed and furnished  
29 by the board and shall be accompanied by a renewal fee fixed by the board  
30 by rule and regulation not to exceed \$25. Pharmacy technician registration  
31 renewal fees may be prorated for registration periods which are less than  
32 biennial in accordance with rules and regulations of the board. Except as  
33 otherwise provided in this subsection, the application for registration  
34 renewal, when accompanied by the renewal fee and evidence satisfactory  
35 to the board that the person has successfully complied with the rules and  
36 regulations of the board establishing the requirements for a program of  
37 continuing pharmacy technician education and received by the secretary  
38 on or before the date of expiration of the registration, shall have the effect  
39 of temporarily renewing the applicant's registration until actual issuance or  
40 denial of the renewal registration. If at the time of filing a proceeding is  
41 pending before the board which may result in the suspension, probation,  
42 revocation or denial of the applicant's registration, the board may by  
43 emergency order declare that the application for renewal shall not have the

1 effect of temporarily renewing such applicant's registration. If the renewal  
2 fee is not paid prior to the expiration date of the renewal year, the  
3 registration is void.

4 ~~(e)~~(f) Continuing pharmacy technician education requirements shall  
5 be fixed by the board at not more than 20 clock hours biennially of a  
6 program of continuing education approved by the board. Continuing  
7 education hours may be prorated for licensure periods that are less than  
8 biennial in accordance with rules and regulations of the board.

9 ~~(f)~~(g) (1) The board may limit, suspend or revoke a registration or  
10 deny an application for issuance or renewal of any registration as a  
11 pharmacy technician on any ground, ~~which~~ *that* would authorize the board  
12 to take action against the license of a pharmacist under K.S.A. 65-1627,  
13 and amendments thereto.

14 (2) The board may require a physical or mental examination, or both,  
15 of a person applying for or registered as a pharmacy technician.

16 (3) The board may temporarily suspend or temporarily limit the  
17 registration of any pharmacy technician in accordance with the emergency  
18 adjudicative proceedings under the Kansas administrative procedure act if  
19 the board determines that there is cause to believe that grounds exist for  
20 disciplinary action under this section against the registrant and that the  
21 registrant's continuation of pharmacy technician functions would constitute  
22 an imminent danger to the public health and safety.

23 (4) Proceedings under this section shall be subject to the Kansas  
24 administrative procedure act.

25 ~~(g)~~(h) Every registered pharmacy technician, within 30 days of  
26 obtaining new employment or ceasing employment as a pharmacy  
27 technician, shall notify the secretary of the name and address of the new  
28 employer or cessation of employment.

29 ~~(h)~~(i) Every pharmacy technician who changes their residential  
30 address, email address or legal name shall, within 30 days thereof, notify  
31 the secretary of such change on a form prescribed and furnished by the  
32 board.

33 ~~(i)~~(j) Each pharmacy shall at all times maintain a list of the names of  
34 pharmacy technicians employed by the pharmacy. A pharmacy technician  
35 shall work under the direct supervision and control of a pharmacist, and  
36 while on duty, shall wear a name badge or similar identification with the  
37 pharmacy technician's name and designation as a pharmacy technician. It  
38 shall be the responsibility of the supervising pharmacist to determine that  
39 the pharmacy technician is in compliance with the applicable rules and  
40 regulations of the board, and the supervising pharmacist shall be  
41 responsible for the acts and omissions of the pharmacy technician in the  
42 performance of the pharmacy technician's duties. The ratio of pharmacy  
43 technicians to pharmacists in the prescription area of a pharmacy shall be

1 prescribed by the board by rule and regulation. Any change in the ratio of  
2 pharmacy technicians to pharmacists in the prescription area of the  
3 pharmacy must be adopted by a vote of no less than six members of the  
4 board.

5 ~~(j)~~(k) Every registered pharmacy technician shall display the current  
6 registration in that part of the place of business in which such person is  
7 engaged in pharmacy technician activities.

8 ~~(k)~~(l) Every pharmacy technician registered after July 1, 2017, shall  
9 be required to pass a certified pharmacy technician examination approved  
10 by the board.

11 ~~(l)~~(m) The board shall adopt such rules and regulations as are  
12 necessary to ensure that pharmacy technicians are adequately trained as to  
13 the nature and scope of their lawful duties.

14 ~~(m)~~(n) The board may adopt rules and regulations as may be  
15 necessary to carry out the purposes and enforce the provisions of this act.

16 ~~(n)~~(o) This section shall be a part of and supplemental to the  
17 pharmacy act of the state of Kansas.

18 Sec. 6. K.S.A. 65-28a04 is hereby amended to read as follows: 65-  
19 28a04. (a) No person shall be licensed as a physician assistant by the state  
20 board of healing arts unless such person has:

21 (1) Presented to the state board of healing arts proof that the applicant  
22 has successfully completed a course of education and training approved by  
23 the state board of healing arts for the education and training of a physician  
24 assistant or presented to the state board of healing arts proof that the  
25 applicant has acquired experience while serving in the armed forces of the  
26 United States—~~which experience~~ *that* is equivalent to the minimum  
27 experience requirements established by the state board of healing arts;

28 (2) passed an examination approved by the state board of healing arts  
29 covering subjects incident to the education and training of a physician  
30 assistant; and

31 (3) submitted to the state board of healing arts any other information  
32 the state board of healing arts deems necessary to evaluate the applicant's  
33 qualifications.

