

HOUSE BILL No. 2045

By Committee on Health and Human Services

1-12

1 AN ACT concerning the state board of healing arts; institutional licenses;
2 amending K.S.A. 2016 Supp. 65-2895 and repealing the existing
3 section.

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

6 Section 1. K.S.A. 2016 Supp. 65-2895 is hereby amended to read as
7 follows: 65-2895. (a) There is hereby created an institutional license which
8 may be 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 which the graduates have been licensed in another
11 state or states ~~which~~ *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 the holder to comply with all requirements
18 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:

21 (1) The holder is employed by any institution within the Kansas
22 department for aging and disability services, employed by any institution
23 within the department of corrections or employed pursuant to a contract
24 entered into by the Kansas department for aging and disability services or
25 the department of corrections with a third party, and only within the
26 institution to which the holder is assigned; and

27 (2) the holder has been employed for at least three years as described
28 in subsection (c)(1) and is employed to provide mental health services in
29 Kansas in the employ of a Kansas licensed community mental health
30 center, or one of its contracted affiliates, or a federal, state, county or
31 municipal agency, or other political subdivision, or a contractor of a
32 federal, state, county or municipal agency, or other political subdivision,
33 a duly chartered educational institution, or a medical care facility licensed
34 under K.S.A. 65-425 et seq., and amendments thereto, in a psychiatric
35 hospital licensed under K.S.A. 75-3307b, and amendments thereto, or a
36 contractor of such educational institution, medical care facility or

1 psychiatric hospital, and whose practice, in any such employment, is
2 limited to providing mental health services, is a part of the duties of such
3 licensee's paid position and is performed solely on behalf of the employer;
4 *or*

5 (3) *the holder was issued an institutional license prior to May 9,*
6 *1997, and is providing mental health services pursuant to a written*
7 *protocol with a person who holds a Kansas license to practice medicine*
8 *and surgery other than an institutional license.*

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

28 (e) Nothing in this section shall prohibit any person who was issued
29 an institutional license prior to the effective date of this section from
30 having the institutional license reinstated by the board if the person meets
31 the requirements for an institutional license described in subsection (a).

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

34 Sec. 2. K.S.A. 2016 Supp. 65-2895 is hereby repealed.

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