34 (b) *The board may grant a license to any person who holds a current,  
35 valid license as a physician assistant issued by the appropriate regulatory  
36 agency of another state that has substantially equivalent requirements for  
37 such licensure as the board. An applicant for a license issued pursuant to  
38 this section shall submit any information required by the board and pay  
39 any fees required for such licensure.*

40 (c) The board may refuse to license a person as a physician assistant  
41 upon any of the grounds for which the board may revoke such license.

42 ~~(e)~~(d) The state board of healing arts shall require every physician  
43 assistant to submit with the renewal application evidence of satisfactory



1 completion of a program of continuing education required by the state  
2 board of healing arts. The state board of healing arts by duly adopted rules  
3 and regulations shall establish the requirements for such program of  
4 continuing education as soon as possible after the effective date of this act.  
5 In establishing such requirements the state board of healing arts shall  
6 consider any existing programs of continuing education currently being  
7 offered to physician assistants.

8 ~~(d)~~(e) A person registered to practice as a physician assistant  
9 immediately prior to the effective date of this act shall be deemed to be  
10 licensed to practice as a physician assistant under this act, and such person  
11 shall not be required to file an original application for licensure under this  
12 act. ~~Any application for registration filed which has not been granted prior~~  
13 ~~to February 1, 2001, shall be processed as an application for licensure~~  
14 ~~under this act.~~

15 Sec. 7. K.S.A. 65-28b03 is hereby amended to read as follows: 65-  
16 28b03. (a) In order to obtain authorization to engage in the independent  
17 practice of midwifery, a certified nurse-midwife must meet the following  
18 requirements:

19 (1) Be licensed to practice professional nursing under the Kansas  
20 nurse practice act;

21 (2) have successfully completed a course of study in nurse-midwifery  
22 in a school of nurse-midwifery approved by the board;

23 (3) have successfully completed a national certification approved by  
24 the board;

25 (4) have successfully completed a refresher course as defined by rules  
26 and regulations of the board, if the individual has not been in active  
27 midwifery practice for five years immediately preceding the application;

28 (5) be authorized to perform the duties of a certified nurse-midwife  
29 by the state board of nursing;

30 (6) be licensed as an advanced practice registered nurse by the state  
31 board of nursing; and

32 (7) have paid all fees for licensure prescribed in K.S.A. 65-28b05,  
33 and amendments thereto.

34 (b) Upon application to the board by any certified nurse-midwife and  
35 upon satisfaction of the standards and requirements established under this  
36 act, the board shall grant an authorization to the applicant to engage in the  
37 independent practice of midwifery. *The board may authorize any person to*  
38 *engage in the independent practice of midwifery if such person is*  
39 *authorized to engage in such practice by the appropriate regulatory*  
40 *agency of another state that has substantially equivalent requirements for*  
41 *such authorization as the board. An applicant for authorization to practice*  
42 *midwifery pursuant to this section shall submit any information required*  
43 *by the board and pay any fees required for licensure under K.S.A. 65-*

1 28b05, and amendments thereto.

2 (c) A person whose licensure has been revoked may make written  
3 application to the board requesting reinstatement of the license in a manner  
4 prescribed by the board, which application shall be accompanied by the  
5 fee prescribed in K.S.A. 65-28b05, and amendments thereto.

6 ~~(d) The provisions of this section shall become effective on January~~  
7 ~~1, 2017.~~

8 Sec. 8. K.S.A. 65-2906 is hereby amended to read as follows: 65-  
9 2906. (a) The board, with the advice and assistance of the council, shall  
10 pass upon the qualifications of all applicants for licensure or certification  
11 and duly license or certify those applicants who meet the qualifications  
12 established by this act.

13 (b) An applicant applying for licensure as a physical therapist or for a  
14 certificate as a physical therapist assistant shall file a written application  
15 on forms provided by the board, showing to the satisfaction of the board  
16 that the applicant meets the following requirements:

17 (1) The applicant is of legal age;

18 (2) the applicant has successfully completed the academic  
19 requirements of an educational program in physical therapy approved by  
20 the board which is appropriate for the certification or licensure of the  
21 applicant or, if the applicant attended a program not approved by the  
22 board, the applicant shall present an evaluation by an entity approved by  
23 the board showing that applicant's educational program met the criteria a  
24 school must satisfy to be approved by the board;

25 (3) the applicant has passed an examination required by the board  
26 which is appropriate for the certification or licensure of the applicant to  
27 test the applicant's knowledge of the basic and clinical sciences relating to  
28 physical therapy theory and practice; and

29 (4) the applicant has paid to the board all applicable fees established  
30 under K.S.A. 65-2911, and amendments thereto.

31 (c) *The board may grant a license or certification to any person who*  
32 *holds a current, valid license or certification as a physical therapist or*  
33 *physical therapist assistant issued by the appropriate regulatory agency of*  
34 *another state that has substantially equivalent requirements for such*  
35 *licensure or certification as the board. An applicant for a license or*  
36 *certification issued pursuant to this section shall submit any information*  
37 *required by the board and pay any fees required for such licensure or*  
38 *certification.*

39 (d) The board shall adopt rules and regulations establishing the  
40 criteria which a school shall satisfy in order to be approved by the board  
41 for purposes of subsection (b). The board may send a questionnaire  
42 developed by the board to any school for which the board does not have  
43 sufficient information to determine whether the school meets the

1 requirements of the board for approval and rules and regulations adopted  
2 under this section. The questionnaire providing the necessary information  
3 shall be completed and returned to the board in order for the school to be  
4 considered for approval. The board may contract with investigative  
5 agencies, commissions or consultants to assist the board in obtaining  
6 information about schools. In entering such contracts the authority to  
7 approve schools shall remain solely with the board.

8 Sec. 9. K.S.A. 65-4203 is hereby amended to read as follows: 65-  
9 4203. (a) *Qualification*. An applicant for a license to practice as a mental  
10 health technician shall:

11 (1) Have graduated from a high school accredited by the appropriate  
12 legal accrediting agency or have obtained the equivalent of a high school  
13 education, as determined by the state department of education;

14 (2) have satisfactorily completed an approved course of mental health  
15 technology; and

16 (3) file with the board a written application for a license.

17 (b) The board may issue a license to an applicant to practice as a  
18 mental health technician who has:

19 (1) Met the qualifications set forth in subsection (a);

20 (2) passed a written examination in mental health technology as  
21 prescribed by the board; and

22 (3) no disqualifying factors under K.S.A. 65-4209, and amendments  
23 thereto.

24 (c) *Licensure examination within 24 months of graduation*. (1)  
25 Persons who do not take the licensure examination within 24 months after  
26 graduation shall petition the board for permission prior to taking the  
27 licensure examination. The board may require the applicant to submit and  
28 complete a plan of study prior to taking the licensure examination.

29 (2) Persons who are unsuccessful in passing the licensure  
30 examination within 24 months after graduation shall petition the board for  
31 permission prior to subsequent attempts. The board may require the  
32 applicant to submit and complete a plan of study prior to taking the  
33 licensure examination a subsequent time. The study plan shall contain  
34 subjects related to deficiencies identified on the failed examination  
35 profiles.

36 (d) *Licensure recognition*. *The board may grant a license to any*  
37 *person who holds a current, valid license to practice as a mental health*  
38 *technician issued by the appropriate regulatory agency of another state*  
39 *that has substantially equivalent requirements for such licensure as the*  
40 *board. An applicant for a license issued pursuant to this section shall*  
41 *submit any information required by the board and pay any fees required*  
42 *for such licensure.*

43 (e) An application for initial licensure will be held awaiting

1 completion of meeting qualifications for a time period specified in rules  
2 and regulations.

3 ~~(e)~~(f) *Refresher course.* Notwithstanding the provisions of subsection  
4 (a), an applicant for a license to practice as a mental health technician who  
5 has not been licensed to practice as a mental health technician for five  
6 years preceding application shall be required to successfully complete a  
7 refresher course as defined by the board in rules and regulations.

8 ~~(f)~~(g) The board may issue a one-time temporary permit to practice as  
9 a mental health technician for a period not to exceed 120 days when a  
10 reinstatement application has been made.

11 ~~(g)~~(h) *Exempt license.* The board may issue an exempt license to any  
12 licensee as defined in rules and regulations who makes written application  
13 for such license on a form provided by the board, who remits a fee as  
14 established pursuant to K.S.A. 65-4208, and amendments thereto, and who  
15 is not regularly engaged in mental health technician practice in Kansas but  
16 volunteers mental health technician service or is a charitable health care  
17 provider as defined by K.S.A. 75-6102, and amendments thereto. Each  
18 exempt licensee shall be subject to all provisions of the mental health  
19 technician act, except as otherwise provided in this subsection (e). Each  
20 exempt license may be renewed biennially subject to the provisions of this  
21 section. The holder of the exempt license shall not be required to submit  
22 evidence of satisfactory completion of a program of continuing education  
23 for renewal. To convert an exempt license to an active license, the exempt  
24 licensee shall meet all the requirements of subsection (b) or K.S.A. 65-  
25 4205, and amendments thereto. The board shall have authority to write  
26 rules and regulations to carry out the provisions of this section.

27 ~~(h)~~(i) The board may adopt rules and regulations as necessary to  
28 administer the mental health technician's licensure act.

29 Sec. 10. K.S.A. 65-5406 is hereby amended to read as follows: 65-  
30 5406. (a) An applicant applying for licensure as an occupational therapist  
31 or as an occupational therapy assistant shall file a written application on  
32 forms provided by the board, showing to the satisfaction of the board that  
33 the applicant meets the following requirements:

34 (1) Education: The applicant shall present evidence satisfactory to the  
35 board of having successfully completed the academic requirements of an  
36 educational program in occupational therapy recognized by the board.

37 (2) Experience: The applicant shall submit to the board evidence of  
38 having successfully completed a period of supervised field work at a  
39 minimum recognized by the board.

40 (3) Examination: The applicant shall pass an examination as provided  
41 for in K.S.A. 65-5407, and amendments thereto.

42 (4) Fees: The applicants shall pay to the board all applicable fees  
43 established under K.S.A. 65-5409, and amendments thereto.

1       (b) *The board may grant a license to any person who holds a current,*  
2 *valid license as an occupational therapist or as an occupational therapy*  
3 *assistant issued by the appropriate regulatory agency of another state that*  
4 *has substantially equivalent requirements for such licensure as the board.*  
5 *An applicant for a license issued pursuant to this section shall submit any*  
6 *information required by the board and pay any fees required for such*  
7 *licensure.*

8       (c) The board shall adopt rules and regulations establishing the  
9 criteria which an educational program in occupational therapy shall satisfy  
10 to be recognized by the board under ~~paragraph (1)~~ of subsection (a)(1).  
11 The board may send a questionnaire developed by the board to any school  
12 or other entity conducting an educational program in occupational therapy  
13 for which the board does not have sufficient information to determine  
14 whether the program should be recognized by the board and whether the  
15 program meets the rules and regulations adopted under this section. The  
16 questionnaire providing the necessary information shall be completed and  
17 returned to the board in order for the program to be considered for  
18 recognition. The board may contract with investigative agencies,  
19 commissions or consultants to assist the board in obtaining information  
20 about an educational program in occupational therapy. In entering such  
21 contracts the authority to recognize an educational program in  
22 occupational therapy shall remain solely with the board.

23       Sec. 11. K.S.A. 65-5506 is hereby amended to read as follows: 65-  
24 5506. (a) An applicant applying for licensure as a respiratory therapist  
25 shall file a written application on forms provided by the board, showing to  
26 the satisfaction of the board that the applicant meets the following  
27 requirements:

28       (1) Education: The applicant shall present evidence satisfactory to the  
29 board of having successfully completed an educational program in  
30 respiratory therapy approved by the board.

31       (2) Examination: The applicant shall pass an examination as provided  
32 for in K.S.A. 65-5507, and amendments thereto.

33       (3) Fees: The applicants shall pay to the board all applicable fees  
34 established under K.S.A. 65-5509, and amendments thereto.

35       (b) *The board may grant a license to any person who holds a current,*  
36 *valid license as a respiratory therapist issued by the appropriate*  
37 *regulatory agency of another state that has substantially equivalent*  
38 *requirements for such licensure as the board. An applicant for a license*  
39 *issued pursuant to this section shall submit any information required by*  
40 *the board and pay any fees required for such licensure.*

41       (c) The board shall adopt rules and regulations establishing the  
42 criteria for an educational program in respiratory therapy to obtain  
43 successful recognition by the board under ~~paragraph (1)~~ of subsection (a)

1 (1). The board may send a questionnaire developed by the board to any  
2 school or other entity conducting an educational program in respiratory  
3 therapy for which the board does not have sufficient information to  
4 determine whether the program should be recognized by the board and  
5 whether the program meets the rules and regulations adopted under this  
6 section. The questionnaire providing the necessary information shall be  
7 completed and returned to the board in order for the program to be  
8 considered for recognition. The board may contract with investigative  
9 agencies, commissions or consultants to assist the board in obtaining  
10 information about an educational program in respiratory therapy. In  
11 entering such contracts the authority to recognize an educational program  
12 in respiratory therapy shall remain solely with the board.

13 Sec. 12. K.S.A. 65-5906 is hereby amended to read as follows: 65-  
14 5906. (a) No person shall be granted a license as a dietitian unless such  
15 person has:

16 (1) Filed an application and paid the required application fee;  
17 (2) received a baccalaureate or post-baccalaureate degree with a  
18 major course of study in human nutrition, food and nutrition, dietetics or  
19 food service management approved by the secretary as meeting the  
20 standards for approval of such course of study under this act;  
21 (3) completed a planned, continuous program of dietetic experience  
22 approved by the secretary of not less than 900 clock hours under the  
23 supervision of a licensed dietitian; and

24 (4) passed an examination approved by the secretary.

25 (b) *The board may grant a license to any person who holds a current,*  
26 *valid license as a dietitian issued by the appropriate regulatory agency of*  
27 *another state that has substantially equivalent requirements for such*  
28 *licensure as the board. An applicant for a license issued pursuant to this*  
29 *section shall submit any information required by the board and pay any*  
30 *fees required for such licensure.*

31 (c) Licenses shall be issued for a period of two years.

32 Sec. 13. K.S.A. 2019 Supp. 65-6129 is hereby amended to read as  
33 follows: 65-6129. (a) (1) Application for an emergency medical service  
34 provider certificate shall be made to the board. The board shall not grant  
35 an emergency medical service provider certificate unless the applicant  
36 meets the following requirements:

37 (A) (i) Has successfully completed coursework required by the rules  
38 and regulations adopted by the board;

39 (ii) has successfully completed coursework in another jurisdiction  
40 that is substantially equivalent to that required by the rules and regulations  
41 adopted by the board; or

42 (iii) has provided evidence that such applicant holds a current and  
43 active certification with the national registry of emergency medical

1 technicians, completed emergency medical technician training as a  
2 member of the army, navy, marine corps, air force, air or army national  
3 guard, coast guard or any branch of the military reserves of the United  
4 States that is substantially equivalent to that required by the rules and  
5 regulations adopted by the board, and such applicant separated from such  
6 military service with an honorable discharge;

7 (B) (i) has passed the examination required by the rules and  
8 regulations adopted by the board; or

9 (ii) has passed the certification or licensing examination in another  
10 jurisdiction that has been approved by the board; and

11 (C) has paid an application fee required by the rules and regulations  
12 adopted by the board.

13 (2) The board may grant an emergency medical service provider  
14 certificate to any applicant who meets the requirements under subsection  
15 (a)(1)(A)(iii) but was separated from such military service with a general  
16 discharge under honorable conditions.

17 (b) (1) The emergency medical services board may require an original  
18 applicant for certification as an emergency medical services provider to be  
19 fingerprinted and submit to a state and national criminal history record  
20 check. The fingerprints shall be used to identify the applicant and to  
21 determine whether the applicant has a record of criminal history in this  
22 state or another jurisdiction. The emergency medical services board is  
23 authorized to submit the fingerprints to the Kansas bureau of investigation  
24 and the federal bureau of investigation for a state and national criminal  
25 history record check. The emergency medical services board may use the  
26 information obtained from fingerprinting and the applicant's criminal  
27 history for purposes of verifying the identification of the applicant and  
28 making the official determination of the qualifications and fitness of the  
29 applicant to be issued or to maintain a certificate.

30 (2) Local and state law enforcement officers and agencies shall assist  
31 the emergency medical services board in taking the fingerprints of  
32 applicants for license, registration, permit or certificate. The Kansas  
33 bureau of investigation shall release all records of adult convictions,  
34 nonconvictions or adjudications in this state and any other state or country  
35 to the emergency medical services board.

36 (3) The emergency medical services board may fix and collect a fee  
37 as may be required by the board in an amount equal to the cost of  
38 fingerprinting and the criminal history record check. The emergency  
39 medical services board shall remit all moneys received from the fees  
40 established by this section to the state treasurer in accordance with the  
41 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
42 each such remittance, the state treasurer shall deposit the entire amount in  
43 the state treasury to the credit of the emergency medical services criminal

1 history and fingerprinting fund.

2 (4) There is hereby created in the state treasury the emergency  
3 medical services criminal history and fingerprinting fund. All moneys  
4 credited to the fund shall be used to pay the Kansas bureau of investigation  
5 for the processing of fingerprints and criminal history record checks for  
6 the emergency medical services board. The fund shall be administered by  
7 the emergency medical services board. All expenditures from the fund  
8 shall be made in accordance with appropriation acts upon warrants of the  
9 director of accounts and reports issued pursuant to vouchers approved by  
10 the chairperson of the emergency medical services board or the  
11 chairperson's designee.

12 (c) *The board may grant a certificate to any person who holds a*  
13 *current, valid emergency medical service provider, advanced emergency*  
14 *medical technician or paramedic certificate issued by the appropriate*  
15 *regulatory agency of another state that has substantially equivalent*  
16 *requirements for such certification as the board. An applicant for a*  
17 *certificate issued pursuant to this section shall submit any information*  
18 *required by the board and pay any fees required for such certification.*

19 (d) The board shall not grant an initial advanced emergency medical  
20 technician certificate or paramedic certificate as a result of successful  
21 course completion in the state of Kansas, unless the applicant for such an  
22 initial certificate is certified as an emergency medical technician.

23 ~~(d)~~(e) An emergency medical service provider certificate shall expire  
24 on the date prescribed by the board. An emergency medical service  
25 provider certificate may be renewed for a period of two years upon  
26 payment of a fee as prescribed by rule and regulation of the board and  
27 upon presentation of satisfactory proof that the emergency medical service  
28 provider has successfully completed continuing education as prescribed by  
29 the board.

30 ~~(e)~~(f) All fees received pursuant to the provisions of this section shall  
31 be remitted to the state treasurer in accordance with the provisions of  
32 K.S.A. 75-4215, and amendments thereto. Upon receipt of each such  
33 remittance, the state treasurer shall deposit the entire amount in the state  
34 treasury to the credit of the emergency medical services operating fund  
35 established by K.S.A. 65-6151, and amendments thereto.

36 ~~(f)~~(g) If a person who was previously certified as an emergency  
37 medical service provider applies for an emergency medical service  
38 provider's certificate after the certificate's expiration, the board may grant  
39 a certificate without the person completing an initial course of instruction  
40 or passing a certification examination if the person has completed  
41 education requirements and has paid a fee as specified in rules and  
42 regulations adopted by the board.

43 ~~(g)~~(h) The board shall adopt, through rules and regulations, a formal



1 list of graduated sanctions for violations of article 61 of chapter 65 of the  
2 Kansas Statutes Annotated, and amendments thereto, that shall specify the  
3 number and severity of violations for the imposition of each level of  
4 sanction.

5 Sec. 14. K.S.A. 2019 Supp. 65-6306 is hereby amended to read as  
6 follows: 65-6306. (a) The board shall issue a license as a baccalaureate  
7 social worker to an applicant who:

8 (1) Has a baccalaureate degree from an accredited college or  
9 university, including completion of a social work program recognized and  
10 approved by the board, pursuant to rules and regulations adopted by the  
11 board;

12 (2) has passed an examination approved by the board for this  
13 purpose; and

14 (3) has satisfied the board that the applicant is a person who merits  
15 the public trust.

16 (b) The board shall issue a license as a master social worker to an  
17 applicant who:

18 (1) Has a master's degree from an accredited college or university,  
19 including completion of a social work program recognized and approved  
20 by the board, pursuant to rules and regulations adopted by the board;

21 (2) has passed an examination approved by the board for this  
22 purpose; and

23 (3) has satisfied the board that the applicant is a person who merits  
24 the public trust.

25 (c) The board shall issue a license in one of the social work  
26 specialties to an applicant who:

27 (1) Has a master's or doctor's degree from an accredited graduate  
28 school of social work, including completion of a social work program  
29 recognized and approved by the board, pursuant to rules and regulations  
30 adopted by the board;

31 (2) has had two years of full-time post-master's or post-doctor's  
32 degree experience under the supervision of a licensed social worker in the  
33 area of the specialty in which such applicant seeks to be licensed;

34 (3) has passed an examination approved by the board for this  
35 purpose; and

36 (4) has satisfied the board that the applicant is a person who merits  
37 the public trust.

38 (d) (1) The board shall issue a license as a specialist clinical social  
39 worker to an applicant who:

40 (A) Has met the requirements of subsection (c);

41 (B) has completed 15 credit hours as part of or in addition to the  
42 requirements under subsection (c) supporting diagnosis or treatment of  
43 mental disorders with use of the American psychiatric association's

1 diagnostic and statistical manual, through identifiable study of the  
2 following content areas: Psychopathology, diagnostic assessment,  
3 interdisciplinary referral and collaboration, treatment approaches and  
4 professional ethics;

5 (C) has completed a graduate level supervised clinical practicum of  
6 supervised professional experience including psychotherapy and  
7 assessment, integrating diagnosis and treatment of mental disorders with  
8 use of the American psychiatric association's diagnostic and statistical  
9 manual, with not less than 350 hours of direct client contact or additional  
10 postgraduate supervised experience as determined by the board;

11 (D) has completed as part of or in addition to the requirements of  
12 subsection (c) not less than two years of postgraduate supervised  
13 professional experience in accordance with a clinical supervision plan  
14 approved by the board of not less than 3,000 hours of supervised  
15 professional experience including at least 1,500 hours of direct client  
16 contact conducting psychotherapy and assessments with individuals,  
17 couples, families or groups and not less than 100 hours of clinical  
18 supervision, including not less than 75 hours of person-to-person  
19 individual supervision, integrating diagnosis and treatment of mental  
20 disorders with use of the American psychiatric association's diagnostic and  
21 statistical manual;

22 (E) for persons earning a degree under subsection (c) prior to July 1,  
23 2003, in lieu of the education and training requirements under parts (B)  
24 and (C) of this subsection, has completed the education requirements for  
25 licensure as a specialist clinical social worker in effect on the day  
26 immediately preceding the effective date of this act;

27 (F) for persons who apply for and are eligible for a temporary license  
28 to practice as a specialist clinical social worker on the day immediately  
29 preceding the effective date of this act, in lieu of the education and training  
30 requirements under parts (B), (C) and (D) of this subsection, has  
31 completed the education and training requirements for licensure as a  
32 specialist clinical social worker in effect on the day immediately preceding  
33 the effective date of this act;

34 (G) has passed an examination approved by the board; and

35 (H) has paid the application fee.

36 (2) A licensed specialist clinical social worker may engage in the  
37 social work practice and is authorized to diagnose and treat mental  
38 disorders specified in the edition of the diagnostic and statistical manual of  
39 mental disorders of the American psychiatric association designated by the  
40 board by rules and regulations. When a client has symptoms of a mental  
41 disorder, a licensed specialist clinical social worker shall consult with the  
42 client's primary care physician or psychiatrist to determine if there may be  
43 a medical condition or medication that may be causing or contributing to

1 the client's symptoms of a mental disorder. A client may request in writing  
2 that such consultation be waived and such request shall be made a part of  
3 the client's record. A licensed specialist clinical social worker may  
4 continue to evaluate and treat the client until such time that the medical  
5 consultation is obtained or waived.

6 (3) Notwithstanding any other provision of this subsection, a licensed  
7 master social worker who has provided to the board an acceptable clinical  
8 supervision plan for licensure as a specialist clinical social worker prior to  
9 the effective date of this act shall be licensed as a specialist clinical social  
10 worker under this act upon completion of the requirements in effect for  
11 licensure as a specialist clinical social worker at the time the acceptable  
12 training plan is submitted to the board.

13 (4) A person licensed as a specialist clinical social worker on the day  
14 immediately preceding the effective date of this act shall be deemed to be  
15 a licensed specialist clinical social worker under this act. Such person shall  
16 not be required to file an original application for licensure as a specialist  
17 clinical social worker under this act.

18 (e) *The board shall grant a license to any person who holds a*  
19 *current, valid license as a baccalaureate social worker, master social*  
20 *worker or specialist clinical social worker issued by the appropriate*  
21 *regulatory agency of another state that has substantially equivalent*  
22 *requirements for such licensure as the board. An applicant for a license*  
23 *issued pursuant to this section shall submit any information required by*  
24 *the board and pay any fees required for such licensure.*

25 (f) The board shall adopt rules and regulations establishing the criteria  
26 which a social work program of a college or university shall satisfy to be  
27 recognized and approved by the board under this section. The board may  
28 send a questionnaire developed by the board to any college or university  
29 conducting a social work program for which the board does not have  
30 sufficient information to determine whether the program should be  
31 recognized and approved by the board and whether the program meets the  
32 rules and regulations adopted under this section. The questionnaire  
33 providing the necessary information shall be completed and returned to the  
34 board in order for the program to be considered for recognition and  
35 approval. The board may contract with investigative agencies,  
36 commissions or consultants to assist the board in obtaining information  
37 about a social work program of a college or university. In entering such  
38 contracts the authority to recognize and approve a social work program of  
39 a college or university shall remain solely with the board.

40 Sec. 15. K.S.A. 65-7203 is hereby amended to read as follows: 65-  
41 7203. (a) The board, ~~as hereinafter provided~~, shall administer the  
42 provisions of this act.

43 (b) The board shall judge the qualifications of all applicants for

1 examination and licensure, determine the applicants who successfully pass  
 2 the examination, duly license such applicants and adopt rules and  
 3 regulations as may be necessary to administer the provisions of this act.

4 (c) The board shall issue a license as a naturopathic doctor to an  
 5 individual who prior to the effective date of this act: (1) Graduated from a  
 6 school of naturopathy that required four years of attendance and was at the  
 7 time of such individual's graduation accredited or a candidate for  
 8 accreditation by the board approved accrediting body;; (2) passed an  
 9 examination approved by the board covering appropriate naturopathic  
 10 subjects including basic and clinical sciences; and (3) has not committed  
 11 an act which would subject such person to having a license suspended or  
 12 revoked under K.S.A. 65-7208, and amendments thereto.

13 (d) *The board shall grant a license to any person who holds a*  
 14 *current, valid license as a naturopathic doctor issued by the appropriate*  
 15 *regulatory agency of another state that has substantially equivalent*  
 16 *requirements for such licensure as the board. An applicant for a license*  
 17 *issued pursuant to this section shall submit any information required by*  
 18 *the board and pay any fees required for such licensure.*

19 (e) The board shall keep a record of all proceedings under this act and  
 20 a roster of all individuals licensed under this act. Only an individual may  
 21 be licensed under this act.

22 Sec. 16. K.S.A. 65-7503 is hereby amended to read as follows: 65-  
 23 7503. (a) ~~On or after July 1, 2016;~~ No person shall practice applied  
 24 behavior analysis in this state unless ~~they are~~ *such person is a:*

25 (1) Licensed behavior ~~analysts~~ *analyst*;

26 (2) licensed assistant behavior ~~analysts~~ *analyst* working under the  
 27 supervision of a licensed behavior analyst;

28 (3) ~~an individual~~ *person* who has a bachelor's or graduate degree and  
 29 completed course work for licensure as a behavior analyst and is obtaining  
 30 supervised field experience under a licensed behavior analyst pursuant to  
 31 required supervised work experience for licensure at the behavior analyst  
 32 or assistant behavior analyst level; or

33 (4) licensed ~~psychologists~~ *psychologist* practicing within the rules  
 34 and standards of practice for psychologists in the state of Kansas and  
 35 whose practice is commensurate with ~~their~~ *such person's* level of training  
 36 and experience.

37 (b) *The board shall grant a license to any person who holds a*  
 38 *current, valid license to practice applied behavior analysis issued by the*  
 39 *appropriate regulatory agency of another state that has substantially*  
 40 *equivalent requirements for such licensure as the board. An applicant for a*  
 41 *license issued pursuant to this section shall submit any information*  
 42 *required by the board and pay any fees required for such licensure.*

43 (c) The licensing requirements of subsection (a) shall not apply to any

1 person:

2 (1) Licensed by the board who practices any component of applied  
3 behavior analysis within the scope of such person's license and scope of  
4 practice as required by law;

5 (2) who provides services under the individuals with disabilities  
6 education act (IDEA), 20 U.S.C. § 1400 et seq.;

7 (3) who provides services under § 504 of the federal rehabilitation act  
8 of 1973, 20 U.S.C. § 794;

9 (4) is enrolled in a course of study at a recognized educational  
10 institution through which such person provides applied behavior analysis  
11 as part of supervised clinical experience;

12 (5) who is an autism specialist, an intensive individual service  
13 provider or any other individual qualified to provide services under the  
14 home and community based services autism waiver administered by the  
15 Kansas department for aging and disability services;

16 (6) who is an occupational therapist licensed by the state board of  
17 healing arts, acting within the scope of such person's license and scope of  
18 practice as required by law; or

19 (7) who is a speech-language pathologist or audiologist licensed by  
20 the Kansas department for aging and disability services, acting within the  
21 scope of such person's license and scope of practice as required by law.

22 ~~(e)~~(d) The board shall not issue a license under this act until the  
23 license applicant provides proof that such applicant has met the  
24 certification requirements of a certifying entity.

25 Sec. 17. K.S.A. 72-2157 is hereby amended to read as follows: 72-  
26 2157. (a) The state board of education, in accordance with law, is  
27 authorized to adopt rules and regulations providing for the issuance,  
28 renewal, reinstatement and registration of licenses for teachers and other  
29 personnel in the state department of education and in schools and  
30 institutions under the general supervision of the state board of education.

31 (b) In addition to other requirements and subject to the provisions of  
32 K.S.A. 72-2164, and amendments thereto, the rules and regulations of the  
33 state board of education shall include after May 1, 1986, the requirement  
34 that applicants for initial issuance of licenses to teach shall take and  
35 satisfactorily pass an examination prescribed by the state board.

36 (c) *The rules and regulations adopted by the state board pursuant to*  
37 *this section shall include provisions for the issuance of licenses for*  
38 *teachers and other personnel to persons who hold a current, valid license*  
39 *issued by the appropriate regulatory agency of another state that has*  
40 *substantially equivalent requirements for such licensure as the state board*  
41 *of education.*

42 (d) The privilege to teach at any level or in any field or subject, if  
43 such privilege is or has been granted when a license is issued, may not be

1 withheld during the term for which the license is issued except as provided  
2 in K.S.A. 72-2155 or 72-2216, and amendments ~~to such sections~~ *thereto*.

3 Sec. 18. K.S.A. 75-7b04 is hereby amended to read as follows: 75-  
4 7b04. (a) Every person desiring to be licensed in Kansas as a private  
5 detective or private detective agency shall make application therefor to the  
6 attorney general. An application for a license under this act shall be on a  
7 form prescribed by the attorney general and accompanied by the required  
8 application fee. An application shall be verified and shall include:

- 9 (1) The full name and business address of the applicant;
- 10 (2) the name under which the applicant intends to do business;
- 11 (3) a statement as to the general nature of the business in which the  
12 applicant intends to engage;
- 13 (4) a statement as to the classification or classifications under which  
14 the applicant desires to be qualified;
- 15 (5) if the applicant is an organization, the full name and residence  
16 address of each of its partners, officers, directors or associates;
- 17 (6) two photographs of the applicant taken within 30 days before the  
18 date of application, of a type prescribed by the attorney general, and two  
19 classifiable sets of the applicant's fingerprints one of which shall be  
20 submitted to the federal bureau of investigation for a fingerprint check for  
21 any criminal history of the applicant;
- 22 (7) a statement of the applicant's employment history; and
- 23 (8) such other information, evidence, statements or documents as may  
24 be required by the attorney general.

25 (b) The application shall be accompanied by a certificate of reference  
26 signed by five or more reputable persons who have known the applicant  
27 for a period of at least 5 years. The certificate of reference shall be verified  
28 and acknowledged by such persons before an officer authorized to take  
29 oaths and acknowledgment of deeds.

30 Each person signing the certificate of reference shall subscribe and  
31 affirm as true, under the penalties of perjury, that:

- 32 (1) The person has known the applicant personally for a period of at  
33 least five years prior to the filing of the application. The attorney general  
34 may lessen such period if the applicant has been discharged honorably  
35 from the military service of the United States within the six-year period  
36 immediately preceding the date the application is submitted;
- 37 (2) the person has read such application and believes each of the  
38 statements made therein to be true;
- 39 (3) the applicant is honest, of good character and competent and not  
40 related or connected by blood or marriage to such person.

41 (c) Before an application for a license may be granted, the applicant  
42 or, if the applicant is an organization, all of the officers, directors, partners  
43 or associates shall:

- 1 (1) Be at least 21 years of age;
- 2 (2) be a citizen of the United States;
- 3 (3) be of good moral character; and
- 4 (4) comply with such other qualifications as the attorney general
- 5 adopts by rules and regulations.

6 (d) In accordance with the summary proceedings provisions of the  
7 Kansas administrative procedure act, the attorney general may deny a  
8 license if the applicant has:

9 (1) Committed any act which, if committed by a licensee, would be  
10 grounds for the suspension or revocation of a license under this act;

11 (2) committed any act constituting dishonesty or fraud;

12 (3) a bad moral character or a bad reputation for truth, honesty, and  
13 integrity;

14 (4) been convicted of a felony or, within 10 years immediately prior  
15 to the date of application, been convicted of any crime involving moral  
16 turpitude, dishonesty, vehicular homicide, assault, battery, assault of a law  
17 enforcement officer, misdemeanor battery against a law enforcement  
18 officer, criminal restraint, sexual battery, endangering a child, intimidation  
19 of a witness or victim or illegally using, carrying, or possessing a  
20 dangerous weapon;

21 (5) been refused a license under this act or had a license suspended or  
22 revoked in this state or in any other jurisdiction or had a license censured,  
23 limited or conditioned two or more times in this state or in any other  
24 jurisdiction;

25 (6) been an officer, director, partner or associate of any person who  
26 has been refused a license under this act or whose license has been  
27 suspended or revoked in this state or in any other jurisdiction or had a  
28 license censured, limited or conditioned two or more times in this state or  
29 in any other jurisdiction;

30 (7) while unlicensed, committed or aided and abetted the commission  
31 of any act for which a license is required by this act; or

32 (8) knowingly made any false statement in the application.

33 (e) The attorney general may charge a fee for initial application forms  
34 and materials in an amount fixed by the attorney general pursuant to  
35 K.S.A. 75-7b22, and amendments thereto. Such fee shall be credited  
36 against the application fee of any person who subsequently submits an  
37 application.

38 (f) *The attorney general shall grant a license to any person who*  
39 *holds a current, valid license as a private detective issued by the*  
40 *appropriate regulatory agency of another state that has substantially*  
41 *equivalent requirements for such licensure as this state. An applicant for a*  
42 *license issued pursuant to this section shall submit any information*  
43 *required by the attorney general and pay any fees required for such*

1 *licensure.*

2       Sec. 19. K.S.A. 1-302, 65-1152, 65-1505, 65-1663, 65-28a04, 65-  
3 28b03, 65-2906, 65-4203, 65-5406, 65-5506, 65-5906, 65-7203, 65-7503,  
4 72-2157 and 75-7b04 and K.S.A. 2019 Supp. 65-6129 and 65-6306 are  
5 hereby repealed.

6       Sec. 20. This act shall take effect and be in force from and after its  
7 publication in the statute book.